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14 *Counsel for Individual and Representative*  
 15 *Plaintiffs and the Proposed Class*

16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

18 RICHARD KADREY, an individual;  
 19 SARAH SILVERMAN, an individual;  
 20 CHRISTOPHER GOLDEN, an individual;  
 21 Individual and Representative Plaintiffs,  
 22 v.  
 23 META PLATFORMS, INC., a Delaware  
 24 corporation;  
 25 Defendant.

Case No.  
**COMPLAINT**  
**CLASS ACTION**  
**DEMAND FOR JURY TRIAL**

1 Plaintiffs Richard Kadrey, Sarah Silverman, and Christopher Golden (“Plaintiffs”), on behalf of  
2 themselves and all others similarly situated, bring this Class Action Complaint (the “Complaint”)  
3 against Defendant Meta Platforms, Inc.

## 4 I. OVERVIEW

5 1. LLaMA is a set of large language models created and maintained by Defendant Meta  
6 Platforms, Inc. A *large language model* is an AI software program designed to emit convincingly  
7 naturalistic text outputs in response to user prompts.

8 2. Rather than being programmed in the traditional way, a large language model is  
9 “trained” by copying massive amounts of text and extracting expressive information from it. This body  
10 of text is called the *training dataset*.

11 3. A large language model’s output is therefore entirely and uniquely reliant on the  
12 material in its training dataset. Every time it assembles a text output, the model relies on the  
13 information it extracted from its training dataset. Thus, the decisions about what textual information to  
14 include in the training dataset are deliberate and important choices.

15 4. Plaintiffs and Class members are authors of books. Plaintiffs and Class members have  
16 copyrights in the books they published. Plaintiffs and Class members did not consent to the use of their  
17 copyrighted books as training material for LLaMA.

18 5. Nonetheless, their copyrighted materials were copied and ingested as part of training  
19 LLaMA. Many of Plaintiffs’ copyrighted books appear in the dataset that Meta has admitted to using to  
20 train LLaMA.

## 21 II. JURISDICTION AND VENUE

22 6. This Court has subject matter jurisdiction under 28 U.S.C. § 1331 because this case  
23 arises under the Copyright Act (17 U.S.C. § 501) and the Digital Millennium Copyright Act (17 U.S.C.  
24 § 1202).

25 7. Jurisdiction and venue is proper in this judicial district under 28 U.S.C. § 1391(c)(2)  
26 because Defendant Meta Platforms, Inc. (“Meta”) is headquartered in this district, and thus a  
27 substantial part of the events giving rise to the claim occurred in this district; and because a substantial  
28 part of the events giving rise to Plaintiffs’ claims occurred in this District, and a substantial portion of

1 the affected interstate trade and commerce was carried out in this District. Defendant has transacted  
2 business, maintained substantial contacts, and/or committed overt acts in furtherance of the illegal  
3 scheme and conspiracy throughout the United States, including in this District. Defendant's conduct  
4 has had the intended and foreseeable effect of causing injury to persons residing in, located in, or doing  
5 business throughout the United States, including in this District.

6 8. Under Civil Local Rule 3.2(d), assignment of this case to the San Francisco or Oakland  
7 Division is proper because Meta is headquartered in San Mateo County, where a substantial part of the  
8 events giving rise to the claim occurred, a substantial amount part of the events giving rise to Plaintiffs'  
9 claims and the interstate trade and commerce involved and affected by Defendant's conduct giving rise  
10 to the claims herein occurred in this Division.

### 11 III. PARTIES

#### 12 A. Plaintiffs

13 9. Plaintiff Richard Kadrey is a writer who lives in Pennsylvania. Plaintiff Kadrey owns  
14 registered copyrights in several books, including *Sandman Slim*. These books contain the copyright-  
15 management information customarily included in published books, including the name of the author  
16 and the year of publication.

17 10. Plaintiff Sarah Silverman is a writer and performer who lives in California. Plaintiff  
18 Silverman owns a registered copyright in one book, called *The Bedwetter*. This book contains copyright-  
19 management information customarily included in published books, including the name of the author  
20 and the year of publication.

21 11. Plaintiff Christopher Golden is a writer who lives in Massachusetts. Mr. Golden owns  
22 registered copyrights in several books, including *Ararat*. These books contain the copyright-  
23 management information customarily included in published books, including the name of the author  
24 and the year of publication.

25 12. A nonexhaustive list of registered copyrights owned by Plaintiffs is included as  
26 **Exhibit A.**

1 **B. Defendant**

2 13. Defendant Meta is a Delaware corporation with its principal place of business at 1601  
3 Willow Road, Menlo Park, California 94025.

4 **IV. AGENTS AND CO-CONSPIRATORS**

5 14. The unlawful acts alleged against the Defendant in this class action complaint were  
6 authorized, ordered, or performed by the Defendant’s respective officers, agents, employees,  
7 representatives, or shareholders while actively engaged in the management, direction, or control of the  
8 Defendant’s businesses or affairs. The Defendant’s agents operated under the explicit and apparent  
9 authority of their principals. Each Defendant, and its subsidiaries, affiliates, and agents operated as a  
10 single unified entity.

11 15. Various persons and/or firms not named as Defendants may have participated as co-  
12 conspirators in the violations alleged herein and may have performed acts and made statements in  
13 furtherance thereof. Each acted as the principal, agent, or joint venture of, or for other Defendants with  
14 respect to the acts, violations, and common course of conduct alleged herein.

15 **V. FACTUAL ALLEGATIONS**

16 16. Meta is a diversified internet company that creates, markets, and sells software and  
17 hardware technology products, including Facebook, Instagram, and Horizon Worlds. Meta also has a  
18 large artificial-intelligence group called Meta AI that creates and distributes artificial-intelligence  
19 software products.

20 17. *Artificial intelligence* is commonly abbreviated “AI.” AI software is designed to  
21 algorithmically simulate human reasoning or inference, often using statistical methods.

22 18. In February 2023, Meta released an AI product called LLaMA. LLaMA is a set of *large*  
23 *language models*. A large language model (or “LLM” for short) is AI software designed to parse and  
24 emit natural language. Though a large language model is a software program, it is not created the way  
25 most software programs are—that is, by human software engineers writing code. Rather, a large  
26 language model is “trained” by copying massive amounts of text from various sources and feeding  
27 these copies into the model. This corpus of input material is called the *training dataset*. During training,  
28 the large language model copies each piece of text in the training dataset and extracts expressive

1 information from it. The large language model progressively adjusts its output to more closely resemble  
2 the sequences of words copied from the training dataset. Once the large language model has copied and  
3 ingested all this text, it is able to emit convincing simulations of natural written language as it appears in  
4 the training dataset.

5 19. Much of the material in Meta’s training dataset, however, comes from copyrighted  
6 works—including books written by Plaintiffs—that were copied by Meta without consent, without  
7 credit, and without compensation.

8 20. Authors, including Plaintiffs, publish books with certain copyright management  
9 information. This information includes the book’s title, the ISBN number or copyright number, the  
10 author’s name, the copyright holder’s name, and terms and conditions of use. Most commonly, this  
11 information is bound on the back of the book’s title page and is standard in any book, regardless of  
12 genre.

13 21. Meta introduced LLaMA in a paper called “LLaMA: Open and Efficient Foundation  
14 Language Models”. In the paper, Meta describes the LLaMA training dataset as “a large quantity of  
15 textual data” that was chosen because it was “publicly available, and compatible with open sourcing.”

16 22. *Open sourcing* refers to putting data under a permissive style of copyright license called  
17 an *open-source license*. Copyrighted materials, however, are not ordinarily “compatible with open  
18 sourcing” unless and until the copyright owner first places the material under an open-source license,  
19 thereby enabling others to do so later.

20 23. In a table describing the composition of the LLaMA training dataset, Meta notes that  
21 85 gigabytes of the training data comes from a category called “Books.” Meta further elaborates that  
22 “Books” comprises the text of books from two internet sources: (1) Project Gutenberg, an online  
23 archive of approximately 70,000 books that are out of copyright, and (2) “the Books3 section of  
24 ThePile . . . a publicly available dataset for training large language models.” Meta’s paper on LLaMA  
25 does not further describe the contents of Books3 or ThePile.

26 24. But that information is available elsewhere. ThePile is a dataset assembled by a research  
27 organization called EleutherAI. In December 2020, EleutherAI introduced this dataset in a paper  
28 called “The Pile: An 800GB Dataset of Diverse Text for Language Modeling”.

1           25.     The EleutherAI paper reveals that the Books3 dataset comprises 108 gigabytes of data,  
2 or approximately 12% of the dataset, making it the third largest component of The Pile by size.

3           26.     The EleutherAI paper describes the contents of Books3:

4                     Books3 is a dataset of books derived from a copy of the contents of the  
5                     Bibliotik private tracker ... Bibliotik consists of a mix of fiction and  
6                     nonfiction books and is almost an order of magnitude larger than our next  
7                     largest book dataset (BookCorpus2). We included Bibliotik because  
8                     books are invaluable for long-range context modeling research and  
9                     coherent storytelling.

10           27.     Bibliotik is one of a number of notorious “shadow library” websites that also includes  
11           Library Genesis (aka LibGen), Z-Library (aka B-ok), and Sci-Hub. The books and other materials  
12           aggregated by these websites have also been available in bulk via torrent systems. These shadow  
13           libraries have long been of interest to the AI-training community because of the large quantity of  
14           copyrighted material they host. For that reason, these shadow libraries are also flagrantly illegal.

15           28.     The person who assembled the Books3 dataset has confirmed in public statements that  
16           it represents “all of Bibliotik” and contains 196,640 books. EleutherAI currently distributes copies of  
17           Books3 through its website (<https://pile.eleuther.ai/>).

18           29.     The Books3 dataset is also available from a popular AI project hosting service called  
19           Hugging Face ([https://huggingface.co/datasets/the\\_pile\\_books3](https://huggingface.co/datasets/the_pile_books3)).

20           30.     Many of Plaintiffs’ books appear in the Books3 dataset. A list of Plaintiffs’ books  
21           currently known to exist in the Books3 dataset is attached as Exhibit B. Together, these books are  
22           referred to as the **Infringed Works**.

23           31.     Since the launch of the LLaMA language models in February 2023, Meta has made  
24           these models selectively available to organizations that request access, saying:

25                     To maintain integrity and prevent misuse, we are releasing our model  
26                     under a noncommercial license focused on research use cases. Access to  
27                     the model will be granted on a case-by-case basis to academic  
28                     researchers; those affiliated with organizations in government, civil  
                      society, and academia; and industry research laboratories around the  
                      world. People interested in applying for access can find the link to the  
                      application in our research paper.

1 32. Meta has not disclosed what criteria it uses to decide who is eligible to receive the  
2 LLaMA language models, nor who has actually received them, or whether Meta has in fact adhered to  
3 its stated criteria. On information and belief, Meta has in fact distributed the LLaMA models to certain  
4 people and entities, continues to do so, and has benefited financially from these acts.

5 33. In March 2023, the LLaMA language models were leaked to a public internet site and  
6 have continued to circulate. Meta has not disclosed what role it had, if any, in the leak.

7 34. Later in March 2023, Meta issued a DMCA takedown notice to a programmer on  
8 GitHub who had released a tool that helped users download the leaked LLaMA language models. In the  
9 notice, Meta asserted copyright over the LLaMA language models.

10 35. According to reporting in June 2023, Meta plans to make the next version of LLaMA  
11 commercially available.

12 **VI. CLAIMS FOR RELIEF**

13 **COUNT 1**  
14 **DIRECT COPYRIGHT INFRINGEMENT**  
15 **17 U.S.C. § 106**

16 36. Plaintiffs incorporate by reference the preceding factual allegations.

17 37. As the owners of the registered copyrights in the Infringed Works, Plaintiffs hold the  
18 exclusive rights to those books under 17 U.S.C. § 106.

19 38. To train the LLaMA language models, Meta copied the Books3 dataset, which includes  
20 the Infringed Works.

21 39. Plaintiffs never authorized Meta to make copies of their Infringed Works, make  
22 derivative works, publicly display copies (or derivative works), or distribute copies (or derivative  
23 works). All those rights belong exclusively to Plaintiffs under copyright law.

24 40. Meta made copies of the Infringed Works during the training process of the LLaMA  
25 language models without Plaintiffs' permission.

26 41. Because the LLaMA language models cannot function without the expressive  
27 information extracted from Plaintiffs' Infringed Works and retained inside the LLaMA language  
28 models, these LLaMA language models are themselves infringing derivative works, made without  
Plaintiffs' permission and in violation of their exclusive rights under the Copyright Act.

1 42. Plaintiffs have been injured by Meta’s acts of direct copyright infringement. Plaintiffs  
2 are entitled to statutory damages, actual damages, restitution of profits, and other remedies provided  
3 by law.

4 **COUNT 2**  
5 **VICARIOUS COPYRIGHT INFRINGEMENT**  
6 **17 U.S.C. § 106**

7 43. Plaintiffs incorporate by reference the preceding factual allegations.

8 44. Because the output of the LLaMA language models is based on expressive information  
9 extracted from Plaintiffs’ Infringed Works, every output of the LLaMA language models is an  
10 infringing derivative work, made without Plaintiffs’ permission and in violation of their exclusive rights  
11 under the Copyright Act.

12 45. Meta has the right and ability to control the output of the LLaMA language models.  
13 Meta has benefited financially from the infringing output of the LLaMA language models. Therefore,  
14 every output from the LLaMA language models constitutes an act of vicarious copyright infringement.

15 46. Plaintiffs have been injured by Meta’s acts of vicarious copyright infringement. Plaintiffs  
16 are entitled to statutory damages, actual damages, restitution of profits, and other remedies provided  
17 by law.

18 **COUNT 3**  
19 **REMOVAL OF COPYRIGHT-MANAGEMENT INFORMATION**  
20 **AND FALSE ASSERTION OF COPYRIGHT**  
21 **17 U.S.C. § 1202(B)**

22 47. Plaintiffs incorporate by reference the preceding factual allegations.

23 48. Plaintiffs included one or more forms of copyright-management information (“CMI”)  
24 in each of the Plaintiffs’ Infringed Works, including: copyright notice, title and other identifying  
25 information, or the name or other identifying information about the owners of each book, terms and  
26 conditions of use, and identifying numbers or symbols referring to CMI.

27 49. Without the authority of Plaintiffs and the Class, Meta copied the Plaintiffs’ Infringed  
28 Works and used them as training data for the LLaMA language models. By design, the training process  
does not preserve any CMI. Therefore, Meta intentionally removed CMI from the Plaintiffs’ Infringed  
Works in violation of 17 U.S.C. § 1202(b)(1).



1 50. Without the authority of Plaintiffs and the Class, Defendant created derivative works  
2 based on Plaintiffs' Infringed Works. By distributing these works without their CMI, Meta violated 17  
3 U.S.C. § 1202(b)(3).

4 51. By falsely claiming that it has sole copyright in the LLaMA language models—which it  
5 cannot, because the LLaMA language models are infringing derivative works—Meta violated 17 U.S.C.  
6 § 1202(a)(1).

7 52. Meta knew or had reasonable grounds to know that this removal of CMI would facilitate  
8 copyright infringement by concealing the fact that every output from the LLaMA language models is an  
9 infringing derivative work, synthesized entirely from expressive information found in the training data.

10 53. Plaintiffs have been injured by Meta's removal of CMI. Plaintiffs are entitled to  
11 statutory damages, actual damages, restitution of profits, and other remedies provided by law.

12  
13 **COUNT 4**  
14 **UNFAIR COMPETITION**  
**CAL. BUS. & PROF. CODE §§ 17200, ET SEQ.**

15 54. Plaintiffs incorporate by reference the preceding factual allegations.

16 55. Defendant has engaged in unlawful business practices, including violating Plaintiffs' and  
17 the Class's rights under the DMCA, and using Plaintiffs' Infringed Works to train LLaMA without  
18 Plaintiffs' or the Class's authorization.

19 56. The unlawful business practices described herein violate California Business and  
20 Professions Code section 17200 *et seq.* because that conduct is otherwise unlawful by violating the  
21 DMCA.

22 57. The unlawful business practices described herein violate California Business and  
23 Professions Code section 17200 *et seq.* because they are unfair, immoral, unethical, oppressive,  
24 unscrupulous or injurious to consumers, because, among other reasons, Defendant used Plaintiffs'  
25 protected works to train LLaMA for Defendant's own gain without Plaintiffs' and the Class's  
26 authorization.

27 58. The unlawful business practices described herein violate California Business and  
28 Professions Code section 17200 *et seq.* as fraudulent because consumers are likely to be deceived

1 because, among other reasons, Meta caused LLaMA's output to be emitted without any credit to  
2 Plaintiffs' or the Class whose Infringed Works comprise LLaMA's training dataset.

3  
4 **COUNT 5**  
5 **UNJUST ENRICHMENT**  
6 **CALIFORNIA COMMON LAW**

7 1. Plaintiffs incorporate by reference the preceding factual allegations.

8 2. Plaintiffs and the Class have invested substantial time and energy in creating the  
9 Infringed Works.

10 3. Defendants have unjustly utilized access to the Infringed Materials to train LLaMA.

11 4. Plaintiffs did not consent to the unauthorized use of the Infringed Materials to train  
12 LLaMA.

13 5. By using Plaintiffs' Infringed Works to train LLaMA, Plaintiffs and the Class were  
14 deprived of the benefits of their work, including monetary damages.

15 6. Defendants derived or intend to derive profit and other benefits from the use of the  
16 Infringed Materials to train LLaMA.

17 7. It would be unjust for Defendant to retain those benefits.

18 8. The conduct of Defendant is causing and, unless enjoined and restrained by this Court,  
19 will continue to cause Plaintiffs and the Class great and irreparable injury that cannot fully be  
20 compensated or measured in money.

21 **COUNT 6**  
22 **NEGLIGENCE**  
23 **CALIFORNIA COMMON LAW**

24 9. Plaintiffs incorporate by reference the preceding factual allegations.

25 10. Defendant owed a duty of care toward Plaintiffs and the Class based upon Defendant's  
26 relationship to them. This duty is based upon Defendant's obligations, custom and practice, right to  
27 control information in its possession, exercise of control over the information in its possession,  
28 authority to control the information in its possession, and the commission of affirmative acts that result  
in said harms and losses. Additionally, this duty is based on the requirements of California Civil Code

1 section 1714, requiring all “persons,” including Defendant, to act in a reasonable manner toward  
2 others.

3 11. Defendant breached its duties by negligently, carelessly, and recklessly collecting,  
4 maintaining and controlling Plaintiffs’ and Class members’ Infringed Works and engineering,  
5 designing, maintaining and controlling systems—including LLaMA—which are trained on Plaintiffs’  
6 and Class members’ Infringed Works without their authorization.

7 12. Defendant owed Plaintiffs and Class members a duty of care to maintain Plaintiffs’  
8 Infringed Works once collected and ingested for training LLaMA.

9 13. Defendant also owed Plaintiffs and Class members a duty of care to not use the  
10 Infringed Works in a way that would foreseeably cause Plaintiffs and Class members injury, for  
11 instance, by using the Infringed Works to train LLaMA.

12 14. Defendant breached their duties by, *inter alia*, the Infringed Works to train LLaMA.

## 13 VII. CLASS ALLEGATIONS

### 14 A. Class Definition

15 15. Plaintiffs bring this action for damages and injunctive relief as a class action under  
16 Federal Rules of Civil Procedure 23(a), 23(b)(2), and 23(b)(3), on behalf of the following Class:

17 **All persons or entities domiciled in the United States that own a**  
18 **United States copyright in any work that was used as training data**  
19 **for the LLaMA language models during the Class Period.**

20 16. This Class definition excludes:

- 21 a. Defendant named herein;
- 22 b. any of the Defendant’s co-conspirators;
- 23 c. any of Defendant’s parent companies, subsidiaries, and affiliates;
- 24 d. any of Defendant’s officers, directors, management, employees, subsidiaries,  
25 affiliates, or agents;
- 26 e. all governmental entities; and
- 27 f. the judges and chambers staff in this case, as well as any members of their  
28 immediate families.

1 **B. Numerosity**

2 17. Plaintiffs do not know the exact number of members in the Class. This information is in  
3 the exclusive control of Defendant. On information and belief, there are at least thousands of members  
4 in the Class geographically dispersed throughout the United States. Therefore, joinder of all members  
5 of the Class in the prosecution of this action is impracticable.

6 **C. Typicality**

7 18. Plaintiffs' claims are typical of the claims of other members of the Class because  
8 Plaintiffs and all members of the Class were damaged by the same wrongful conduct of Defendant as  
9 alleged herein, and the relief sought herein is common to all members of the Class.

10 **D. Adequacy**

11 19. Plaintiffs will fairly and adequately represent the interests of the members of the Class  
12 because the Plaintiffs have experienced the same harms as the members of the Class and have no  
13 conflicts with any other members of the Class. Furthermore, Plaintiffs have retained sophisticated and  
14 competent counsel who are experienced in prosecuting federal and state class actions, as well as other  
15 complex litigation.

16 **E. Commonality and Predominance**

17 20. Numerous questions of law or fact common to each Class arise from Defendant's  
18 conduct:

- 19 a. whether Defendant violated the copyrights of Plaintiffs and the Class when they  
20 downloaded copies of Plaintiff's Infringed Works and used them to train the LLaMA  
21 language models;
- 22 b. whether the LLaMA language models are themselves infringing derivative works based  
23 on Plaintiffs' Infringed Works;
- 24 c. whether the text outputs of the LLaMA language models are infringing derivative works  
25 based on Plaintiffs' Infringed Works;
- 26 d. whether Defendant violated the DMCA by removing copyright-management information  
27 (CMI) from Plaintiffs' Infringed Works.
- 28 e. Whether Defendant was unjustly enriched by the unlawful conduct alleged herein.

- 1 f. Whether Defendant's conduct alleged herein constitutes Unfair Competition under
- 2 California Business and Professions Code section 17200 *et seq.*
- 3 g. Whether Defendant's conduct alleged herein constitutes common unfair competition
- 4 h. Whether any affirmative defense excuses Defendant's conduct.
- 5 i. Whether any statutes of limitation limits Plaintiffs' and the Class's potential for recovery.

6 21. These and other questions of law and fact are common to the Class predominate over  
7 any questions affecting the members of the Class individually.

8 **F. Other Class Considerations**

9 22. Defendants have acted on grounds generally applicable to the Class. This class action is  
10 superior to alternatives, if any, for the fair and efficient adjudication of this controversy. Prosecuting the  
11 claims pleaded herein as a class action will eliminate the possibility of repetitive litigation. There will be  
12 no material difficulty in the management of this action as a class action.

13 23. The prosecution of separate actions by individual Class members would create the risk  
14 of inconsistent or varying adjudications, establishing incompatible standards of conduct for  
15 Defendants.

16 **VIII. DEMAND FOR JUDGMENT**

17 WHEREFORE, Plaintiffs request that the Court enter judgment on their behalf and on behalf of  
18 the Class defined herein, by ordering:

- 19 a) This action may proceed as a class action, with Plaintiffs serving as Class
- 20 Representatives, and with Plaintiffs' counsel as Class Counsel.
- 21 b) Judgment in favor of Plaintiffs and the Class and against Defendant.
- 22 c) An award of statutory and other damages under 17 U.S.C. § 504 for violations of the
- 23 copyrights of Plaintiffs and the Class by Defendant.
- 24 d) Permanent injunctive relief, including but not limited to changes to the LLaMA
- 25 language models to ensure that all applicable information set forth in 17 U.S.C. §
- 26 1203(b)(1) is included when appropriate.
- 27 e) An order of costs and allowable attorney's fees under 17 U.S.C. § 1203(b)(4)–(5).

- 1 f) An award of statutory damages under 17 U.S.C. § 1203(b)(3) and 17 U.S.C. § 1203(c)(3),  
2 or in the alternative, an award of actual damages and any additional profits under 17  
3 U.S.C. § 1203(c)(2) (including tripling damages under 17 U.S.C. § 1203(c)(4) if  
4 applicable).
- 5 g) Pre- and post-judgment interest on the damages awarded to Plaintiffs and the Class, and  
6 that such interest be awarded at the highest legal rate from and after the date this class  
7 action complaint is first served on Defendant.
- 8 h) Defendants are to be jointly and severally responsible financially for the costs and  
9 expenses of a Court approved notice program through post and media designed to give  
10 immediate notification to the Class.
- 11 i) Further relief for Plaintiffs and the Class as may be just and proper.

12 **IX. JURY TRIAL DEMANDED**

13 Under Federal Rule of Civil Procedure 38(b), Plaintiffs demand a trial by jury of all the claims  
14 asserted in this Complaint so triable.

1 Dated: July 7, 2023

By: /s/ Joseph R. Saveri  
Joseph R. Saveri

2  
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22 *Counsel for Individual and Representative*  
23 *Plaintiffs and the Proposed Class*  
24  
25  
26  
27  
28

# **EXHIBIT A**



Type of Work: Text

Registration Number / Date:

TX0007435365 / 2011-10-20

Application Title: ALOHA FROM HELL.

Title: ALOHA FROM HELL.

Description: Book, 438 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2011

Date of Publication:

2011-10-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

=====  
=====

Type of Work: Text

Registration Number / Date:

TX0008188442 / 2016-04-12

Application Title: THE EVERYTHING BOX.

Title: THE EVERYTHING BOX.

Description: Book, 352 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2016

Date of Publication:

2016-04-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

=====  
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Type of Work: Text

Registration Number / Date:

TX0007301884 / 2011-01-05

Application Title: Kill the Dead.

Title: Kill the Dead.

Description: Book, 434 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2010

Date of Publication:

2010-10-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

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Type of Work: Text

Registration Number / Date:

TX0008315399 / 2016-07-28

Application Title: THE PERDITION SCORE.

Title: THE PERDITION SCORE.

Description: Book 375 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2016

Date of Publication:

2016-06-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

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Type of Work: Text

Registration Number / Date:

TX0007044052 / 2009-08-25

Application Title: Sandman Slim.

Title: Sandman Slim.

Description: Book, 388 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2009

Date of Publication:

2009-08-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

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Type of Work: Text

Registration Number / Date:

TX0008385641 / 2017-03-09

Application Title: THE WRONG DEAD GUY.

Title: THE WRONG DEAD GUY.

Description: Book, 420 p.

Copyright Claimant:

Richard Kadrey.

Date of Creation: 2017

Date of Publication:

2017-02-01

Nation of First Publication:

United States

Authorship on Application:

Richard Kadrey; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Kadrey, Richard

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Type of Work: Text

Registration Number / Date:

TX0007188321 / 2010-06-02

Application Title: The Bedwetter.

Title: The Bedwetter.

Description: Book, 240 p.

Copyright Claimant:

Sarah Silverman.

Date of Creation: 2010

Date of Publication:

2010-04-01

Nation of First Publication:

United States

Authorship on Application:

Sarah Silverman; Domicile: United States; Citizenship:

United States. Authorship: text.

Names: Silverman, Sarah

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Type of Work: Text

Registration Number / Date:

TX0008471412 / 2017-09-05

Application Title: ARARAT.

Title: ARARAT.

Description: Book, 305 p.

Copyright Claimant:

CHRISTOPHER GOLDEN.

Date of Creation: 2016

Date of Publication:

2017-03-29

Nation of First Publication:

United States

Authorship on Application:

CHRISTOPHER GOLDEN; Domicile: not known. Authorship: text.

Names: GOLDEN, CHRISTOPHER

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Type of Work: Text

Registration Number / Date:

TX0008234899 / 2016-02-23

Application Title: DEAD RINGERS.

Title: DEAD RINGERS.

Description: Book, 309 p.

Copyright Claimant:

CHRISTOPHER GOLDEN.

Date of Creation: 2014

Date of Publication:

2015-10-15

Nation of First Publication:

United States

Authorship on Application:

CHRISTOPHER GOLDEN; Domicile: not known. Authorship: text.

Names: GOLDEN, CHRISTOPHER

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Type of Work: Text

Registration Number / Date:

TX0008737109 / 2019-04-05

Application Title: THE PANDORA ROOM.

Title: THE PANDORA ROOM.

Description: Book, 307 p.

Copyright Claimant:

Christopher Golden.

Date of Creation: 2018

Date of Publication:

2019-04-03

Nation of First Publication:

United States

Authorship on Application:

Christopher Golden; Domicile: United States. Authorship:  
text.

Names: Golden, Christopher

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Type of Work: Text

Registration Number / Date:

TX0007828620 / 2014-01-17

Application Title: SNOWBLIND.

Title: SNOWBLIND.

Description: Book, 309 p.

Copyright Claimant:

CHRISTOPHER GOLDEN.

Date of Creation: 2013

Date of Publication:

2014-01-02

Nation of First Publication:

United States

Authorship on Application:

CHRISTOPHER GOLDEN. Authorship: text.

Names: GOLDEN, CHRISTOPHER

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# **EXHIBIT B**

**Richard Kadrey Books**

Aloha from Hell

The Everything Box

Kill the Dead

The Perdition Score

Sandman Slim

The Wrong Dead Guy

**Sarah Silverman Books**

The Bedwetter

**Christopher Golden Books**

Ararat

Dead Ringers

The Pandora Room

Snowblind

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Richard Kadrey, an individual; Sarah Silverman, an individual; Christopher Golden, an individual

(b) County of Residence of First Listed Plaintiff Allegheny County, PA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See Attachment 1

DEFENDANTS

Meta Platforms, Inc., a Delaware corporation

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation-Transfer
8 Multidistrict Litigation-Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 17 U.S.C. § 504; 17 U.S.C. §§ 1201 et seq.

Brief description of cause: Copyright Infringement, DMCA violations and related claims.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ 1,000,000,000.00

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 07/07/2023

SIGNATURE OF ATTORNEY OF RECORD

/s/ Joseph R. Saveri

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

**Authority For Civil Cover Sheet.** The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the “defendant” is the location of the tract of land involved.)
- c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section “(see attachment).”
- II. Jurisdiction.** The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an “X” in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
  - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an “X” in this box.
  - (3) Federal question. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
  - (4) Diversity of citizenship. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an “X” in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an “X” in one of the six boxes.
- (1) Original Proceedings. Cases originating in the United States district courts.
  - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
  - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
  - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
  - (5) Transferred from Another District. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
  - (6) Multidistrict Litigation Transfer. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
  - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket. Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC § 553. Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an “X” in this box if you are filing a class action under Federal Rule of Civil Procedure 23. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment.** If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: “the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.”
- Date and Attorney Signature.** Date and sign the civil cover sheet.

**ATTACHMENT 1**

**ATTORNEYS**

Joseph R. Saveri (State Bar No. 130064)

Cadio Zirpoli (State Bar No. 179108)

Christopher K.L. Young (State Bar No. 318371)

Kathleen J. McMahon (State Bar No. 340007)

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Plaintiffs and the Proposed Class*