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

14 TESSHA KONDRAT, GAVIN WOLFE, and  
15 CHANELLE MURPHY, individually and  
16 on behalf of all others similarly situated,

17 Plaintiffs,

18 v.

19 ZOOM VIDEO COMMUNICATIONS,  
20 INC.,

21 Defendant.

Case No. \_\_\_\_\_

**CLASS ACTION COMPLAINT  
AND DEMAND FOR JURY TRIAL**

- 22 **1. Violation of California’s Unfair Competition Law**
- 23 **2. Breach of Implied Contract**
- 24 **3. Violation of California’s Consumer Privacy Act**
- 25 **4. Violation of California’s Consumer Legal Remedies Act**
- 26 **5. Unjust Enrichment/Quasi-Contract**
- 27 **6. Declaratory Judgment**
- 28 **7. Negligence**
- 8. Invasion of Privacy (Public Disclosure of Private Facts)**

1 Plaintiffs Tesha Kondrat, Gavin Wolfe, and Chanelle Murphy, individually and  
2 on behalf of all persons similarly situated, bring this Class Action Complaint against  
3 Defendant Zoom Video Communications, Inc. (“Defendant” or “Zoom”), based upon  
4 personal knowledge with respect to themselves, and on information and belief derived  
5 from investigation of counsel and review of public documents as to all other matters.

## 6 **INTRODUCTION**

7 1. *“I really messed up.”* That’s what Zoom’s chief executive officer (CEO)  
8 Eric Yuan admitted on April 4, 2020, after dozens of security and privacy flaws had  
9 been exposed in his company’s wildly popular video-conferencing platform Zoom. But  
10 Mr. Yuan’s admission comes too late for the millions of individuals who already  
11 downloaded and utilized the Zoom platform, unknowingly exposing themselves to  
12 sweeping privacy issues that could place them at risk of harm for years to come. As Mr.  
13 Yuan soberly acknowledged: *“This kind of thing shouldn’t have happened.”*

14 2. Zoom is a video communications provider, offering a cloud platform for  
15 video and audio conferencing, collaboration, chat and webinars. Its meteoric rise from  
16 a startup with 40 engineers in 2011 to its \$20 billion initial public offering in 2019 was  
17 celebrated, and its trajectory during the COVID-19 pandemic has exponentially  
18 increased as the homebound population uses it as their business and social lifeline. But  
19 Zoom’s ascent came at the expense of consumers’ privacy, as it prioritized its breakneck  
20 growth above the security of consumers’ data and privacy.

21 3. Zoom’s sudden ubiquitous presence in the lives of Americans forced to  
22 stay at home and limit face-to-face communications has exposed numerous deficiencies  
23 in the technology’s data privacy and security, with new problems coming to light as  
24 each day passes. Zoom is now playing catch-up to fix each problem as it arises, but it  
25 appears to always be one step behind. By using Zoom’s rushed-to-market technologies,  
26 consumers’ private communications and personally-identifying information and data  
27 are being exposed to third-parties, both intentionally by Zoom, and maliciously by





1 calls, and chats. Zoom claims that it can provide “video for every need,” allowing users  
2 to “join anywhere, on any device.”<sup>1</sup>

3 13. Businesses, healthcare organizations, educational institutions, and  
4 individuals use the Zoom platform for a variety of business and social purposes. Zoom’s  
5 use has exploded recently in response to the novel-coronavirus pandemic’s social-  
6 distancing requirements that are forcing more people to stay at home. “Where once it  
7 enabled client conferences or training webinars, it is now also a venue for virtual  
8 cocktail hours, Zumba classes and children’s birthday parties.”<sup>2</sup> The number of daily  
9 meeting participants across Zoom’s services has increased from 10 million at the end  
10 of 2019 to 200 million now.<sup>3</sup>

11 14. Zoom’s initial public offering last year was one of 2019’s most successful  
12 public offerings, making Zoom’s CEO, Eric Yuan, a billionaire.<sup>4</sup> And while the stock  
13 market has seen its first bear market since the 2008 financial crisis,<sup>5</sup> Zoom’s share price  
14 soared,<sup>6</sup> that is, until recently when investors learned of its major security and privacy  
15 flaws.<sup>7</sup>

16  
17 <sup>1</sup> Zoom Meetings & Chat, <https://zoom.us/meetings> (last visited April 12, 2020).

18 <sup>2</sup> Aaron Tilley and Robert McMillan, *Zoom CEO: ‘I Really Messed Up’ on Security as Coronavirus*  
19 *Drove Video Too’s Appeal*, *The Wall Street Journal* (April 4, 2020) (“I really messed up”),  
20 [https://www.wsj.com/articles/zoom-ceo-i-really-messed-up-on-security-as-coronavirus-drove-](https://www.wsj.com/articles/zoom-ceo-i-really-messed-up-on-security-as-coronavirus-drove-video-tools-appeal-11586031129?st=jmn0xqiy1ea3c63&mod=openfreereg)  
[video-tools-appeal-11586031129?st=jmn0xqiy1ea3c63&mod=openfreereg](https://www.wsj.com/articles/zoom-ceo-i-really-messed-up-on-security-as-coronavirus-drove-video-tools-appeal-11586031129?st=jmn0xqiy1ea3c63&mod=openfreereg).

21 <sup>3</sup> *Id.*

22 <sup>4</sup> *Id.*

23 <sup>5</sup> Sergei Klebnikov, *Bear Market, Dow Drops Over 1,400 Points, Ending Longest Bull Market in*  
24 *U.S. History*, *Forbes* (Mar. 11, 2020),  
[https://www.forbes.com/sites/sergeiklebnikov/2020/03/11/bear-market-dow-drops-over-1400-](https://www.forbes.com/sites/sergeiklebnikov/2020/03/11/bear-market-dow-drops-over-1400-points-ending-longest-bull-market-in-us-history/#6e75715c6ae4)  
[points-ending-longest-bull-market-in-us-history/#6e75715c6ae4](https://www.forbes.com/sites/sergeiklebnikov/2020/03/11/bear-market-dow-drops-over-1400-points-ending-longest-bull-market-in-us-history/#6e75715c6ae4).

25 <sup>6</sup> Rupert Neate, *Zoom booms as demand for video-conferencing tech grows*, *The Guardian* (Mar 31,  
26 2020), [https://www.theguardian.com/technology/2020/mar/31/zoom-booms-as-demand-for-video-](https://www.theguardian.com/technology/2020/mar/31/zoom-booms-as-demand-for-video-conferencing-tech-grows-in-coronavirus-outbreak)  
[conferencing-tech-grows-in-coronavirus-outbreak](https://www.theguardian.com/technology/2020/mar/31/zoom-booms-as-demand-for-video-conferencing-tech-grows-in-coronavirus-outbreak).

27 <sup>7</sup> Wallace Witkowski, *Zoom Video stock slides as much as 15% after analyst joins in backlash on*  
*valuation fears*, *Market Watch* (April 6, 2020), <https://www.marketwatch.com/story/zoom-video>

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