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8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

13 Michael Katz-Lacabe, Dr. Jennifer Golbeck
14 and Dr. Johnny Ryan, on behalf of
themselves and all others similarly situated,

15 Plaintiffs,

16 vs.

17 ORACLE AMERICA, INC., a corporation
18 organized under the laws of the State of
Delaware,

19 Defendant.
20

Case No. 3:22-cv-04792

CLASS ACTION COMPLAINT

CLASS ACTION

DEMAND FOR JURY TRIAL

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1 **I. INTRODUCTION**

2 1. This complaint sets forth how the regularly conducted business practices of
3 defendant Oracle America, Inc. (“Oracle”) amount to a deliberate and purposeful surveillance of
4 the general population via their digital and online existence. In the course of functioning as a
5 worldwide data broker, Oracle has created a network that tracks in real-time and records
6 indefinitely the personal information of hundreds of millions of people. Oracle sells this detailed
7 personal information to third parties, either directly, or through its “ID Graph” and other related
8 products and services derived from this data. The proposed Classes herein lack a direct
9 relationship with Oracle and have no reasonable or practical basis upon which they could legally
10 consent to Oracle’s surveillance.

11 2. The named Plaintiff class representatives are informed and concerned citizens who
12 believe that the unregulated worldwide data marketplace abrogates the privacy and autonomy of
13 the people and threatens core principles essential for democratic self-rule. Plaintiffs bring this
14 action to enforce their fundamental right to privacy, seek redress and compensation for the
15 financial, dignitary, reputational, and relational harms Oracle has caused, and obtain a ruling that
16 Oracle’s conduct is unlawful and therefore must stop. The law, as alleged below, entitles Plaintiffs
17 and the proposed Classes to these remedies.

18 **II. THE PARTIES**

19 3. Plaintiff Michael Katz-Lacabe resides in San Leandro, California. Mr. Katz-
20 Lacabe is a privacy rights activist. He is the founder of the Center for Human Rights and Privacy,
21 a project dedicated to the promotion of human rights and privacy in the United States, focusing on
22 the use of surveillance technologies by local police and other government agencies.¹ Mr. Katz-
23 Lacabe is also an active member of Oakland Privacy, a grassroots citizens’ coalition that “works
24 regionally to defend the right to privacy and enhance public transparency and oversight regarding
25 the use of surveillance techniques and equipment.”² Mr. Katz-Lacabe has been frequently cited by

26 ¹ *About CEHRP*, The Center for Human Rights and Privacy (2014), [https://www.cehrp.org/about-](https://www.cehrp.org/about-cehrp/)
27 [cehrp/](https://perma.cc/9T3N-ZH5W) [https://perma.cc/9T3N-ZH5W].

28 ² *About*, Oakland Privacy (2022), <https://oaklandprivacy.org/about/> [https://perma.cc/N8VH-5TCH].

1 reporters for his privacy work related to the use of license plate readers by local police,³ which has
2 been referenced by advocacy organizations in their California Supreme Court *Amicus Curiae*
3 briefs.⁴

4 4. Mr. Katz-Lacabe, like most members of modern society, must use the Internet to
5 conduct routine affairs of daily life. On May 4, 2022, despite taking significant steps to maintain
6 his online and offline privacy, Mr. Katz-Lacabe received a document from Oracle indicating
7 Oracle had tracked, compiled, and analyzed his web browsing and other activity and thereby
8 created an electronic profile on him. On information and belief, Oracle continues to track
9 Mr. Katz-Lacabe's internet and offline activity, enrich the profile of him as described below, and
10 make his personal information available to third parties without his consent. On information and
11 belief, Mr. Katz-Lacabe has visited websites where his electronic communications were
12 intercepted by the use of Oracle JavaScript code, as described below.

13 5. Plaintiff Dr. Jennifer Golbeck resides in Sugarloaf Key, Florida. Dr. Golbeck is an
14 associate professor at the University of Maryland in College Park and is Director of the Social
15 Intelligence Lab. She is an expert in social networks, social media, privacy, and security on the
16 web. As described in her Wikipedia entry, Dr. Golbeck "is known for her work on computational
17 social network analysis. She developed methods for inferring information about relationships and
18 people in social networks. Her models for computing trust between people in social networks are
19 among the first in the field . . . [Dr.] Golbeck has received attention for her work on computing

21 ³ Cyrus Farivar, *Op-Ed: Technology Turns Our Cities into Spies for ICE, Whether We Like it or*
22 *Not*, Los Angeles Times (May 2, 2018, 4:15 AM), [https://www.latimes.com/opinion/op-ed/la-oe-](https://www.latimes.com/opinion/op-ed/la-oe-farivar-surveillance-tech-20180502-story.html)
23 [farivar-surveillance-tech-20180502-story.html](https://www.latimes.com/opinion/op-ed/la-oe-farivar-surveillance-tech-20180502-story.html) [https://perma.cc/89AL-WMA4]; Cyrus Farivar,
24 *California cities, counties have spent \$65M on spy tech in past decade*, Ars Technica (Nov. 12,
25 2014, 6:45 AM), [https://arstechnica.com/tech-policy/2014/11/california-cities-counties-have-](https://arstechnica.com/tech-policy/2014/11/california-cities-counties-have-spent-65m-on-spy-tech-in-past-decade/)
26 [spent-65m-on-spy-tech-in-past-decade/](https://arstechnica.com/tech-policy/2014/11/california-cities-counties-have-spent-65m-on-spy-tech-in-past-decade/) [https://perma.cc/NA4Z-MRV9]; Andy Greenberg &
27 Ryan Mac, *How A 'Deviant' Philosopher Built Palantir, A CIA-Funded Data-Mining Juggernaut*,
28 Forbes (Aug. 14, 2013, 10:10 AM), [https://www.forbes.com/sites/andygreenberg/2013/08/14/agent-of-intelligence-how-a-deviant-](https://www.forbes.com/sites/andygreenberg/2013/08/14/agent-of-intelligence-how-a-deviant-philosopher-built-palantir-a-cia-funded-data-mining-juggernaut/?sh=6b9236727785)
[philosopher-built-palantir-a-cia-funded-data-mining-](https://www.forbes.com/sites/andygreenberg/2013/08/14/agent-of-intelligence-how-a-deviant-philosopher-built-palantir-a-cia-funded-data-mining-juggernaut/?sh=6b9236727785)
[juggernaut/?sh=6b9236727785](https://www.forbes.com/sites/andygreenberg/2013/08/14/agent-of-intelligence-how-a-deviant-philosopher-built-palantir-a-cia-funded-data-mining-juggernaut/?sh=6b9236727785) [https://perma.cc/25ZT-BBL6].

⁴ *Application for Leave to File Amicus Curiae Brief and Amicus Curiae Brief of Electronic*
27 *Privacy Information Center (EPIC) in Support of Petitioners*, Supreme Court of the State of
28 California (May 17, 2016), [https://www.courts.ca.gov/documents/15-s227106-ac-elec-privacy-](https://www.courts.ca.gov/documents/15-s227106-ac-elec-privacy-info-ctr-051716.pdf)
[info-ctr-051716.pdf](https://www.courts.ca.gov/documents/15-s227106-ac-elec-privacy-info-ctr-051716.pdf) [https://perma.cc/PBK6-LDFJ].

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