

1 MILBERG COLEMAN BRYSON  
2 PHILLIPS GROSSMAN PLLC  
3 DAVID E. AZAR  
4 280 S. Beverly Drive, Suite PH  
5 Beverly Hills, California 90212  
6 Telephone: 1-866-252-0878  
7 dazar@milberg.com  
8 *Plaintiffs' Attorney*

9  
10  
11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 DAWN DANGAARD, a/k/a ALANA  
14 EVANS; KELLY GILBERT, a/k/a KELLY  
15 PIERCE; JENNIFER ALLBAUGH, a/k/a  
16 RUBY; and on behalf of themselves  
17 and all others similarly situated,

18 *Plaintiffs,*

19 v.

20 INSTAGRAM, LLC;  
21 FACEBOOK OPERATIONS, LLC;  
22 FENIX INTERNET LLC;  
23 FENIX INTERNATIONAL INC.;  
META PLATFORMS, INC.;  
LEONID RADVINSKY;  
and JOHN DOES 1-10,  
*Defendants.*

CLASS ACTION COMPLAINT  
JURY TRIAL DEMANDED

Plaintiffs allege as follows upon personal knowledge and upon information and belief based upon the investigation of counsel:

**I. INTRODUCTION**

1. This case is about a corrupt business gaining an enormous advantage over its competitors by wrongfully manipulating behind-the-scenes databases, and in the process, harming thousands of small entrepreneurs who rely on social media to promote sales of their product and earn a living.

1           2.       Plaintiffs and Class Members are performers in the online adult entertainment  
2 business and anyone else (regardless of the description they use for themselves, such as influencer  
3 or artist) who provided content to a competitor of OnlyFans and was harmed by the alleged scheme  
4 (“AE Providers” or “AE Performers”). They make their performances available to consumers  
5 through online adult entertainment businesses that provide websites and serve as platforms (“AE  
6 Platforms”). Consumers are charged to access the content, with the revenue split between the AE  
7 Platform and the AE Provider. AE Providers rely on interactions on social media platforms such  
8 as Instagram and Twitter to guide customers to their pages on AE Platforms. Without the social  
9 media sites, the business model for the industry is dead.

10           3.       Collusion between certain employees or agents of Meta Platforms, Inc. and its  
11 subsidiaries (such as Facebook and Instagram), and the OnlyFans adult entertainment business and  
12 those affiliated with it, has had severe repercussions. The collusion systematically and  
13 methodically damaged or destroyed the businesses of many competing AE Platforms and with that  
14 unfairly harmed the livelihoods of Plaintiffs and Class Members featured on those platforms by  
15 eliminating or reducing their visibility on social media. Some of those performers and businesses  
16 were destroyed.

17           4.       Up until late 2018 or early 2019, the online adult entertainment industry was a  
18 vibrant, competitive market. That is when AE Providers that had promoted competitors of  
19 OnlyFans suddenly began to experience a drop-off in traffic and user engagement on social media  
20 platforms. The deletion and hiding of posts, and reduction in social media traffic for certain  
21 providers, started to occur suddenly and was so substantial and so dramatic that it could not have  
22 been the result of filtering by human reviewers of social media content. The business lifeblood of  
23 certain AE Providers and AE Platforms appeared to be blocked so consistently that only automated

1 processes could be responsible. But performers associated exclusively with OnlyFans were not  
2 affected in the same way. As a result, OnlyFans began to grow incrementally, and then  
3 exponentially -- rocketing up the internet traffic rankings -- and quickly became one of the most  
4 dominant players in the adult industry, while most of OnlyFans' competitors stagnated or saw  
5 dramatically reduced traffic and revenue.

6 5. The Complaint alleges that the Defendants in this action orchestrated a scheme  
7 through which they caused AE Performers associated with OnlyFans' competitors to be  
8 "blacklisted" by certain social media platforms for the purpose of reducing competition with  
9 OnlyFans. "Blacklisting" is a process whereby social media accounts are identified to certain  
10 social media platforms in a way to prompt those platforms to suspend or delete those accounts or  
11 otherwise reduce their visibility. The blacklisting process was accomplished first internally at  
12 Instagram/Facebook by automated classifiers or filters, which were then submitted to a shared  
13 industry database of "hashes," or unique digital fingerprints. This database was and is intended to  
14 flag and remove content produced by terrorists and related "Dangerous Individuals and  
15 Organizations" to curtail the spread of terrorism and violent extremism online. However, the AE  
16 Performers blacklisted, and the AE Platforms injured by the blacklisting, were not terrorists and  
17 had nothing to do with terrorism of any kind. The scheme was intended to destroy the AE  
18 Platforms' businesses, and either destroy the AE Providers or force them to work exclusively  
19 through OnlyFans.

20 6. According to a recent BBC article, Meta claims it investigated but found no  
21 evidence the shared hash database had been abused. Meta did not say the scheme did not happen,  
22 just that it found no evidence of it and therefore the claim had no merit. Meta did not explain what  
23 triggered its investigation or how it conducted the investigation. Plaintiffs believe Meta did not

1 investigate thoroughly enough and encourage it to make this information available for independent  
2 review.

## 3 II. PARTIES

4 7. Plaintiff Dawn Dangaard is a professional adult entertainment performer. Her stage  
5 name is Alana Evans. In this Complaint, “Alana Evans” refers to Plaintiff Dangaard. She is also  
6 the president of the Adult Performance Artists Guild (“APAG”), a federally recognized labor  
7 union whose goals are “to earn employee rights, set performer responsibilities, negotiate fair  
8 practices, and help performers provide themselves with a better future.” She is a citizen of  
9 California.

10 8. Plaintiff Kelly Gilbert is a professional adult entertainment performer. Her stage  
11 name is Kelly Pierce. In this Complaint, “Kelly Pierce” refers to Plaintiff Kelly Gilbert. She is  
12 Secretary of the APAG. She is a citizen of Illinois.

13 9. Plaintiff Jennifer Allbaugh is a professional adult entertainment performer. Her  
14 stage name is Ruby. In this Complaint, “Ruby” refers to Plaintiff Allbaugh. She is Vice President  
15 of the APAG. She is a citizen of Ohio.

16 10. Defendant Fenix International Limited (“Fenix”) is a private, limited company  
17 registered under the laws of the United Kingdom and Hong Kong, with its principal place of  
18 business at 4th Floor Imperial House, 8 Kean Street, London, WC2B 4AS United Kingdom. Based  
19 on public information, Fenix also conducts business or has operations (directly or through  
20 subsidiaries or affiliates) in the United States, Manila, Singapore, Tokyo, New Delhi, and  
21 Bangkok. Fenix operates the OnlyFans AE Platform.

22 11. Defendant Fenix Internet, LLC (“Fenix Internet”) is a Delaware limited liability  
23 company that is headquartered in Florida. On information and belief, Fenix Internet, LLC is a

1 wholly owned subsidiary of Fenix. Accordingly, for purposes of diversity jurisdiction, its  
2 citizenship is the same as Fenix. On information and belief, customer charges for the OnlyFans  
3 website have appeared as “Fenix Internet LLC” on customer bank statements; accordingly, on  
4 information and belief, Fenix Internet LLC receives, and is a conduit for, funds wrongfully  
5 obtained and/or proximately connected to the tortious conduct alleged herein.

6 12. Leonid Radvinsky (“Radvinsky”) is an individual who resides in Palm Beach  
7 County, Florida. He is the owner of the OnlyFans AE Platform, <https://onlyfans.com/>, through his  
8 ownership of Fenix, and he controls Fenix Internet. Radvinsky is also the founder and owner  
9 (through a holding company) of the cam site “myfreecams”; on information and belief, Radvinsky  
10 also owns or controls “stars.avn.com.” Those sites are referred to herein as the Radvinsky-  
11 affiliated sites. He is a citizen of Florida.

12 13. Defendants Fenix, Fenix Internet, and Radvinsky are collectively referred to as the  
13 “Radvinsky Defendants.”

14 14. The Radvinsky Defendants are subject to the personal jurisdiction of this Court  
15 because (i) they operate, conduct, engage in, and carry on business in California and (ii) they  
16 caused injury to Plaintiffs and to Class Members in California arising out of activities in California.  
17 The Radvinsky Defendants are subject to the personal jurisdiction of this Court because they  
18 engaged in substantial and not isolated activity within this district.

19 15. Defendant. Meta Platforms, Inc. (“Meta”) is a Delaware corporation with its  
20 headquarters and principal executive offices in this district at 1601 Willow Road, Menlo Park,  
21 California 94025. It is a citizen of Delaware and California. Prior to December 1, 2021, Meta was  
22 known as Facebook Inc. It is the owner and operator of, among other things, two large social media  
23 platforms, Facebook and Instagram.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.