

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA**

**FLORIDA ABOLITIONIST, INC.; JANE
DOE #1; JANE DOE #2; AND SUSAN ROE,**

Plaintiffs,

-against-

**BACKPAGE.COM LLC; CARL FERRER;
MICHAEL LACEY; JAMES LARKIN;
WEBSITE TECHNOLOGIES, LLC;
IC HOLDINGS LLC; DARTMOOR
HOLDINGS LLC; CAMARILLO
HOLDINGS LLC; ATLANTISCHE
BEDRIJVEN CV; KICKAPOO RIVER
INVESTMENTS, LLC; AMSTEL RIVER
HOLDINGS LLC; POSTFASTER LLC;
CLASSIFIED SOLUTIONS LTD;
MEDALIST HOLDINGS, INC; AD TECH
BV; UGC TECH GROUP CV; POSTING
SOLUTIONS LLC; AND CEREUS
PROPERTIES LLC,**

Defendants.

Civ. A. No. 1:17-cv-00218-JA-TBS

FIRST AMENDED CIVIL
COMPLAINT AND DEMAND
FOR JURY TRIAL

Plaintiffs Florida Abolitionist, Inc., Jane Doe #1, Jane Doe #2, and Susan Roe (collectively, “Plaintiffs”), by and through their undersigned attorneys, allege upon personal knowledge of their own acts and status and upon information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. For nearly a decade, Backpage.com (“Backpage”) and its related websites dominated the online marketplace for illegal prostitution and sex trafficking, earning

hundreds of millions of dollars hosting advertisements that sold women and children for sex. As the United States Senate and 51 state attorneys general have concluded, Backpage was more than the leading online marketplace for commercial sex—it was a hub of human sex trafficking, and an active participant in the sexual exploitation of minors and coerced adults.

2. Even when clear evidence emerged in early 2017 showing that Defendants were knowingly facilitating sex trafficking through the Backpage website, Defendants continued to operate the site, arguing vociferously that federal laws shielded them from any liability for their wrongful conduct.

3. Defendants were wrong. On April 6, 2018, after a year-long investigation, federal authorities seized the Backpage website and shut down all activity. Federal prosecutors also revealed a 93-count indictment against Defendants Carl Ferrer, Michael Lacey, and James Larkin (the “Individual Defendants”) and others, charging them with various offenses related to the promotion of prostitution and money laundering. In connection with these criminal charges, the U.S. Attorney General stated: “For far too long, Backpage.com existed as the dominant marketplace for illicit commercial sex, a place where sex traffickers frequently advertised children and adults alike. But this illegality stops right now. Last Friday, the Department of Justice seized Backpage, and it can no longer be used by criminals to promote and facilitate human trafficking.”

4. On April 11, 2018, the President signed the Allow States and Victims to Fight Online Sex Trafficking Act of 2017 (“FOSTA”), new legislation which makes clear

that Backpage and its principals face civil liability from their victims for knowingly facilitating sex trafficking.

5. The following day, on April 12, 2018, Defendants Backpage.com LLC and Ferrer pleaded guilty to federal criminal conspiracy charges related to the operation of websites, including Backpage, that facilitate criminal activity. In written plea agreements, these Defendants admitted that Backpage derived the “great majority” of its revenue from “advertisements for prostitution services (which are not protected by the First Amendment and which are illegal in 49 states and in much of Nevada).” They also admitted to knowingly facilitating state prostitution crimes committed by Backpage’s customers, including by selectively editing online advertisements to conceal the true nature of the services being offered.

6. Further, Ferrer pleaded guilty to conspiring with Backpage’s other principals (Lacey and Larkin) to launder money by tricking “credit card companies into believing that Backpage-associated charges were being incurred on different websites, to route Backpage-related payments and proceeds through bank accounts held in the name of seemingly unconnected entities . . . , and to use cryptocurrency-processing companies . . . for similar purposes.” This scheme was necessary because the Individual Defendants’ criminal enterprise generated a staggering amount of money, but credit card companies had refused to process payments to Backpage given its facilitation of illegal activity.

7. Defendants’ conspiracy to profit from this illegal conduct has been ongoing for a number of years. During this time, the Individual Defendants routinely manipulated content on Backpage to obscure its true criminal nature. Led by Ferrer, who

served as President and CEO, Backpage created online content designed to facilitate sex trafficking and deliberately obscured evidence of criminal behavior to ensure it continued to profit from the sexual exploitation of children and adults coerced into prostitution. Defendants actively participated in the creation of advertisements that traffic children and coerce adults by providing content, authoring text, deleting text and photos, and editing information which advertised these individuals for sex.

8. Defendants also changed the content of advertisements submitted by traffickers and replaced them with certain code words recognizable by their clientele. Defendants rewrote the advertisements in part to obscure the illegal activity—the sale of a trafficked adult or child for sex. Of course, the age of the child, or the nature of the illegal transaction proposed, does not change merely because she is no longer described as “young” or a “lolita.” Several examples of advertisements found on Backpage are excerpted below. According to the National Center for Missing and Exploited Children (“NCMEC”) and law enforcement, these advertisements were used to sell the sexual services of a trafficked child:

- “♥♥♥♥Exotic Young and Inexperienced ♥♥♥♥I dont know no better♥♥♥♥Soo i might just do it♥♥♥♥ - 18 you didn't get to see HERE'S YOUR CHANCE.. REAL PIC, NO RUSH PLUS I LIKE. WHAT I DO EVEN THOUGH I JUST STARTED”
- “3 juicy wet kitties ready to be played with as we rotate around we please you with warming attitudes and open minded decisions were everything you been looking for”

9. Defendants conspired with traffickers to ensure that the advertisements posted on Backpage were successful, earning both Backpage and the traffickers enormous profits from the sexual exploitation of children and coerced adults. Defendants made millions of dollars in profits each year from websites designed and intended to be used, and that they knew were being used, for illegal sex trafficking.

10. Backpage was repeatedly notified that its website facilitated human sex trafficking by federal and state law enforcement and the United States Senate, which passed two resolutions condemning Backpage for its involvement in child sex trafficking and issued an exhaustive report chronicling Backpage's "knowing facilitation of online sex trafficking." *See* U.S. Senate Permanent Subcomm. on Investigations, Staff Report, *Backpage.com's Knowing Facilitation of Online Sex Trafficking* (Jan. 9, 2017), <http://www.hsgac.senate.gov/download/backpagecoms-knowing-facilitation-of-online-sex-trafficking> (last accessed April 20, 2018) (hereinafter, "Senate Report"). According to the Massachusetts Attorney General, "[t]he vast majority of prosecutions for sex trafficking now involve online advertising, and most of those advertisements appear on Backpage." *Id.* at 6. In 2015, NCMEC, the leading organization for resources and information about missing and exploited children, reported that at least 73% of the reports it receives of trafficked children involve Backpage. *Id.*

11. Despite numerous warnings, Defendants continued to use Backpage to conduct illegal sex trafficking. As Backpage faced increasing scrutiny from both law enforcement and private industry, the Individual Defendants took steps to conceal the nature of their conduct to maintain their dominant position in the marketplace for online

advertisements of trafficked children and coerced adults. The Individual Defendants employed a web of corporations, including Defendant Backpage.com LLC, to cloak Backpage's illegal business activities and funnel profits to Lacey and Larkin, Backpage's ultimate beneficial owners. Some of these entities were mere shell companies; others were used to facilitate the laundering of hundreds of millions of dollars in proceeds from the enterprise, as defined below, to Lacey and Larkin.

12. In January 2017, the Individual Defendants purported to "shut down" the section of Backpage.com that hosted sex ads. In reality, these ads were simply diverted to the "Dating" section of the website. In an effort to escape liability for its manipulation of its advertising content, the Individual Defendants later attempted to remove all written content from Backpage's advertisements, leaving only phone numbers and photographs and/or videos of unclothed women. Users could include text, however, in their photographs and video messages. Defendants continued to profit from these illegal advertisements.

13. Plaintiff Jane Doe #1 was one of Backpage's many victims. She was trafficked on March 30, 2013, when her traffickers—who had previously used Backpage to traffic other women—held her captive and posted her photograph and an advertisement offering her for sexual services on Backpage without her consent or authorization. Five different individuals responded to the advertisement for Ms. Doe #1 on Backpage, resulting in her being sold and raped at least five times in a period of 12 hours. By running advertisements on behalf of sex traffickers, Defendants knowingly participated in, and profited from, the unlawful sexual exploitation of Plaintiff Doe #1.

14. Plaintiff Jane Doe #2 was also a victim of Backpage. She was only 15 years old when her traffickers took photographs of her and used those images to create an advertisement offering her sexual services on Backpage. Over the course of two weeks in early 2016, Ms. Doe #2 was sold and raped by numerous individuals who responded to the Backpage advertisement. By running advertisements on behalf of sex traffickers, Defendants knowingly participated in, and profited from, the unlawful sexual exploitation of Plaintiff Doe #2, who was a minor at the time.

15. Plaintiff Susan Roe is the mother of Jane Doe #2 who, as the result of Backpage's conduct, has lost the comfort, companionship, and society of Jane Doe #2.

16. Plaintiff Florida Abolitionist is a 501(c)(3) non-profit organization in Orlando, Florida, whose main mission is to combat and end human trafficking and other forms of modern-day human slavery. Florida Abolitionist also provides direct services to trafficked adults and children. Backpage's participation in, and facilitation of, sex trafficking has increased the number of trafficked adults and children that Florida Abolitionist treats. Backpage has also caused Florida Abolitionist to expend more resources to provide services to trafficked adults and children than it would have otherwise, thereby decreasing, diverting, and draining the resources devoted to its main mission of preventing and ending human trafficking. Defendants' actions thus frustrated Florida Abolitionist's mission including in that it diverted significant resources, time, staff, and funds from its mission to end human trafficking in order to provide the necessary support and shelter to trafficking victims.

17. Plaintiffs bring this action to hold Defendants civilly liable for the harm caused by their criminal enterprise.

THE PARTIES

18. Defendant Backpage.com LLC is a Delaware Limited Liability Company with its principal place of business in Dallas, Texas. Backpage.com LLC owns, operates, designs, and controls the website that does business as Backpage, including its content. At all times material hereto, Defendant Backpage.com LLC transacted business in Florida.

19. Defendant Carl Ferrer is the CEO of Backpage.com LLC and a resident of the State of Texas. Ferrer has also served as CEO of Classified Solutions LTD, a Private Limited Company registered in England and Wales, which is controlled by Defendant Website Technologies, LLC and derives income from Backpage. Ferrer is an owner of Defendant Dartmoor Holdings LLC, an indirect parent company of Backpage.com LLC and the manager of Website Technologies, LLC. Ferrer receives his personal income from Backpage.com through two affiliated companies, Website Technologies, LLC and Amstel River Holdings LLC. At all times material hereto, Defendant Ferrer transacted business in Florida, including through Backpage.

20. Defendant Michael Lacey is an owner of Backpage.com LLC and a resident of the State of Arizona. Defendant Lacey is a true beneficial owner of Backpage.com LLC. As of February 2015, Defendant Lacey retained 45.12% of Medalist Holdings Inc. shares. At all times material hereto, Defendant Lacey transacted business in Florida, including through Backpage.

21. Defendant James Larkin is an owner of Backpage.com LLC and a resident of the State of Arizona. Defendant Larkin is a true beneficial owner of Backpage.com LLC. He is the CEO and President of Website Technologies, LLC, which pays the employees of Backpage.com LLC. He also served as CEO of Medalist Holdings Inc. and retained a 42.76% interest in the company as of February 2015. At all times material hereto, Defendant Larkin transacted business in Florida, including through Backpage.

22. Defendant Website Technologies, LLC is an owner of Backpage.com LLC. Website Technologies, LLC pays the employees of Backpage.com LLC. It also participates in the control and operation of Backpage.com LLC. Defendant Website Technologies, LLC, itself, is controlled and operated by the same Defendants that own and operate Backpage.com LLC. Website Technologies is located at 2501 Oak Lawn, Dallas, Texas 75219. At all times material hereto, Defendant Website Technologies, LLC transacted business in Florida, including through its subsidiary Backpage.com LLC.

23. Defendant IC Holdings LLC is an owner of Backpage.com LLC. Defendant IC Holdings LLC participates in the operation and control of Backpage.com, and its affiliated websites. Defendant IC Holdings LLC is owned and operated by the same Defendants that own and operate Backpage.com LLC, and/or other affiliated entities. At all times material hereto, Defendant IC Holdings LLC transacted business in Florida, including through its subsidiary Backpage.com LLC.

24. Defendant Dartmoor Holdings LLC is a Delaware Limited Liability Company with its principal place of business at 2501 Oak Lawn Ave, #700, Dallas, Texas, which is the same location as Backpage.com LLC. Dartmoor Holdings LLC

participates in the operation and control of Backpage. Dartmoor Holdings LLC is owned and operated by the Individual Defendants, who also own and operate Defendant Backpage.com LLC and other affiliated entities. At all times material hereto, Defendant Dartmoor Holdings LLC transacted business in Florida, including through its subsidiary, Defendant Backpage.com LLC.

25. Defendant Camarillo Holdings LLC is a Delaware Limited Liability Company and a wholly owned subsidiary of Medalist Holdings, Inc. and the parent company of Defendant Backpage.com LLC. Defendant Camarillo Holdings LLC was formerly known as Village Voice Media Holdings, LLC, which did business as “Backpage.com” and owned, operated, designed and controlled Backpage. At all times material hereto, Camarillo Holdings LLC transacted business in Florida, including through its subsidiary Backpage.com LLC.

26. Defendant Atlantische Bedrijven C.V. is an owner of Backpage.com LLC and participates in the operation and control of Backpage, and its affiliated websites. Defendant Atlantische Bedrijven C.V. is a Dutch partnership, domiciled in Curacao, owned and operated by the same Defendants that own and operate Backpage.com LLC, or other affiliated entities. At all times material hereto, Defendant Atlantische Bedrijven C.V. transacted business in Florida, including through its subsidiary Backpage.com LLC.

27. Defendant Kickapoo River Investments, LLC is an owner of Backpage.com LLC and participates in the operation and control of Backpage.com, and its affiliated websites. Defendant Kickapoo River Investments, LLC is a Delaware Limited Liability Company and is owned and operated by the same Defendants that own

and operate Backpage.com LLC, or other affiliated entities. At all times material hereto, Defendant Kickapoo River Investments, LLC transacted business in Florida, including through its subsidiary Backpage.com LLC.

28. Defendant Amstel River Holdings LLC is an owner of Backpage.com LLC and participates in the operation and control of Backpage.com, and its affiliated websites. Amstel River Holdings LLC is owned and operated by the same Defendants that own and operate Backpage.com LLC, or other affiliated entities. Amstel River Holdings LLC is located at 2501 Oak Lawn Ave, Dallas, Texas, which is the same address listed for Backpage.com LLC, EvilEmpire.com, and BigCity.com. At all times material hereto, Amstel River Holdings LLC transacted business in Florida, including through its subsidiary Backpage.com LLC.

29. Defendant Postfaster LLC is owned and operated by the same Defendants that own and operate Backpage.com LLC, or other affiliated entities. Postfaster LLC is a Delaware Limited Liability Company located at 2501 Oak Lawn Ave, #700, Dallas, Texas, which is the same address as Backpage.com LLC, EvilEmpire.com, and BigCity.com, among others. At all times material hereto, Defendant Postfaster LLC transacted business in Florida.

30. Defendant Classified Solutions LTD is a Private Limited Company registered in England and Wales, which is controlled by Website Technologies, LLC and derives income from Backpage. Defendant Classified Solutions LTD is located at 41 Chalton Street, London, England, which is the same address listed by Backpage.com LLC as its foreign address. At all times material hereto, Defendant Classified Solutions

LTD transacted business in Florida, including through its parent company Website Technologies, LLC and its corporate relationship with Backpage.com LLC.

31. Defendant Medalist Holdings, Inc. is a Delaware corporation with its principal place of business at 8776 East Shea Boulevard, Scottsdale, Arizona. Medalist Holdings, Inc. is owned and operated by the Individual Defendants, who also own and operate Defendant Backpage.com LLC and other affiliated entities. Defendant Medalist Holdings Inc. is listed by Defendant Classified Solutions LTD as its ultimate controlling party. At all times material hereto, Defendant Medalist Holdings Inc. transacted business in Florida, including through its subsidiary, Defendant Backpage.com LLC.

32. Adtech B.V. is a digital marketing company and a business partner of Backpage.com LLC. Adtech B.V. is a Dutch company with headquarters in Amsterdam, Netherlands. At all times material hereto, Defendant Adtech B.V. transacted business in Florida including through its affiliate Backpage.com LLC.

33. Defendant UGC Tech Group, C.V., is a Dutch limited partnership domiciled in Curaçao that owns all of Backpage's foreign operations. Defendant Ferrer is the CEO of UGC Tech Group, C.V. At all times material hereto, Defendant UGC Tech Group, C.V., transacted business in Florida, including through its subsidiary Backpage.com, LLC.

34. Defendant Posting Solutions LLC is a Delaware Limited Liability Company. Posting Solutions LLC is a company affiliated with Backpage.com LLC that receives payments for ads posted on Backpage.com. Posting Solutions LLC is a wholly-

owned subsidiary of Dartmoor Holdings LLC. At all times material hereto, Defendant Posting Solutions LLC transacted business in Florida.

35. Defendant Cereus Properties LLC is a Delaware Limited Liability Company located at 8901 East Pima Center Parkway, Suite 145, Scottsdale, Arizona. Cereus Properties LLC conducts business with Defendants Backpage.com LLC, Website Technologies LLC, and Ad Tech BV. At all times material hereto, Defendant Cereus Properties LLC transacted business in Florida.

36. Plaintiff Florida Abolitionist is a non-profit 501(c)(3) organization based in Orlando, Florida whose mission is to end human trafficking. Plaintiff Florida Abolitionist provides direct services to trafficked adults and children. Plaintiff Florida Abolitionist also co-founded the Greater Orlando Human Trafficking Task Force, whose singular focus is to provide a human rights-based, victim-centered community forum and mechanism to combat all aspects of human trafficking in the greater Orlando area.

37. Florida Abolitionist is a member organization with various programs, including victim services, and approximately 65 active volunteers. Florida Abolitionist has a Board of Directors and a Board of Influencers (“Advisory Board”) (collectively, the “Boards”). Trafficking survivors serve on both Boards and both Boards play a role in providing guidance to Florida Abolitionist. Plaintiff Florida Abolitionist is a resident of the State of Florida.

38. Plaintiff Jane Doe #1 is an individual that was trafficked against her will on Backpage in May 2013 and repeatedly raped as a result of the advertisement placed on Backpage. Plaintiff Doe #1 is a resident of the State of Florida.

39. Plaintiff Jane Doe #2 is an individual who was trafficked on Backpage in January and February 2016, at the age of 15, and was repeatedly raped as a result of the advertisements placed on Backpage. Plaintiff Doe #2 is a resident of the State of Florida.

40. Plaintiff Susan Roe is the mother of Jane Doe #2 who, as the result of Backpage's conduct, has lost the comfort, companionship, and society of her daughter. Plaintiff Roe is a resident of the State of Florida.

JURISDICTION AND VENUE

41. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 18 U.S.C. § 1595 over the claims alleging violations of the Trafficking Victims Protection Reauthorization Act ("TVPRA"), 18 U.S.C. §§ 1591, 1595.

42. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 18 U.S.C. § 1964(c) over the claims alleging violations of the federal Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1961 et seq., and conspiracy to violate RICO.

43. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 over the claim alleging a private right of action for aiding and abetting involuntary servitude, 18 U.S.C. §§ 2, 1584.

44. This Court has supplemental jurisdiction over Plaintiffs' state law claims for relief pursuant to 28 U.S.C. § 1367, as those claims are substantially related to Plaintiffs' federal causes of action and arise from a common nucleus of operative facts, thus forming part of the same case or controversy under Article III of the United States Constitution.

45. This Court has personal jurisdiction over Defendants because each of them knowingly committed acts in Florida that form the basis of the action, directed or conspired with others to commit acts in Florida, and purposely availed themselves of the privileges of doing business in Florida as set forth herein.

46. This Court also has jurisdiction under 28 U.S.C. § 1332(a) because at the time this action was filed (i) there was complete diversity of citizenship between the parties, and (ii) the amount in controversy exceeds \$75,000.

47. Venue is proper in this District and before this Court pursuant to 28 U.S.C. § 1391(b)(2) because events giving rise to Plaintiffs' claims occurred in this District, including among other things, Defendants' knowing participation in and profiting from sex trafficking of victims in this District, including Jane Does #1 and #2.

BACKGROUND

Sex Trafficking in the United States

48. Human trafficking includes selling, soliciting, or advertising the sexual acts of children and coerced adults. Sex trafficking victims are forced to have sex against their will, while others profit. Traffickers use multiple methods to force trafficked adults and children to exchange sex for something of value. These techniques include physical violence, threats, psychological manipulation, intimidation, and fraud, among other methods. Human trafficking generates billions of dollars each year, making it the second most profitable transnational crime (after drug trafficking). Senate Report at 4. In the United States, 1.5 million people are trafficked at any given point in time. *Child Trafficking Statistics*, Ark of Hope (Mar. 19, 2016),

<http://www.arkofhopeforchildren.org/child-trafficking/child-trafficking-statistics> (last accessed April 17, 2018). The majority of sex trafficking victims in the United States are children. Senate Report at 4. Sixty-three percent of children trafficked for sexual acts reported that they were advertised or sold online. Vanessa Bouché, *A Report on the Use of Technology to Recruit, Groom, and Sell Domestic Minor Sex Trafficking Victims* (Jan. 2015) at 19, available at https://www.wearethorn.org/wp-content/uploads/2015/02/Survivor_Survey_r5.pdf (last accessed April 17, 2018).

49. The United States Senate Permanent Subcommittee on Investigations (the “Subcommittee”) commissioned a 20-month investigation of online sex trafficking that resulted in the review of over one million documents, a public hearing, and the release of two incriminating reports. The Subcommittee reported that its “investigation reveals that Backpage clearly understands that a substantial amount of child sex trafficking takes place on its website.” Senate Report at 39. The Subcommittee identified Backpage as the most important player in the sex trafficking market and reported that hundreds of reported cases of underage sex trafficking have been connected to Backpage.

Backpage Knowingly Profits From Sex Trafficking

50. In 2009, Craigslist.org, an online website that allows individuals to sell and buy personal goods and services, removed listings for “Adult Services” from its website. As a result, online sex trafficking declined by 50%. After Craigslist.org’s exit from this market, Backpage, formerly a part of the Village Voice newspaper, changed its online advertising model to concentrate on, and quickly dominate, the market for advertising victims of sex trafficking, including underage children.

51. Backpage quickly cornered the market for advertisements selling sex. In 2013, Backpage generated and collected 80% of all revenue derived from online commercial sexual advertisements in the United States. Senate Report at 6. Backpage thus grew increasingly dependent on the sale of sex to remain a profitable company. “Backpage’s internal revenue reports show that from January 2013 to March 2015, 99% of Backpage’s worldwide income was directly attributable to the ‘adult’ section.” Press Release, *Attorney General Kamala D. Harris Announces Criminal Charges Against Senior Corporate Officers of Backpage.com for Profiting from Prostitution and Arrest of Carl Ferrer, CEO*, State of California Department of Justice Office of the Attorney General (Oct. 6, 2016), available at <https://oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-announces-criminal-charges-against-senior> (hereinafter “California Office of Attorney General Press Release”).

52. The “Adult Services” section on Backpage featured advertisements for trafficked adults and children. Within the “Adult Services” section, Backpage created three subcategories of services through which it channeled advertisements selling trafficked adults and children. These subsections were entitled “escorts,” “male escorts,” and “body rubs.” As Defendant Backpage.com LLC and the Individual Defendants knew and intended, traffickers and their clientele understood that these three subcategories provided access to, among other things, commercial sex with children and coerced adults.

53. For at least the past five years, Defendant Backpage.com LLC and the Individual Defendants have been on notice that trafficked adults and children were being sold on Backpage. On September 16, 2011, 51 state attorneys general sent a letter to

Backpage explaining their outrage “about human trafficking, especially the trafficking of minors” on Backpage. *See* Letter from National Association of Attorneys General on Backpage.com’s ongoing failure to effectively limit prostitution and sexual trafficking activity on its website, to Counsel for Backpage.com LLC (Sept. 16, 2011), *available at* <http://www.naag.org/assets/files/pdf/signons/Backpage.com%20FINAL%2009-16-11.pdf> (hereinafter “NAAG Letter”). In the letter, the attorneys general identified Backpage as a “hub” for human trafficking that “has proven particularly enticing for those seeking to sexually exploit minors.” *Id.* The letter also requested that Backpage provide documentation of any policies or procedures implemented to prevent sex trafficking. Backpage refused. Senate Report at 6-7.

54. Backpage officials refused to testify at a Senate Subcommittee hearing on January 9, 2017, and instead invoked their Fifth Amendment right against self-incrimination. The night before the hearing, Backpage officials purported to shut down the “Adult Services” section of the website. However, in reality, Backpage officials simply diverted the advertisements that had formerly been placed in the “Adult Services” section to the “Dating” section of its website. The content of the advertisements in the “Dating” section remained substantially identical to the content previously posted in the “Adult Services” section, although at some point prior to the site’s seizure by federal authorities, Backpage modified its advertisements to show only a phone number and a photograph or video of the person being sold for sex. As Defendant Backpage.com LLC and the Individual Defendants knew and intended, Backpage’s trafficker-customers and

their clientele knew that the movement of the advertisements from one section to another was not intended to affect, and did not affect, their business.

Backpage Sells Trafficked Adults And Children In Florida

55. Backpage provided an online marketplace for 95 locales in Florida. All of the Florida markets and submarkets had an “Adult Services” section and a “Dating” section. Backpage organized its commercial sales both by category of good or service (like “Adult Services”) and by location. Within Florida, Backpage divided its marketplace geographically into twenty-one cities/regions: Daytona, Fort Lauderdale, Fort Myers, Gainesville, Jacksonville, Keys (which encompassed multiple cities/towns), Lakeland, Miami, Ocala, Okaloosa, Orlando, Palm Bay, Panama City, Pensacola, Sarasota, Bradenton, Space Coast (which encompassed multiple cities/towns), St. Augustine, Tallahassee, Tampa, and Treasure Coast (which encompassed multiple cities/towns). Miami and Tampa were two of Backpage’s top 20 markets for sex advertisements nationwide.

56. Fort Lauderdale, Miami, and Tampa were further divided into separate submarkets. Fort Lauderdale was divided into six submarkets: City of Ft. Lauderdale, Coral Springs, Deerfield, Hollywood, Pompano, and Sunrise. Miami was divided into eleven submarkets: Coconut Grove, Coral Gables, Coral Way, Doral, Downtown, Hialeah, Homestead, Kendall, Miami Beach, North, and West. Tampa was divided into four submarkets: Hernando Co, Hillsborough Co, Pasco Co, and Pinellas Co.

57. In the course of four days in January 2017, 10,881 advertisements were posted in the “Adult Services” section in the state of Florida. On average, 2,720 advertisements were posted in the “Adult Services” section every day.

Backpage Intentionally Declined To Report Or Remove Advertisements Featuring Trafficked Children

58. Backpage officials have claimed their company combats sex trafficking because it has a reporting feature through which users could flag an advertisement that involves a minor. However, Backpage officials regularly declined to escalate reports of advertisements featuring trafficked children to NCMEC or to law enforcement. Despite being told by attorneys general and law enforcement that Backpage and related websites are used for child trafficking, Backpage officials refused to take action to stop facilitating trafficking. Indeed, the United States Senate reported that a Backpage internal training guide advised Backpage employees to “escalate” a report of child exploitation *only* “when users claim their underage *immediate* family member is being exploited” and “when users claim *they* are a minor being exploited.” Senate Report at 41-42. The guidance continued that reports of child exploitation should not be escalated if they include information that a slightly less immediate minor relative is being exploited, advising that a “Neice [sic], nephew, grandchild, cousin, etc. doesn’t count.” *Id.* at 42. In these situations, Backpage officials, including Defendant Ferrer, instructed Backpage employees and agents (including third-party contractors acting at the direction of Backpage employees) to allow the advertisement of the trafficked child to remain on the website.

59. Backpage officials, including Defendant Ferrer, admonished Backpage employees and agents for being overly cautious when removing advertisements of trafficked children. After a Backpage employee removed an advertisement because that employee believed the advertisement contained a trafficked child, Defendant Ferrer wrote in an email, “I see in the note box for the account: exploiting minors[.] Who wrote this note and what is the verification? They don’t look like minors to me in the pics.” Appendix to Senate Report at 24. A later email from Defendant Ferrer directed a Backpage employee to “go ahead and restore the ads,” meaning make them visible and live on Backpage. *Id.*

60. To maximize profits, Backpage officials instructed employees to err on the side of posting advertisements, even if they suspected that the advertisement featured children for sex: “**IF IN DOUBT ABOUT UNDERAGE: the process for now should be to accept the ad and note the link.**” Backpage officials instructed employees to delete the posting only if they were “REALLY VERY SURE THE PERSON IS UNDERAGE.” Senate Report at 40. In a similar instruction, Backpage warned its employees that, “**Young ads do not get deleted unless they are clearly a child.**” *Id.*

Backpage’s Business Model Depended On Sex Trafficking To Remain Profitable

61. From 2011 through 2015, Backpage’s business model generated revenue by charging individuals for posting advertisements in the “Adult Services” section. A trafficker who wanted to post an advertisement for a girl that is “BRLY Legal” had to pay between \$12.00 and \$17.00 to post a single advertisement in the “Adult Services” section.

62. The United States Senate reported that internal Backpage documents demonstrate Backpage's dependence on the "Adult Services" advertisements for revenue. For example, in May 2011, Backpage's "Adult Services" section, nationwide, featured over 700,000 paid advertisements while other sections, like the "Automotive" section featured 429 paid advertisements and the "Jobs" section featured 3,000 paid advertisements. Senate Report at 44.

63. The number of page views for the "Adult Services" section also demonstrates Backpage's reliance on this market. As of May 2011, nationally, advertisements in the "Jobs" section on Backpage had approximately 2 million page views and the "Automotive" section had approximately 580,000 page views. Senate Report at 44. In May 2011, the "Adult Services" section, however, had over one *billion* page views. *Id.* Moreover, from January 2013 to October 2015, Backpage's advertisements for the "Adult Services" section increased from 169,508 per month to 2,100,602 per month.

Backpage Wrote And Edited Advertisements For Sex Trafficking

64. Backpage employees and agents created, developed, and posted illegal content intended to sell trafficked adults and children in the "Sponsored Ads" part of the "Adult Services" section of its website. Traffickers paid up to \$1,000 to have Backpage "enhance" their advertisements by, among other things, rewriting advertisements, adding text, summarizing text, and reorganizing the content and layout of the advertisement.

65. The "Sponsored Ads" section of Backpage appeared on the right hand of the page in the "Adult Services" section of the website. If a trafficker paid for its

advertisement to be “sponsored,” the trafficker submitted information to Backpage and Backpage employees and agents then wrote and designed the text and layout of the advertisement. Traffickers paid for this service because they knew Backpage would write an advertisement that would be more likely to be clicked on and result in a transaction than an advertisement that is written by the trafficker.

66. Backpage employees and agents also decided what text to display and what text to delete from the information submitted for a sponsored advertisement.

Backpage Closely Reviewed And Edited Trafficking Advertisements On Its Website

67. Backpage employees and agents screened each advertisement in the “Adult Services” section of the website before posting it. As part of this process, Backpage employees and agents were explicitly instructed to edit, delete, and author the content of those advertisements by removing or replacing explicit sexual language with code terms or sanitized phrases. For example, an email to Backpage employees stated: “Do NOT include any verbiage that has ‘suck your . . .’ or ‘lick your . . .’ You may edit the ad to read ‘I enjoy oral’ but do not include the vulgar language in the ad.” Appendix to Senate Report at 2. The United States Senate found that Backpage’s moderation process operated to “to sanitize the content of innumerable advertisements for illegal transactions—even as Backpage represented to the public and the courts that it merely hosted content created by others.” Senate Report at 17.

68. Defendant Ferrer set up this moderation process to train traffickers to use certain code words when selling children for sex. In reference to an advertisement discussing the price for sexual acts, Defendant Ferrer wrote to a Backpage employee that

it was better to edit by removing bad text or removing bad language. He explained that this would be Backpage's strategy for a few weeks to give its users a chance to adjust. Senate Report at 18-19. Backpage employees were instructed to unobtrusively edit out problematic content while maintaining the essence of the ad—and, by extension, the essence of the transaction advertised. *Id.* at 18-20. This rewriting of the advertisements did not in any way change, or seek to change, the illegal trafficking, including of children and coerced adults, or the illegal services being offered. Indeed, the rewriting of the advertisements had the purpose and effect of increasing the effectiveness of those advertisements by evading law enforcement detection.

Backpage Created Automatic Filters To Knowingly Conceal Trafficking of Children

69. Backpage's employees and agents did more than manually edit the advertisements featuring illegally trafficked adults and children. Backpage also created automatic filter programs that changed the words used in advertisements. For example, the United States Senate reported that Backpage automatically deleted the following terms from any advertisement: "lolita," "teenage," "rape," "amber alert," "little girl," "teen," "fresh," "innocent," and "school girl." Senate Report at 2. One of these programs was called the "Strip Term From Ad" filter. The Senate explained that while "the Strip Term From Ad filter changed nothing about the true nature of the advertised transaction or the real age for the person being sold for sex, thanks to the filter, Backpage's adult ads looked," in the words of a Backpage employee, "cleaner than ever." *Id.*

70. Defendant Ferrer also “personally directed or approved the addition of new words to the Strip Term From Ad Filter and Backpage documents clearly show he understood their implications for child exploitation.” Senate Report at 24. For example, Defendant Ferrer told a Backpage moderator that “Lolita” is “code for under aged girl[s].” *Id.*

Backpage Trained Traffickers To Evade Law Enforcement

71. Backpage designed its website to include an interactive process to help traffickers to draft unsponsored advertisements for the “Adult Services” section. Through this process, Backpage took an active role in creating the content of even the advertisements it did not sponsor. This website feature educated traffickers on the best terms to use to attract the attention of a prospective buyer while also ensuring that the trafficker would not be identified or apprehended by law enforcement and that Backpage would not be implicated.

72. Traffickers were coached to use deliberately misspelled code words such as “high schl” and “brly legal” rather than words that would explicitly state that a child being trafficked is under 18. As Defendants knew and intended, traffickers and their clientele understood that “high schl” and “brly legal” were code words for a child under 18.

73. The United States Senate investigated these coaching practices and found that Backpage’s claim that its filters “actively prohibit and combat illegal content” was false. Instead, Backpage “guided its users on how to easily circumvent those measures and post ‘clean’ ads.” Senate Report at 34. Defendant Ferrer directed his employees to

ensure that any banned term resulted in an error message to “help” traffickers learn the coded language necessary for posting advertisements selling trafficked children for sex.

Id.

74. The Senate Report explained that “at Ferrer’s instruction, when a user attempted to post ads with even the most egregious banned words, the user would receive an error message identifying the problematic word choice. For example, in 2012, a user advertising sex with a ‘teen’ would get the error message: ‘Sorry, ‘teen’ is a banned term.’ Through simply redrafting the ad, the user would be permitted to post a sanitized offer.” Senate Report at 34-35. Backpage took no efforts to report such illegal sex trafficking of minors or to otherwise ban the trafficker from using Backpage.

75. Backpage also provided a “filter” for traffickers who attempted to include in the advertisement that the child being sold was under 18 years of age. As mentioned above, Backpage required that the person posting an advertisement provide the age of the “ad poster.” When a trafficker attempted to input an age for the person in the advertisement that was lower than 18, Backpage provided the following message: “Oops! Sorry, the ad poster must be over 18 years of age.” Backpage did not flag the ad, block the poster, or alert the authorities. Rather, Backpage allowed traffickers to input a different age for the same person in the same advertisement repeatedly—with absolutely no form of age verification—until the trafficker inputted an age of 18 or older.

76. Backpage’s “filter” was nothing more than a coaching mechanism intentionally designed by Backpage to facilitate and profit from sex trafficking. It

certainly did not, as Backpage claims, prevent child trafficking—nor did Backpage ever intend for it to do so.

77. Defendant Ferrer directly participated in this coaching process, communicating with individuals attempting to post advertisements for illegal commercial sex on Backpage. For example, in June 2009, Defendant Ferrer wrote to an individual attempting to post an advertisement on Backpage: “Could you please clean up the language of your ads before our abuse team removes the posting?” Senate Report at 35. Also in June 2009, Defendant Ferrer instructed an individual attempting to post on Backpage to remove the “sex act pics” before posting in the future to avoid having the advertisement removed. *Id.*

78. Defendant Ferrer explained that Backpage needed to implement a more “consumer friendly” approach that directed moderators to “remove bad content in the post,” allowing moderators to be “subjective and not cause too much damage.” Senate Report at 20-21. Defendant Ferrer favored this approach because it did not harm “the user financially.” *Id.*

79. The Senate reported that Backpage and Defendant Ferrer’s “direct contact with users—much like the automatic filtering process—was also successful in helping users post ‘clean’ content despite the illegality of the underlying transaction.” Senate Report at 35. Defendants understood that this was the effect of their coaching mechanism. A December 2010 email from Backpage employees to Defendant Ferrer reported that roughly “75% of the users we contact are converted to compliant.” *Id.*

Backpage Profited By Simultaneously Increasing Supply And Demand For Traffickers

80. In 2015, all three major U.S. credit card companies (MasterCard, American Express, and Visa) collectively refused to do any further business with Backpage because Backpage profited from the sale of trafficked children for sex. In announcing its decision, MasterCard stated that “it has rules that prohibit our cards from being used for illegal or brand-damaging activities. When the activity is confirmed, we work with the merchant’s bank to resolve the situation.” Similarly, Visa stated that its “rules prohibit our network from being used for illegal activity.”

81. After the credit card companies refused to deal with Backpage, Backpage offered postings for advertisements in the “Adult Services” section for free. Nevertheless, its income continued to grow as Backpage continued to charge traffickers to “enhance” their advertisements in the “Adult Services” section. Advertisement enhancements allowed traffickers to position their advertisements above the others listed in the same section. Essentially, that feature allowed traffickers to ensure that potential purchasers of illegal sexual acts would see their advertisement first.

82. For example, in Miami, traffickers paid \$1.00 to move a listing to the top of the webpage for an hour or \$24.00 to move a listing to the top of the webpage for 24 hours. Traffickers could also ensure that their advertisements automatically reposted for a certain number of days for an additional fee between \$8.00 and \$192.00.

83. The most important enhancement for traffickers was also the most harmful to trafficking victims: Backpage allowed traffickers to pay additional fees ranging from \$1.00 to \$18.00 to simultaneously post an advertisement in multiple locations. Thus, Backpage made it possible for traffickers to sell adults and children in multiple cities

simultaneously. For example, for a \$10.00 fee, an advertisement would appear in all eleven subsections of the Miami section: Coconut Grove, Coral Gables, Coral Way, Doral, Downtown, Hialeah, Homestead, Kendall, Miami Beach, North, and West.

84. By allowing traffickers to cross-post in several locales, traffickers were able to move from market to market more easily, selling the same adults and children for sex in multiple cities and states. As a result, Backpage increased both the frequency and success of sex trafficking.

85. Defendants intentionally designed the website in this manner because Defendants knew their success was directly correlated to, and dependent upon, the success of sex traffickers. As a result of Backpage's actions, trafficking victims regularly reported being sold in multiple states in a single day or week. The United States Senate explained that because of Backpage, "traffickers can maximize profits, evade law enforcement detection, and maintain control of victims by transporting them quickly within and between states." Senate Report at 5.

Backpage Designed Its Website In Bad Faith To Help Traffickers Evade Prosecution

86. Because Backpage's profitability and survival depended on sex trafficking, it created online user tools, in bad faith, to ensure that traffickers were not identified and apprehended by law enforcement.

87. Before all three major credit card companies refused to transact business with Backpage, Backpage enabled traffickers to pay for advertisements in a covert manner by permitting the use of prepaid credit cards that did not need to be linked to a name, address, or any other identifying information.

88. After Backpage was forced to stop charging for posting an advertisement in the “Adult Services” section, Backpage emphasized its other anonymous payment options so that traffickers could pay to post their advertisements using the digital currency Bitcoin. Because Bitcoin and similar cryptocurrencies are not linked to banks and are largely untraceable, these methods of payment allowed traffickers to avoid leaving any evidence of their identity.

89. When a trafficker posted an advertisement in the “Adult Services” section, certain privacy protection and identity-blocking features were provided to the trafficker that were not provided to individuals posting in any other section on Backpage’s website.

90. For example, Backpage processed any photograph posted as part of an advertisement in the “Adult Services” section and automatically stripped it of all metadata, including, but not limited to, the method used to capture the photograph, exposure setting, capture time, GPS location information, and the camera model. This data, which resides within the photograph, would provide law enforcement with crucial information to locate the trafficked child and apprehend the trafficker. Backpage paid an additional fee for these software adjustments to ensure that the photographs posted in the “Adult Services” section were stripped of metadata, knowing this feature would make it difficult, if not impossible, for law enforcement to use the photographs to identify and track sex traffickers and their victims.

91. Backpage also allowed traffickers to evade law enforcement by allowing traffickers to post their phone numbers by spelling out the digits of their telephone numbers instead of using Arabic numbers. For example, the numerals “414” can be

written as “four-1-four.” Such listings made it more difficult for law enforcement to scan advertisements, identify traffickers, and conduct sting operations to rescue children or coerced adults by scanning the Internet for certain phone numbers.

92. Backpage designed its website so that sex traffickers would not have to verify the phone numbers they posted in connection with an advertisement for a trafficked child or adult. Backpage possessed the software and technology to require telephone number verification before posting an advertisement—in fact, it required this form of verification for other sections of its website.

93. In effect, Backpage made it harder for someone to sell a dog or cat in the “Pets” section than it did for someone to sell an adult or child for sex in the “Adult Services” or “Dating” sections: Anyone trying to sell a dog or cat through “Pets” had to verify their telephone number, while anyone trying to sell an adult or child for sex through “Adult Services” or “Dating” did not.

94. Backpage understood that the telephone verification process would create an additional record and evidentiary trail of the trafficker, potentially dissuading the trafficker from using Backpage. Backpage therefore intentionally omitted this feature from the “Adult Services” section to make it easier for traffickers to evade law enforcement when they paid to post their advertisements of children and coerced adults.

**Backpage Moved Its Advertisements For Sexual Services
To The Website’s Dating Section**

95. On January 9, 2017, the United States Senate released a report titled “Backpage.com’s Knowing Facilitation of Online Sex Trafficking.” The report was the culmination of a 20-month investigation into Backpage. After reviewing over one

million documents, the Senate identified three principal findings: “First, Backpage has knowingly concealed evidence of criminality by systematically editing its ‘adult’ ads.” Senate Report at 2. “Second, Backpage knows that it facilitates prostitution and child sex trafficking.” *Id.* at 3. “Third, despite the reported sale of Backpage to an undisclosed foreign company in 2014, the true beneficial owners of the company are James Larkin, Michael Lacey, and Carl Ferrer.” *Id.*

96. The Senate Report was released the same day the Subcommittee held a public hearing to investigate Backpage and its involvement in online sex trafficking. All Backpage officials called to testify, including the Individual Defendants, invoked their Fifth Amendment right against self-incrimination and refused to provide any information to the Subcommittee.

97. To divert attention from the Senate Report and their unwillingness to cooperate with the Subcommittee’s investigation, Backpage removed the “Adult Services” section from its website the evening before the January 9 hearing. In its place, Backpage inserted a webpage that included, among other things, a notification that “the government has unconstitutionally censored this content.”

98. Despite this publicity stunt and Backpage’s claims to the contrary, Backpage continued to allow advertisements of trafficked adults and children. Backpage did not actually remove advertisements for sex, including advertisements for trafficked adults and children. Instead, it simply shifted all of these advertisements to the “Dating” section of its website.

99. The Individual Defendants explicitly instructed Backpage employees and agents to hide their actions of creating content in order to ensure that courts would not understand that Defendants create content and author advertisements. The Senate reported that on July 28, 2011, Defendant Larkin wrote to Defendant Ferrer “cautioning him against Backpage’s moderation practices ‘being made public. We need to stay away from the very idea of ‘editing’ the posts, as you know.’” Senate Report at 17. Now that Defendants’ role as a content creator *has* been “made public,” however, they are subject to liability for their actions. And with the enactment of FOSTA, Defendants can no longer claim that they are entitled to immunity for their knowingly facilitation of sex trafficking.

**Defendants Designed The Content Of EvilEmpire And
BigCity Advertisements To Further Trafficking**

100. In addition to Backpage, the Individual Defendants owned and operated the website EvilEmpire.com (“EvilEmpire”). EvilEmpire was a website that exclusively featured advertisements for “adult services,” including advertisements featuring trafficked adults and children. All of the content hosted, published, and featured on EvilEmpire originated on Backpage. Backpage’s executives and owners, including the Individual Defendants, exclusively created, maintained, and controlled the content posted on EvilEmpire. Third parties were unable to post on EvilEmpire directly.

101. EvilEmpire’s homepage consisted of a grid of pictures of naked or nearly naked individuals in erotic poses, each with a phone number and a city and state below the picture. Clicking on one of these advertisements redirected the purchaser to the full advertisement initially posted on Backpage. Some of these advertisements also featured

a link for the same advertisement posted on BigCity.com (“BigCity”), another website owned and operated by the Individual Defendants.

102. EvilEmpire organized and reposted advertisements posted on Backpage. EvilEmpire aggregated all advertisements that used a certain phone number on a single webpage on EvilEmpire. That is, EvilEmpire was a sex trafficker catalogue. It created a webpage for each trafficker, identified and sorted by his phone number, in which all of the trafficked adults and children controlled by that trafficker were featured for purchase. Often the same trafficked child was featured in different advertisements that identified the trafficked child as being different ages and having different names, all on the same webpage. A cursory view of such a webpage makes it clear to anyone that the advertisements for the trafficked child included false ages, as the same child was associated with multiple ages over 18.

103. The Individual Defendants, Defendant Backpage.com LLC, and their employees and agents thus knowingly conspired with traffickers to make the trafficking of children and coerced adults more efficient by creating webpages on EvilEmpire that catalogued traffickers’ advertisements. They also knowingly conspired with traffickers to falsely represent that a trafficked child was over 18, as made clear by the multiple age representations for the same individual in multiple advertisements collected on the single webpage.

104. The Individual Defendants, Defendant Backpage.com LLC, and their employees and agents organized BigCity in a similar manner to EvilEmpire to increase the efficiency and demand for traffickers. BigCity is a website that exclusively features

advertisements for adult services. The Individual Defendants own and operate BigCity. BigCity's homepage was comprised of a grid of stitched together pictures of naked or nearly naked individuals in erotic poses; each picture was a link to that trafficked adult or child's "Profile." The "Profile" was a webpage that contained pictures of an individual and that individual's name, age, phone number, and location. While EvilEmpire organized advertisements based on the trafficker posting them, BigCity organized advertisements based on the trafficked adult or child featured in the advertisement.

105. Like EvilEmpire, historically, the Individual Defendants and their employees and agents exclusively created, maintained, and controlled the content that was posted on BigCity, taking advertisements from Backpage and reposting them on BigCity. Although there was later a feature on BigCity that allowed users to post new content and create a "Profile" for themselves, Defendants continued to create the majority of the profiles on BigCity by repurposing content posted on Backpage.

106. The Individual Defendants, Defendant Backpage.com LLC, and their employees and agents intentionally cross-posted advertisements on Backpage, BigCity, and EvilEmpire. These Defendants knew well that by cross-posting they were granting traffickers greater access to those who would buy an adult or child for sex. Thus, with the Individual Defendants and Defendant Backpage.com LLC's knowing and intentional aid, it became easier than ever for traffickers to turn a profit by selling the bodies of adults and children.

**Defendants Conspired With Traffickers To Sell
Children For Sex On EvilEmpire And BigCity**

107. The Individual Defendants and Defendant Backpage.com LLC also conspired with traffickers to falsely represent and hide the fact that they were selling trafficked children. The aggregation features on BigCity and EvilEmpire make it clear that Defendants knew they were conspiring with traffickers to falsely represent the age of trafficked children. For example, sometimes the age of a trafficked boy advertised on EvilEmpire would be different from the age of the boy advertised on Backpage, despite having the same phone number and pictures. Similarly, sometimes the age listed for a girl being advertised on BigCity was older than the age for a girl advertised on Backpage using the same phone number and pictures. And often, the age of the same child is listed multiple times as different ages within advertisements on a single webpage for BigCity.

108. These defendants also enabled their trafficker co-conspirators to evade law enforcement by stripping metadata from the photographs that were posted to EvilEmpire and BigCity. Stripping the metadata from these photographs prevented law enforcement or family members of the trafficked child from searching Google for the same image or photograph posted on EvilEmpire or BigCity. Such Google image searches would have allowed law enforcement to locate the trafficked child more easily and quickly by cross-referencing their different locations. EvilEmpire and BigCity were intentionally designed by Defendants to help traffickers posting on Backpage to increase their exposure to potential purchasers without also increasing their exposure to law enforcement.

109. The Individual Defendants and their employees and agents denied their affiliation with EvilEmpire and BigCity to make it more difficult for a trafficked adult or child, or their family members, to remove their photographs. For example, when a

trafficked child contacted Backpage and requested that Backpage remove her picture from EvilEmpire, Defendants falsely replied that Backpage was not affiliated with EvilEmpire and could not remove her picture.

110. Backpage instructed its employees to stop reporting advertisements posted on EvilEmpire that displayed pictures of trafficked children for sex. A Backpage employee emailed the following instruction to another Backpage employee: “Hey do you guys normally send out evil empire and naked city links when you reply to cops? If you do, can you stop? We own those sites too ☺.” Appendix to Senate Report at 406.

Defendants’ Co-Conspirators

111. These facts confirm that Defendants have engaged in an elaborate RICO conspiracy amongst themselves and other co-conspirators, violating multiple federal laws, including 18 U.S.C. § 1591(b), 18 U.S.C. § 1252(a)(3)(A), 18 U.S.C. § 2251, and 18 U.S.C. § 1956, which prohibit trafficking minors over interstate lines for sex and laundering money to hide illegitimate gains and evade law enforcement. As a result of this enterprise, the prevalence and frequency of online sex trafficking has increased more than it would have absent the RICO conspiracy.

112. From November 2011 to in or about December 2012, co-conspirator Jermaine Lamon Roy used Backpage to traffic a learning-disabled victim by force, repeatedly beating and assaulting her and, at least once, taking her to a remote location and threatening to murder her if she did not continue to engage in sex work for him. The victim had difficulty reading, writing, and understanding complex concepts, and had previously received disability benefits due to her condition. Roy was subsequently

convicted of one count of sex trafficking by force, fraud, or coercion, in violation of 18 U.S.C. § 1591.

113. In February 2012, co-conspirator Michael Williams held a minor against her will and listed her for sex on Backpage, posting pictures of her in revealing clothing for these advertisements and threatening her with beatings if she attempted to see or contact her family. On multiple occasions over the course of one week, the minor was forced to provide sexual acts on unidentified buyers responding to advertisements posted on Backpage. Eventually, police raided the motel where the minor was being held, rescuing her and subsequently arresting Williams. On August 7, 2015, Williams pleaded guilty to one count of sex trafficking, in violation of 18 U.S.C. § 1591.

114. In 2010, co-conspirator Shacon Barbee used Backpage to sell a minor girl, whom he first encountered when she was 13 years old, for sexual services. Barbee also forced her to recruit other girls also sold for sex on Backpage. Barbee was arrested and subsequently convicted of two counts of Promoting Commercial Sexual Abuse of a Minor, in violation of Wash. Rev. Code Ann. § 9.68A.101.

115. Beginning in December 2011 and continuing through January 2012, co-conspirators Calvin Winbush and Sonora Armstrong recruited a homeless 15-year-old girl, promising her support before advertising her for sexual services on Backpage. Winbush and Armstrong then transported the minor from Ohio to Virginia, where she was coerced into performing sexual acts on clients responding to these Backpage advertisements. Winbush and Armstrong each subsequently pleaded guilty to one count of conspiracy to transport a minor interstate for the purposes of prostitution, in violation

of 18 U.S.C § 2423(e), and Winbush also pleaded guilty of transporting a minor interstate for the purposes of prostitution, in violation of 18 U.S.C § 2423(a).

116. The traffickers responsible for trafficking Plaintiff Doe #1, Plaintiff Doe #2, and Plaintiff Florida Abolitionist’s clients on Backpage also constitute Defendants’ co-conspirators.

Defendants’ RICO Conspiracy Violated Multiple Federal Laws

117. The Individual Defendants and Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, UGC Tech Group CV, and Cereus Properties LLC (collectively, the “RICO Defendants”) and their trafficker co-conspirators created an association-in-fact enterprise (the “Sex Trafficking Enterprise”) to launder money, evade law enforcement, obscure the ownership of Backpage, and conspire with traffickers to profit from the trafficking of coerced adults and children.

118. A large portion of Backpage’s revenue, accounting for over \$500 million dollars since 2004, was earned by publishing ads for illegal sexual conduct on the website—including ads selling children and coerced women. *See U.S. v. Lacey, et al.*, Case No. 18-cr-422, Dkt. No. 3 at 36:6 (D. Az. Mar. 28, 2018) (attached hereto as Exhibit A); *U.S. v. Ferrer*, Case No. 18-cr-464, Dkt. No. 7-1 at 13:20-23 (D. Az. Apr. 5, 2018) (attached hereto as Exhibit B). As a significant portion of Backpage’s revenue was from this illegal activity, banks, credit cards, and financial institutions refused to do business with Backpage. Exhibit B at 13:23-26. For instance, in August 2013, Backpage received numerous complaints from customers that credit card companies, including Chase,

refused to process Backpage-related transactions. Exhibit A at 36:8-17. In April 2015, Backpage was informed that MasterCard might cease processing payments related to its website. Exhibit A at 37:2-8.

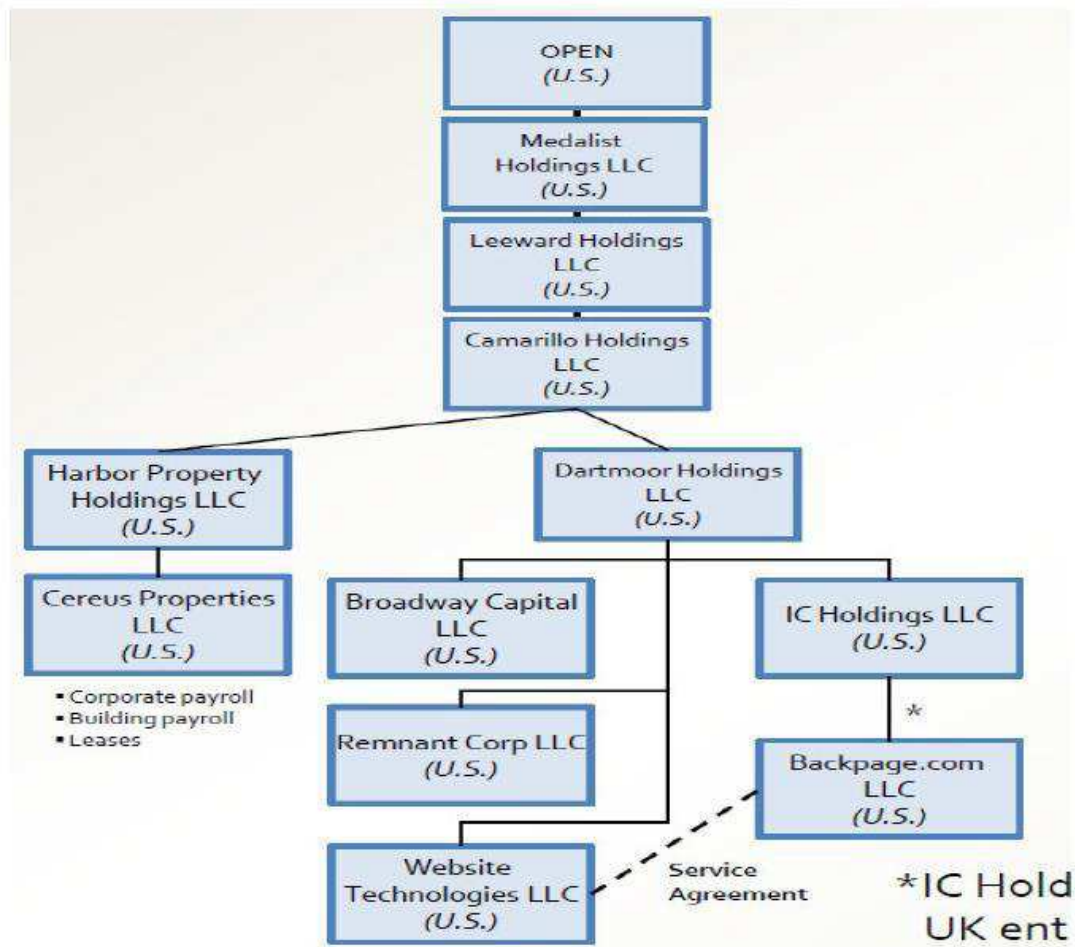
119. To keep their business running, the RICO Defendants began tricking credit card companies into thinking that Backpage's credit card charges were for other unaffiliated companies. To that end, the RICO Defendants used proceeds from Backpage's activities to (i) establish companies, including Defendants Posting Solutions LLC, Website Technologies, LLC, and Cereus Properties LLC, to route payments through; and to (ii) route payments through other sites that did not contain adult images. (Indictment, 36:21-24, Ferrer Plea Agreement, 13:23-28, 14:1-8.)

120. Backpage representatives instructed some customers that Backpage could only accept checks or money orders made out to Defendant Posting Solutions LLC. (Indictment, 38:5-17.) Similarly, the Individual Defendants created Postfastr.com ("Postfastr"), a classified advertising website that did not contain an "Adult Services" section. Backpage employees directed traffickers attempting to purchase advertisements on Backpage to purchase *credits* from Postfastr, which could be used to buy advertisements on Backpage. Backpage then falsely represented to payment processors that Postfastr had no affiliation with Backpage so that payment processors would process the payments despite the credit card ban.

121. Defendant Ferrer admitted that he and his co-conspirators routed Backpage-related payments through Posting Solutions LLC, Website Technologies, LLC, Cereus Properties LLC, and other corporate entities that were intended to appear to be

unrelated to Backpage. He also admitted to revising advertisements on Backpage to remove terms and pictures that were “particularly indicative of prostitution” with the purpose of creating a “veneer of deniability” about the true nature of services being offered on Backpage. Defendant Backpage.com LLC admitted in a separate plea agreement that its representatives conspired to knowingly facilitate state-law prostitution crimes committed by Backpage’s customers and actively laundered money through various entities to keep Backpage operational.

122. In furtherance of this money laundering scheme, Backpage used funds from the conspiracy to maintain a complex and layered organizational structure. The following is an organizational chart of Backpage’s corporate structure prior to its sale at the end of 2014:



123. The predicate acts committed by this association-in-fact enterprise are identified below.

18 U.S.C. § 1591(b) (Sex Trafficking)

124. The RICO Defendants knowingly benefitted financially from participation in a venture engaged in sex trafficking, in violation of 18 U.S.C. § 1591(b).

125. The RICO Defendants knowingly assisted, supported, and facilitated the enticement and solicitation of commercial sex acts by their trafficker-customers, including both Plaintiff Doe #1 and Plaintiff Doe #2’s traffickers, with whom they had an

association-in-fact. The victims included children under the age of 18 (including Jane Doe #2) and persons—including persons under 18—subject to force, threats of force, fraud, and coercion (including Jane Doe #1).

18 U.S.C. § 1952(a)(3)(A) (Travel Act)

126. The RICO Defendants knowingly used the mail or a facility in interstate and foreign commerce to promote, establish and facilitate the promotion and establishment of, in territories and possessions of the United States, the engagement of unlawful activity, namely prostitution, in violation of 18 U.S.C. § 1952(a)(3)(A).

127. The RICO Defendants used Backpage and related websites to promote and facilitate the promotion of illegal prostitution. The RICO Defendants knew that Backpage, a facility and means of interstate and foreign commerce, derived a “great majority” of its revenue from advertisements for prostitution services. For example, in September 2010, a Backpage employee wrote an internal email that Backpage did not want to delete ads that had terms indicative of prostitution because doing so would “piss off a lot of users who will migrate elsewhere[.]” (Indictment, 10:7-11.)

18 U.S.C. § 2251 (Sexual Exploitation of Children)

128. The RICO Defendants knowingly published, or caused to be published, advertisements seeking or offering to receive, exchange, buy, produce, display, distribute, or reproduce visual depictions involving the use of a minor engaging in sexually explicit conduct, in violation of 18 U.S.C. § 2251. The RICO Defendants also knowingly published, and caused to be published, advertisements seeking or offering participation in

acts of sexually explicit conduct by or with a minor for the purpose of producing a visual depiction of such conduct in violation of 18 U.S.C. § 2251.

129. A number of the advertisements on Backpage were, in fact, advertisements for sex with trafficked children. The RICO Defendants knew, and had reason to know, that the advertisements so published were and would be transported using means and facilities of interstate and foreign commerce, including by computer and mail, in violation of 18 U.S.C. § 2251.

130. Plaintiff Doe #2 was a minor when her traffickers took photographs of her and used those images to create an advertisement on Backpage in the “escort services” section. After Ms. Doe #2 escaped her traffickers and was reunited with family, those advertisements remained on Backpage. Ms. Doe #2’s parents contacted Backpage and requested that those advertisements be removed, but Backpage refused.

18 U.S.C. § 2252 (Material Involving the Sexual Exploitation of Minors)

131. The RICO Defendants knowingly transported images on Backpage and related websites in interstate and foreign commerce. The RICO Defendants were aware that the production of many of those images involved the use of a minor engaging in sexually explicit conduct and those images visually depict such conduct, in violation of 18 U.S.C. § 2252.

132. Plaintiff Doe #2 was a minor when her traffickers took photographs of her and used those images to create an advertisement on Backpage in the “escort services” section. After Ms. Doe #2 escaped her traffickers and was reunited with family, those

advertisements remained on Backpage. Ms. Doe #2's parents contacted Backpage and requested that those advertisements be removed, but Backpage refused.

18 U.S.C. § 2422 (Coercion and Enticement)

133. The RICO Defendants knew and intended that the advertisements they created and published would persuade, induce, and entice individuals to travel in interstate and foreign commerce, and in territories and possessions of the United States (including Puerto Rico) to engage in prostitution, in violation of 18 U.S.C. § 2422.

134. The RICO Defendants' websites are a facility and means of interstate and foreign commerce. The RICO Defendants knowingly create and publish content on their websites that has the purpose and effect of inducing, enticing, and coercing girls under 18 depicted in such content to engage in prostitution, in violation of 18 U.S.C. § 2422.

18 U.S.C. § 1956 (Laundering of Monetary Instruments)

135. The RICO Defendants engaged in and conspired to engage in money laundering, in violation of 18 U.S.C. § 1956.

136. The RICO Defendants conducted and attempted to conduct financial transactions involving money and property they knew to be the proceeds of the unlawful activity described herein with the intent to promote the carrying on of that unlawful activity.

137. The RICO Defendants also conducted and attempted to conduct financial transactions involving money and property they knew to be the proceeds of unlawful activity with the intent to engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986.

138. The RICO Defendants also conducted and attempted to conduct financial transactions involving money and property they knew to be the proceeds of unlawful activity as described herein, knowing that the transactions were designed to conceal or disguise the nature, location, source, ownership, or control of the proceeds of such unlawful activity and/or to avoid a transaction reporting requirement under state or federal law.

139. The RICO Defendants made numerous financial transactions in which they received funds directly or indirectly from their co-conspirator trafficker-customers for advertising and promoting commercial sex acts, including commercial sex acts that the RICO Defendants knew would be performed by minors and by persons (including minors) performing such commercial sex acts as the result of force, threats of force, fraud, and coercion.

140. The RICO Defendants knew the funds so received had been derived from unlawful activity, including payments for commercial sex with minors and persons performing such acts as the result of force, threats of force, fraud, and coercion, all in violation of state and federal criminal law, including 18 U.S.C. § 1591 (sex trafficking of children or by force, fraud, or coercion), 18 U.S.C. § 1952(a)(3)(A) (interstate and foreign travel or transportation in aid of racketeering), 18 U.S.C. § 2251 (sexual exploitation of children), 18 U.S.C. § 2252 (certain activities relating to material involving the sexual exploitation of minors), 18 U.S.C. § 2422 (coercion and entertainment), and 18 U.S.C. § 2423 (transportation of minors).

141. The RICO Defendants conducted or attempted to conduct such financial transactions knowing that the transactions were designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of foregoing unlawful activity, and with the purpose and effect of doing so in violation of 18 U.S.C. § 1956.

Jane Doe #1 Was Repeatedly Raped As A Result Of Backpage

142. Jane Doe #1 has been trafficked since the age of 11. Ms. Doe #1's mother suffered from a serious drug addiction and sold her daughter for sex to support her addiction. Ms. Doe #1 was also trafficked by the drug dealers who sold drugs to her mother. Through force, coercion, threats, and violence, the traffickers and Ms. Doe #1's mother forced her to provide sexual services, starting at the age of 11 through the age of 26.

143. On March 30, 2013, Ms. Doe #1 was trafficked on Backpage. Her mother directed her, under false pretenses, to go to a hotel room. When Ms. Doe #1 arrived at the hotel room, a man locked her inside and took her to a room with a second man. Both men raped her several times.

144. Ms. Doe #1's traffickers took between 10 and 20 photographs of her without her consent and posted some of those photographs on Backpage with an advertisement selling Ms. Doe #1 for sex. Upon information and belief, these men had trafficked other women on Backpage without their consent.

145. These men then created an advertisement for Ms. Doe #1 on Backpage. Within less than ten hours, five different men responded to the Backpage advertisement posted. Also within less than ten hours, those five men repeatedly raped Ms. Doe #1.

146. As a result of the advertisement of Ms. Doe #1 on Backpage and her repeated sale for sex, Ms. Doe #1 suffered severe mental and physical trauma. Ms. Doe #1 stopped attending college courses after these traumatic rapes because she could no longer focus on her coursework. She also missed significant periods of work between March 2013 and June 2015 due to her need to attend medical appointments and psychological therapy.

147. Ms. Doe #1 attended intense psychological therapy twice a week from April 2013 to June 2015. As a result of the physical trauma resulting from being repeatedly and forcibly raped, this year Ms. Doe #1 must undergo a hysterectomy at the age of 30.

148. Ms. Doe #1 still suffers from psychological trauma caused by the repeated rapes in March 2013 and of the shame and embarrassment caused by her photograph being featured multiple times on Backpage and her photograph being made publicly available to view and being associated with the sale of sex. She also suffers from post-traumatic stress disorder as a result of Backpage's conduct and the resulting rapes.

149. Ms. Doe #1 serves on the Florida Abolitionist's Board of Influencers.

Jane Doe #2 Was Repeatedly Raped As A Result of Backpage

150. Jane Doe #2 was only 15 years old when she went missing from home on January 22, 2016. By January 30, 2016, her traffickers began selling her on Backpage.

151. Ms. Doe #2's traffickers branded her, and used a cell phone to take numerous photographs of her. These men then used the photographs to create an advertisement on Backpage selling Ms. Doe #2 for sex.

152. Between January 30, 2016 and February 12, 2016, numerous individuals responded to the advertisement. As a result of the advertisement on Backpage, Ms. Doe #2 was repeatedly raped over the course of two weeks.

153. On February 12, 2016, Ms. Doe #2 was able to contact her mother to tell her where she was being held by her traffickers. After Ms. Doe #2 returned home, she and her family immediately reported her traffickers to law enforcement. Both of her traffickers have been convicted of child sex trafficking in violation of 18 U.S.C. § 1591, and were sentenced to 121 months' imprisonment each for their crimes.

154. Even after Ms. Doe #2 returned home, the advertisement containing images of her remained on Backpage. Ms. Doe #2's parents emailed Backpage, requesting that the advertisement be removed. Despite her parents' pleas, Backpage refused to take down the advertisement.

155. As a result of the advertisement of Ms. Doe #2 on Backpage and her repeated sale for sex, Ms. Doe #2 has suffered permanent psychological injuries, including severe mental and physical trauma. Prior to her trafficking, Ms. Doe #2 was an honor roll student. Now, however, she now has difficulty staying motivated, and has trouble focusing for long periods of time, making school substantially more difficult.

156. Ms. Doe #2 still suffers from psychological trauma caused by the repeated rapes and the shame and embarrassment of her photograph being featured multiple times

on Backpage, where her photograph was publicly available to view and was associated with the sale of sex. Ms. Doe #2 has intense anxiety, and attends therapy as a result of the deep psychological trauma inflicted by Backpage's conduct.

Backpage Has Caused Harm To Florida Abolitionist

157. Florida Abolitionist is a non-profit 501(c)(3) organization based in Orlando, Florida, whose mission is to end human trafficking. Florida Abolitionist accomplishes their mission by creating preventative and restorative solutions to end human trafficking. Florida Abolitionist also co-founded the Greater Orlando Human Trafficking Task Force, whose singular focus is to provide a human rights-based, victim-centered community forum and mechanism to combat all aspects of human trafficking in the greater Orlando area.

158. Florida Abolitionist is a member organization with various programs, including victim services, and approximately 65 active volunteers. Florida Abolitionist has a Board of Directors and a Board of Influencers ("Advisory Board") (collectively, the "Boards"). Trafficking survivors serve on both Boards and both Boards play a role in providing guidance to Florida Abolitionist.

159. Trafficking victims who obtain services from Florida Abolitionist have a role in governing the organization. They are invited to weekly meetings and provide feedback on services provided by Florida Abolitionist.

160. Florida Abolitionist also has approximately 5,000 partners involved in a variety of ways. Partners include financial contributors, volunteers, and people who have signed up to receive updates about the Florida Abolitionist's activities. Partners receive

monthly newsletters, as well as text message alerts, invitations to special events, and notifications of trainings that occur. Many of these partners are involved through hosting trainings at congregations, businesses, or their civic groups.

161. Florida Abolitionist provides speakers to train individuals, professionals, businesses, organizational leaders, clergy, and law enforcement how to combat and end human trafficking. Florida Abolitionist also provides a monthly training session that covers the topics of awareness and prevention, focusing on the root causes of human trafficking.

162. The number of reports of human trafficking made to the Florida Abuse Hotline has increased each year since 2010. From 2014 to 2015, for example, the number of reports of human trafficking increased by 54%. Florida Department of Children and Families Annual Human Trafficking Report, 2014-15 Federal Fiscal Year, *available at* <https://www.dcf.state.fl.us/programs/childwelfare/docs/2015LMRs/Human%20Trafficking%20Annual%20Report.pdf> (hereinafter, “2015 DCF Report”).

163. The Florida Department of Children and Families (“DCF”) reported that in 2015, alone, DCF received 1,892 reports of human trafficking. 2015 DCF Report. In 2015, DCF allocated \$3 million to serve the needs of trafficked children. *Id.*

164. As a result of the increase in sex trafficking, Florida Abolitionist has diverted its resources from its main mission to end human trafficking to provide treatment and services to trafficking victims. This drain of resources has frustrated Florida Abolitionist’s mission.

165. Florida Abolitionist has a Victim Services program that includes social service assessments of trafficking victims, psychological evaluations, and overall comprehensive case management, as well as providing individual victim advocates to trafficked adults. Florida Abolitionist also created a sex trafficking hotline that is staffed 24 hours a day, seven days a week, and which receives at least 600 calls per year. In 2016, Florida Abolitionist provided services to approximately 275 of the 654 individuals that called its sex trafficking hotline. About 50 of these individuals became formal clients of Florida Abolitionist for whom they provided services, care, shelter, and support. For all 275 individuals, Florida Abolitionist provided services including transportation, identification and coordination of medical care, psychological evaluations and needs assessments, and assistance finding a residential program or affordable housing.

166. Florida Abolitionist spends approximately 50-60 hours per year providing services to each individual trafficking survivor who is a client. These services include weekly calls or visits, monitoring and supervision by a social worker, assistance finding employment, and miscellaneous assistance to help the survivor reintegrate into society.

167. Florida Abolitionist is an organization aimed at stopping modern-day slavery broadly—not just sex trafficking. However, due to the high volume of sex trafficking victims, it has been unable to devote substantial efforts and resources into combating labor trafficking, and its mission has been frustrated as a result. In its first year, Florida Abolitionist provided services to three sex trafficking victims. Florida Abolitionist has spent over \$100,000 to support victims affected by this type of

exploitation. Florida Abolitionist estimates that at least half of the victims it serves were trafficked via Backpage, which has diverted and drained its resources.

168. Backpage's unlawful activity has increased the number of sex trafficking victims, especially child victims, causing Florida Abolitionist to expend significant time and money ensuring that child victims receive the social services they require. The resources that Florida Abolitionist has devoted to address the unique challenges posed by child victims, including ensuring compliance with state procedures applicable to child trafficking victims, has decreased the organization's ability to offer "comprehensive case management" to victims, limited its education and prevention efforts, and harmed its ability to address labor trafficking.

169. Florida Abolitionist has also seen an increase of child trafficking victims who need assistance and/or who are aging out of the dependency system in Florida. Florida Abolitionist has been asked by various organizations serving minors to assist with social services needs. Assisting minor victims requires additional staffing, expertise, and resources, many of which are mandatory under Florida State law, including reporting and documentation requirements, ensuring safety and relocation, and assisting the victim in obtaining medical care.

Federal Authorities Seize Backpage, Backpage.com LLC and Ferrer Plead Guilty, and Defendants Lacey and Larkin Are Indicted

170. On March 28, 2018, a federal grand jury in the United States District Court for the District of Arizona brought a 93-count indictment against Defendants Lacey and Larkin, charging them with conspiracy, facilitation of prostitution, and numerous money laundering offenses. On April 5, 2018, after cooperating with authorities,

Defendant Ferrer pleaded guilty in the District of Arizona to one count of conspiracy to facilitate prostitution using a facility in interstate or foreign commerce and to engage in money laundering, in violation of 18 U.S.C. § 371. He agreed to “take all steps within his power to immediately shut down” Backpage and to cooperate in the prosecution of Lacey and Larkin. Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, and UGC Tech Group CV pleaded guilty to conspiracy to engage in money laundering, in violation of 18 U.S.C. § 1956(h). Defendant Ferrer signed each of these plea agreements as an authorized representative of these entities.

171. Separately, on April 9, 2018, Ferrer pleaded guilty to money laundering in the District Court of Nueces County, Texas. In the same court, Backpage.com LLC pleaded guilty to human trafficking and engaging in an organized illegal activity. On April 12, 2018, Ferrer pleaded guilty to one count of conspiracy and three counts of money laundering in the Superior Court of Sacramento, California.

172. In his federal plea agreement, Defendant Ferrer admitted the following:
- a. Backpage “derived the great majority of its revenue from fees charged in return for publishing advertisements for ‘adult’ and ‘escort’ services.”
 - b. He has “long been aware that the great majority of these advertisements are, in fact, advertisements for prostitution services (which are not protected by the First Amendment and which are illegal in 49 states and in much of Nevada).”

- c. Acting with this knowledge, he “conspired with other Backpage principals [including “M.L.” and “J.L.”] to find ways to knowingly facilitate the state-law prostitution crimes being committed by Backpage’s customers.”
- d. He “worked with [his] co-conspirators to create ‘moderation’ processes through which Backpage would remove terms and pictures that were particularly indicative of prostitution and then publish a revised version of the ad. Such editing did not, of course, change the essential nature of the illegal service being offered in the ad—it was merely intended to create a veneer of deniability for Backpage. These editing practices were only one component of an overall, company-wide culture and policy of concealing and refusing to officially acknowledge the true nature of the services being offered in Backpage’s ‘escort’ and ‘adult’ ads.”
- e. “In addition to conspiring to knowingly facilitate the state-law prostitution offenses being committed by Backpage’s customers, [he] also conspired with other Backpage principals [including “M.L.” and “J.L.”] to engage in various money laundering offenses.” He “worked with [his] co-conspirators to find ways to fool credit card companies into believing that Backpage-associated charges were being incurred on different websites, to route Backpage-related payments and proceeds through bank accounts held in the name of seemingly

unconnected entities (including but not limited to Posting Solutions, Website Technologies, and Cereus Properties), and to use cryptocurrency-processing companies ... for similar purposes.”

173. Similarly, Defendant Backpage.com LLC admitted that “certain employees and representatives of Backpage.com, LLC (who were authorized to bind the company with their actions) . . . conspired to engage in various money laundering offenses.”

Congress Enacts the Allow States and Victims to Fight Online Sex Trafficking Act of 2017

174. In March 2018, Congress passed the Allow States and Victims to Fight Online Sex Trafficking Act of 2017 (“FOSTA”), which became law on April 11, 2018. Pub. L. No. 115-164, 132 Stat. 1253 (2018). FOSTA states that section 230 of the CDA “was never intended to provide legal protection to websites that unlawfully promote and facilitate prostitution and websites that facilitate traffickers in advertising the sale of unlawful sex acts with sex trafficking victims.” FOSTA § 2(1)-(2). Thus, FOSTA is intended to “clarify that section 230 of [the CDA] does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation or sex trafficking.” *Id.* at preamble.

175. In pertinent part, FOSTA provides that:

- a. Nothing in section 230 of the CDA (with the exception of 47 U.S.C. 230(c)(2)(A) [states that “No provider or user of an interactive computer service shall be held liable on account of any action voluntarily taken in good faith to restrict access to . . . material that the

provider . . . considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable[.]”]) shall be construed to impair or limit “any claim in a civil action brought under” 18 U.S.C. § 1595 when the conduct underlying the claim constitutes a violation of 18 U.S.C. § 1591;

- b. The term “participation in a venture,” as it is used in 18 U.S.C. § 1591(e), means “knowingly assisting, supporting, or facilitating a violation” of 18 U.S.C. § 1591(a)(1);
- c. “Any person injured by reason of a violation” of 18 U.S.C. § 2421A(b) regarding promotion or facilitation of prostitution and reckless disregard of sex trafficking “may recover damages and reasonable attorneys’ fees in an action before any appropriate United States district court”; and
- d. The amendment to Section 230(e) “shall apply regardless of whether the conduct alleged occurred, or is alleged to have occurred, before, on, or after [FOSTA’s] date of enactment.”

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

VIOLATIONS OF 18 U.S.C. § 1595 – SEX TRAFFICKING (By Plaintiff Doe #1 and Plaintiff Doe #2 Against Defendant Backpage.com LLC and Individual Defendants)

176. Defendant Backpage.com LLC and the Individual Defendants knowingly benefitted financially when they assisted, supported, and facilitated Plaintiff Doe #1’s

and Plaintiff Doe #2's traffickers in conduct that they knew (or should have known) constituted a violation of 18 U.S.C. § 1591(a)(1). Plaintiff Doe #1 and Plaintiff Doe #2's traffickers enticed them and solicited them on Backpage for purposes of causing them to engage in commercial sex acts that were the result of force, threats of force, fraud, or coercion. These acts affected interstate commerce when Plaintiff Doe #1's and Plaintiff Doe #2's traffickers paid for their advertisements.

177. These Defendants knew or should have known that the post featuring photographs of Plaintiff Doe #1 and Plaintiff Doe #2 was a solicitation to engage in commercial sex acts that were the result of force, threats of force, fraud, or coercion. These Defendants owned, created, maintained, and controlled Backpage and related websites that furthered sex trafficking in Florida and globally. *See supra* ¶¶ 7-12. As Backpage.com LLC and Ferrer recently admitted, they “have long been aware” that the “great majority” of advertisements for “adult” and “escort” services on Backpage are, in fact, advertisements for illegal prostitution services. *See supra* ¶ 172(b).

178. These Defendants knowingly concealed evidence of criminality by shifting ads for prostitution from the “Adult Services” section of the website to the “Dating” section and systematically editing ‘escort’ and ‘adult’ ads to conceal the true nature of the services being offered in those ads. *See supra* ¶¶ 12, 98.

179. These Defendants were on notice that their website was widely used by sex traffickers. These Defendants were repeatedly notified by law enforcement in multiple states, 51 state attorneys general, and the United States Senate that their websites facilitated human sex trafficking. *See supra* ¶¶ 10, 53. Even so, Backpage created

automatic filters to knowingly conceal child trafficking and conspired with traffickers to falsely represent that trafficked children were over the age of 18, as made clear by the multiple age representations for the same individual in multiple advertisements collected on a single webpage. *See supra* ¶¶ 69-70.

180. Based on this knowledge, these Defendants knew or should have known that the person or persons behind the post featuring photographs of Plaintiff Doe #1 and Plaintiff Doe #2 was engaged in conduct constituting a violation of 18 U.S.C. § 1591(a)(1), and they knowingly benefited financially from assisting, supporting, and facilitating that violation.

181. As a direct and proximate cause of these Defendants' conduct, Plaintiff Doe #1 and Plaintiff Doe #2 have suffered substantial physical and psychological injuries and other damages. *See supra* ¶¶ 146-48, 155-56.

SECOND CAUSE OF ACTION

VIOLATIONS OF RICO – 18 U.S.C. § 1962(c)

(By All Plaintiffs Against Individual Defendants and Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, UGC Tech Group CV, and Cereus Properties LLC)

182. From 2009 to the present, the RICO Defendants and their co-conspirators (named and unnamed) were employed by or associated with the Sex Trafficking Enterprise described herein, which constituted an association-in-fact enterprise within the meaning of 18 U.S.C. § 1961(4). *See supra* ¶¶ 6, 117-22.

183. The activities of the Sex Trafficking Enterprise affected interstate and foreign commerce. The RICO Defendants' websites and their affiliates featured content

containing advertisements for commercial sex in all 50 states, Puerto Rico, Washington D.C., Canada, Mexico, and in most of the countries in Europe, South America, and Asia. *See supra* ¶¶ 124-34.

184. The RICO Defendants agreed to conduct and participate in and did conduct and participate in the Sex Trafficking Enterprise's affairs through a pattern of racketeering activity for the unlawful purpose of (a) knowingly profiting from the sex trafficking of children and coerced adults on their websites, and (b) laundering money in order to conceal the nature, origin, and destination of the illegal transactions. *See supra* ¶¶ 135-41.

185. The acts of sex trafficking of children, in violation of 18 U.S.C. § 1591; interstate and foreign travel or transportation in aid of racketeering, in violation of 18 U.S.C. § 1952(a)(3)(A); sexual exploitation of children, in violation of 18 U.S.C. § 2251; certain activities relating to material involving the sexual exploitation of children, in violation of 18 U.S.C. § 2252; coercion and enticement, in violation of 18 U.S.C. § 2422; transportation of minors, in violation of 18 U.S.C. § 2423; and laundering of monetary instruments, in violation of 18 U.S.C. § 1956, set forth above constitute a pattern of racketeering activity pursuant to 18 U.S.C. § 1961(5). *See supra* ¶¶ 123-41.

186. As a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(c), Plaintiff Florida Abolitionist has been injured in its business and property, including the diversion of resources to handle the increase in supply and demand for commercial sex with trafficked persons that was the direct result of the Sex Trafficking Enterprise. *See supra* ¶¶ 16, 157-69. Many of the

trafficked persons that Plaintiff Florida Abolitionist provides services for have been sold on Backpage and its affiliated websites, which was directly and proximately caused by the RICO Defendants' maintenance and control of the Sex Trafficking Enterprise. *See supra* ¶¶ 165-69.

187. Furthermore, as a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(c), Plaintiffs Jane Doe #1, Jane Doe #2, and Susan Roe have been injured. *See supra* ¶¶ 15, 146-48, 155-56. But for the Sex Trafficking Enterprise, Jane Doe #1 and Jane Doe #2 would not have been trafficked, and Susan Roe would not have incurred significant time and money to treat the injuries suffered by her daughter, Jane Doe #2. Furthermore, if not for the money laundering activities of the Sex Trafficking Enterprise, Backpage would not have been able to continue to operate or facilitate the advertisements through which Jane Doe #1 and Jane Doe #2 were trafficked. *See supra* ¶¶ 118-20.

THIRD CAUSE OF ACTION

VIOLATIONS OF RICO – 18 U.S.C. § 1962(a)

(By All Plaintiffs Against Individual Defendants and Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, UGC Tech Group CV, and Cereus Properties LLC)

188. The RICO Defendants knowingly received income that was derived from a pattern of racketeering activity, namely through the Sex Trafficking Enterprise. *See supra* ¶¶ 117-20, 136-41. The Sex Trafficking Enterprise was engaged in activities affecting interstate commerce. *See id.*

189. The acts of sex trafficking of children, in violation of 18 U.S.C. § 1591; interstate and foreign travel or transportation in aid of racketeering, in violation of 18 U.S.C. § 1952(a)(3)(A); sexual exploitation of children, in violation of 18 U.S.C. § 2251; certain activities relating to material involving the sexual exploitation of children, in violation of 18 U.S.C. § 2252; coercion and enticement, in violation of 18 U.S.C. § 2422; transportation of minors, in violation of 18 U.S.C. § 2423; and laundering of monetary instruments, in violation of 18 U.S.C. § 1956, set forth above constitute a pattern of racketeering activity pursuant to 18 U.S.C. § 1961(5). *See supra* ¶¶ 123-41.

190. The RICO Defendants received income derived from a pattern of racketeering activity consisting of the related predicate acts of racketeering described above. *See supra* ¶¶ 117-20, 136-41.

191. The RICO Defendants have used such income to support and further the Sex Trafficking Enterprise by investing that income into various of the RICO Defendants' businesses that have the purpose and effect of obscuring the source and destination of transactions that occur on their websites and in furtherance of the Sex Trafficking Enterprise's activities, including Posting Solutions LLC, Website Technologies, LLC, and Cereus Properties LLC. *See supra* ¶¶ 120-21. The RICO Defendants have set up a web of entities and websites that are interconnected to increase their co-conspirators' exposure to potential purchasers while decreasing their potential for being caught by law enforcement. *See supra* ¶¶ 117, 120-22.

192. As a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(a), Plaintiff Florida Abolitionist has been

injured in its business and property, including the diversion of resources to handle the increase in supply and demand for commercial sex with trafficked persons that was the direct result of the Sex Trafficking Enterprise. *See supra* ¶¶ 16, 157-69. Many of the trafficked persons that Plaintiff Florida Abolitionist provides services for have been sold on Backpage and its affiliated websites, which was directly and proximately caused by the RICO Defendants' maintenance and control of the Sex Trafficking Enterprise. *See supra* ¶¶ 165-69.

193. Furthermore, as a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(a), Plaintiffs Jane Doe #1, Jane Doe #2, and Susan Roe have been injured. *See supra* ¶¶ 15, 146-48, 155-56. But for the Sex Trafficking Enterprise, Jane Doe #1 and Jane Doe #2 would not have been trafficked, and Susan Roe would not have incurred significant time and money to treat the injuries suffered by her daughter, Jane Doe #2. *See id.* Furthermore, if not for the money laundering activities of the Sex Trafficking Enterprise, Backpage would not have been able to continue to operate or facilitate the advertisements through which Jane Doe #1 and Jane Doe #2 were trafficked. *See supra* ¶¶ 118-20.

FOURTH CAUSE OF ACTION

VIOLATIONS OF RICO – 18 U.S.C. § 1962(b)

(By All Plaintiffs Against Individual Defendants and Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, UGC Tech Group CV, and Cereus Properties LLC)

194. The RICO Defendants knowingly acquired and maintained an interest in and control of the Sex Trafficking Enterprise. These activities affected interstate commerce. *See supra* ¶¶ 123-41.

195. The RICO Defendants agreed to conduct and participate in and did conduct and participate in the conduct of the Sex Trafficking Enterprise's affairs through a pattern of racketeering activity for the unlawful purpose of intentionally profiting from and promoting the sex trafficking of children on their websites, and of laundering of money in order to conceal the nature, origin, and destination of the illegal transactions. *See supra* ¶¶ 124-41.

196. As a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(b), Plaintiff Florida Abolitionist has been injured in its business and property, including the diversion of resources to handle the increase in supply and demand for commercial sex with trafficked persons that was the direct result of the Sex Trafficking Enterprise. *See supra* ¶¶ 16, 157-69. Many of the trafficked persons that Plaintiff Florida Abolitionist provides services for have been sold on Backpage and its affiliated websites, which was directly and proximately caused by the RICO Defendants' maintenance and control of the Sex Trafficking Enterprise. *See supra* ¶¶ 165-69.

197. Furthermore, as a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(b), Plaintiffs Jane Doe #1, Jane Doe #2, and Susan Roe have been injured. *See supra* ¶¶ 15, 146-48, 155-56. But for the Sex Trafficking Enterprise, Jane Doe #1 and Jane Doe #2 would not have been trafficked.

See id. Furthermore, if not for the money laundering activities of the Sex Trafficking Enterprise, Backpage would not have been able to continue to operate or facilitate the advertisement through which Jane Doe #1 and Jane Doe #2 were trafficked. *See supra* ¶¶ 118-20.

FIFTH CAUSE OF ACTION

VIOLATIONS OF RICO – 18 U.S.C. § 1964(d)

(By All Plaintiffs Against Individual Defendants and Defendants Backpage.com LLC, Website Technologies, LLC, Posting Solutions LLC, Amstel River Holdings LLC, Ad Tech BV, UGC Tech Group CV, and Cereus Properties LLC)

198. The RICO Defendants agreed and conspired to violate 18 U.S.C. §§ 1962(a), (b), and (c), including in that the RICO Defendants agreed and conspired to (a) use and invest income that is derived from a pattern of racketeering activity in the Sex Trafficking Enterprise (§ 1962(a)); (b) acquire or maintain an interest in the Sex Trafficking Enterprise (§ 1962(b)); and (c) conduct and participate in the conduct of the affairs of the Sex Trafficking Enterprise through a pattern of racketeering activity (§ 1962(c)). *See supra* ¶¶ 118-41, 172.

199. As a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(d), Plaintiff Florida Abolitionist has been injured in its business and property, including the diversion of resources to handle the increase in supply and demand for commercial sex with trafficked persons that was the direct result of the Sex Trafficking Enterprise. *See supra* ¶¶ 16, 157-69. Many of the trafficked persons that Plaintiff Florida Abolitionist provides services for have been sold on Backpage and its affiliated websites, which was directly and proximately caused by

the RICO Defendants' maintenance and control of the Sex Trafficking Enterprise. *See supra* ¶¶ 165-69.

200. Furthermore, as a direct and proximate result of the RICO Defendants' racketeering activities and violations of 18 U.S.C. § 1962(d), Plaintiffs Jane Doe #1, Jane Doe #2, and Susan Roe have been injured. *See supra* ¶¶ 15, 146-48, 155-56. But for the Sex Trafficking Enterprise, Jane Doe #1 and Jane Doe #2 would not have been trafficked, and Susan Roe would not have incurred significant time and money to treat the injuries suffered by her daughter, Jane Doe #2. *See id.* Furthermore, if not for the money laundering activities of the Sex Trafficking Enterprise, Backpage would not have been able to continue to operate or facilitate the advertisement through which Jane Doe #1 and Jane Doe #2 was trafficked. *See supra* ¶¶ 118-20.

SIXTH CAUSE OF ACTION

AIDING AND ABETTING INVOLUNTARY SERVITUDE IN VIOLATION OF THE THIRTEENTH AMENDMENT AND 18 U.S.C. §§ 2, 1584

(By Plaintiff Doe #1 Against Backpage.com LLC and the Individual Defendants)

201. Defendant Backpage.com LLC and the Individual Defendants aided and abetted the involuntary servitude of Plaintiff Jane Doe #1. Plaintiff Doe #1's traffickers committed the offense of involuntary servitude when they held Plaintiff Doe against her will by use or threat of physical restraint or injury, used Backpage to solicit customers to have sex with her by posting photos of her on the site, and forced her to have sex with at least five men who responded to the post on Backpage. *See supra* ¶¶ 143-45.

202. Defendant Backpage.com LLC and the Individual Defendants were generally aware of their role as part of this activity and knowingly and substantially

assisted the violation. These Defendants knowingly and repeatedly aided and abetted the illegal actions of their customers, whom they knew trafficked children and coerced adults and sold them for sex on Backpage. *See supra* ¶¶ 58-60, 64-79. These Defendants were repeatedly notified by law enforcement in multiple states, 51 state attorneys general, and the United States Senate that their websites facilitated sex trafficking, which, by its very nature, often involves holding victims against their will by use or threat of physical restraint or injury and forcing them to engage in commercial sex acts. *See supra* ¶¶ 10-12, 53-54.

203. Moderators working for Defendant Backpage.com LLC were discouraged by supervisors from submitting reports of suspicious advertisements, including one case in which the moderator thought the person in the ad looked underage, appeared to have been drugged, and had bruises. Senate Report at 40. These are obvious indications of trafficking and involuntary servitude.

204. Defendant Backpage.com LLC and the Individual Defendants purposefully designed Backpage to conceal the illegal services being advertised in its “Adult Services” and “Dating” sections. *See supra* ¶¶ 11-12, 95-99. These Defendants conspired with their trafficker-customers to falsely represent and hide the fact that they were selling trafficked children and adults who were forced to engage in commercial sex acts. By introducing features such as the “Strip Term From Ad” filter and coaching customers on how to circumvent Backpage’s own measures for blocking illegal content, these Defendants aided and abetted Backpage’s trafficker-customers in evading law enforcement. *See supra* ¶¶ 69-70. They created online user tools in bad faith to help

traffickers avoid detection, arrest, and prosecution for involuntary servitude. *See supra* ¶¶ 71-79. These activities substantially assisted Plaintiff Doe #1's traffickers in trafficking her on Backpage and evading identification or detection by law enforcement. *See supra* ¶¶ 86-94.

205. As a direct and proximate cause of these Defendants' conduct, Plaintiff Doe #1 has suffered substantial physical and psychological injuries and other damages. *See supra* ¶¶ 146-48.

SEVENTH CAUSE OF ACTION

DISTRIBUTOR OR PUBLISHER LIABILITY

(By Plaintiff Doe #1 and Plaintiff Doe #2 Against All Defendants)

206. Defendants knowingly published, or caused to be published, defamatory matter to someone other than Plaintiffs Doe #1 and Doe #2. *See supra* ¶¶ 144-45, 151.

207. Defendants intentionally and unreasonably failed to remove the defamatory matter and photographs that were in Defendants' possession and under Defendants' control. Defendants failed to take reasonable steps to remove the defamatory statements and photographs within Defendants' control. *See supra* ¶¶ 7-11, -50-54, 58--79.

208. Defendants also negligently failed to remove the defamatory matter and photographs that were in Defendants' possession and under Defendants' control. *See supra* ¶¶ 7-11, 58-60, 154.

209. Defendants also failed to take reasonable steps to remove the defamatory statements and photographs within Defendants' control. *See supra* ¶¶ 7-11, 58-60, 69-79, 154.

210. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1 and Doe #2 have suffered substantial physical and psychological injuries, and other damage. *See supra* ¶¶ 146-48, 155-56.

EIGHTH CAUSE OF ACTION

OUTRAGE

(By Plaintiffs Doe #1 and Doe #2 Against All Defendants)

211. Defendants intentionally or recklessly participated in, facilitated, and profited from selling trafficked adults and children for sex. *See supra* ¶¶ 6-7, 117-21. Defendants intentionally or recklessly authored, edited, and placed photographs and advertisements for trafficked adults and children, including photographs and advertisements of Plaintiffs Doe #1 and Doe #2, on Backpage. *See supra* ¶¶ 69-79, 143-445 151.

212. Defendants' conduct was so outrageous that it is beyond all bounds of human decency and to be regarded as odious and utterly intolerable in a civilized community. *See supra* ¶¶ 50-54, 58-63.

213. Defendants' conduct caused emotional distress that was severe, including causing severe emotional distress to Plaintiffs Doe #1 and Doe #2. *See supra* ¶¶ 146-48, 155-56.

214. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1 and Doe #2 have suffered substantial physical and psychological injuries, and other damage. *See supra* ¶¶ 146-48, 155-56.

NINTH CAUSE OF ACTION

INVASION OF PRIVACY OR RIGHT TO PUBLICITY

(By Plaintiff Doe #1 and Plaintiff Doe #2 Against All Defendants)

215. Defendants' conduct amounted to and resulted in the unwarranted appropriation and exploitation of Plaintiffs Doe #1's and Doe #2's personality and the wrongful intrusion into Plaintiffs Doe #1's and Doe #2's private affairs and activities with which the public has no legitimate concern. *See supra* ¶¶ 143-45, 151, 154.

216. Defendants' conduct also amounted to or resulted in the public disclosure of facts about Plaintiffs Doe #1 and Doe #2 which placed them both in a false light in the public eye. *See supra* ¶¶ 143-45, 151, 154.

217. Defendants' conduct caused mental suffering, shame, and humiliation to both Plaintiffs Doe #1 and Doe #2, both people of ordinary sensibilities. *See supra* ¶¶ 146-48, 154-56.

218. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1 and Doe #2 have suffered substantial physical and psychological injuries, and other damage. *See supra* ¶¶ 146-48, 155-56.

TENTH CAUSE OF ACTION

VIOLATIONS OF FLA. STAT. ANN. § 540.08 COMMERCIAL EXPLOITATION OF A PERSON'S NAME OR PERSONALITY

(By Plaintiff Doe #1 and Plaintiff Doe #2 Against All Defendants)

219. Defendants published, displayed, and otherwise used publicly for purposes of trade and for other commercial and advertising purposes Plaintiffs Doe #1's and #2's image, photograph, name, and likeness without either Plaintiff Doe #1's or Plaintiff Doe #2's express written or oral consent. *See supra* ¶¶ 143-45, 151, 154.

220. Both Plaintiff Doe #1's and Plaintiff Doe #2's image, photograph, and likeness was not part of a bona fide news report or presentation having a current and legitimate public interest and was, instead, used for advertising purposes. *See supra* ¶¶ 143-45, 151, 154.

221. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1 and Doe #2 have suffered substantial physical and psychological injuries, and other damage. *See supra* ¶¶ 146-48, 155-56.

ELEVENTH CAUSE OF ACTION

CIVIL CONSPIRACY

(By All Plaintiffs Against All Defendants)

222. Defendants had an agreement between themselves and an agreement with trafficker co-conspirators to traffic children and coerced adults, in violation of state and federal law. *See supra* ¶¶ 117-122.

223. Defendants edited, authored, and published advertisements on Backpage and Defendants' other websites, and obtained payment, in furtherance of this conspiracy. *See supra* ¶¶ 64-79.

224. As a direct and proximate cause of Defendants' conduct, Plaintiff Florida Abolitionist was harmed and suffered damages. Because of Defendants' conspiracy,

Plaintiff Florida Abolitionist was forced to divert resources from its primary mission to end all forms of human trafficking and to expend resources to provide services, counseling, and support to trafficked adults and children. *See supra* ¶¶ 164-69.

225. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1, Doe #2, and Susan Roe were harmed and suffered damages. *See supra* ¶¶ 15, 146-48, 155-56.

TWELFTH CAUSE OF ACTION

NEGLIGENCE

(By All Plaintiffs Against All Defendants)

226. Defendants have a duty to avoid facilitating human trafficking and a duty to follow Florida's anti-trafficking criminal statutes. These criminal provisions define the public policy of Florida.

227. Defendants breached that duty because at all relevant times, they knew or should have known that traffickers used Backpage to post advertisements selling trafficked adults and children. *See supra* ¶¶ 10-12, 50-54. Defendants took no precautions to prevent that misconduct. *See supra* ¶¶ 58-63, 69-79. In fact, Defendants worked, in bad faith, with the traffickers to facilitate the trafficking. *See supra* ¶¶ 67-68, 71-79, 86-94.

228. As a direct and proximate cause of Defendants' conduct, Plaintiff Florida Abolitionist was harmed and suffered damages. Plaintiff Florida Abolitionist was forced to divert resources from its primary mission to end all forms of human trafficking and to

expend resources to provide services, counseling, and support to trafficked adults and children. *See supra* ¶¶ 164-69.

229. As a direct and proximate cause of Defendants' conduct, Plaintiffs Doe #1, Plaintiff Doe #2, and Susan Roe were harmed and suffered damages. *See supra* ¶¶ 15, 146-48, 155-56.

THIRTEENTH CAUSE OF ACTION

LOSS OF CONSORTIUM

(By Susan Roe Against All Defendants)

230. As a direct and proximate cause of Defendants' conduct, Plaintiff Doe #2 has incurred permanent psychological harm. *See supra* ¶¶ 155-56.

231. As a result of Defendants' violation of Jane Doe #2's rights, Susan Roe has lost the comfort, companionship, and society of her daughter. *See supra* ¶ 15.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38 and the extent permitted by law, Plaintiffs demand a trial by jury in this action of all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray this Court enter judgment as follows:

- a) Adjudge that Defendants are liable for each cause of action stated above;
- b) For preliminary and permanent injunctive relief;
- c) For declaratory relief;
- d) For monetary damages, including compensatory, punitive, and treble damages;
- e) For all costs and fees incurred in prosecuting this Complaint;

f) For such other and further relief as this Court deems just and proper.

April 30, 2018

Respectfully submitted,

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*Attorneys for Plaintiffs Jane Doe #1, Jane Doe
#2, Susan Roe, and Florida Abolitionist*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been hand delivered to the Clerk of Court for the United States District Court for the Middle District of Florida for filing on April 30, 2018.

/s/ Karen C. Dyer
Karen C. Dyer