

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

SHANA DOTY, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ADT, LLC d/b/a ADT SECURITY
SERVICES, a Delaware limited liability
company,

Defendant.

Case No.:

CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Shana Doty (“Plaintiff”) brings this Class Action Complaint and Demand for Jury Trial against Defendant ADT, LLC d/b/a ADT Security Services (“Defendant” or “ADT”), based on its intentional and negligent tortious acts in providing security services to its customers with remote-viewing capabilities. Plaintiff alleges as follows upon personal knowledge as to herself and her own acts and experiences, and, as to all other matters, upon information and belief.

NATURE OF THE ACTION

1. In April of 2020, Shana Doty received a terrifying phone call from ADT: the technician who had worked on her indoor security camera system had granted himself remote access, and had used that access an unknown amount of times to spy on her, her husband, and her minor son in their most private moments.

2. And Ms. Doty was not the only one. She soon found out that hundreds of households had experienced the same staggering invasion of privacy over at least a *seven-year* period. At fault for this breach of trust: ADT’s unsecure and unmonitored “security” services.

3. While ADT boasts that it has been protecting people for over 145 years and holds itself out as the “#1 in smart home security” it failed to even secure its own systems from massive and ongoing intrusions into its customers private lives.

4. ADT failed to provide the security services its customers paid for by leaving large vulnerabilities in the ADT Pulse application and, as a result, compromised the safety and security of its customers’ homes and family members. The ADT vulnerability allowed any one of its technicians to grant themselves (or for them to grant anyone else for that matter) access to a customer’s ADT Pulse application and control every aspect of the customers’ home security systems including surreptitiously opening locks and viewing security camera footage.

5. In a frantic effort to mitigate and hide its actions, ADT began a campaign to call all affected account holders and secure a release and confidentiality agreement in exchange for a monetary payment representing a fraction of the value of their claims. This effort, directed by lawyers but carried out by customer service representatives, failed to determine whether individuals were represented by counsel, and attempted to mislead them into believing that the release would cover account holders and non-account holders in the household alike.

6. Beyond the now-known technician who accessed Plaintiff’s home, potentially countless other unknown individuals have been accessing customers’ ADT Pulse accounts and surreptitiously viewing their camera footage, for years, all around the country.

7. The mental and emotional impact this revelation has had on every person receiving these calls from ADT is immeasurable. Moments once believed to be private and inside the sanctity of the home are now voyeuristic entertainment for a third party. And worse, those moments could have been captured, shared with others, or even posted to the internet.

ADT's failure to protect its customers irreparably destroyed their sense of security, safety, intimacy, and well-being.

PARTIES

8. Plaintiff Shana Doty is a natural person and a citizen of the State of Texas.

9. Defendant ADT, LLC is a limited liability company organized and existing under the laws of Delaware with its principal place of business located at 1501 Yamato Road, Boca Raton, Florida 33431.

JURISDICTION AND VENUE

10. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332(d)(2), because (i) at least one member of the Class is a citizen of a different state than the Defendant, (ii) the amount in controversy exceeds \$5,000,000, exclusive of interests and costs, and (iii) none of the exceptions under that subsection apply in this action.

11. This Court has personal jurisdiction over Defendant because Defendant conducts business in Florida and has its headquarters in this District.

12. Venue is proper pursuant to 28 U.S.C. § 1391(b) because Defendant maintains its headquarters and conducts significant business in this District.

COMMON FACTUAL ALLEGATIONS

I. ADT Promises Safety and Security to Consumers.

13. ADT is a home security company that touts its longstanding expertise in security and claims to have been providing security services since the 19th century. According to ADT, it has "been helping protect homes longer than any other company in the business." ADT provides

residential security systems and monitoring plans that purportedly “protect what matters most in your life.” In short, ADT promises that it is “fully committed to your security.”¹

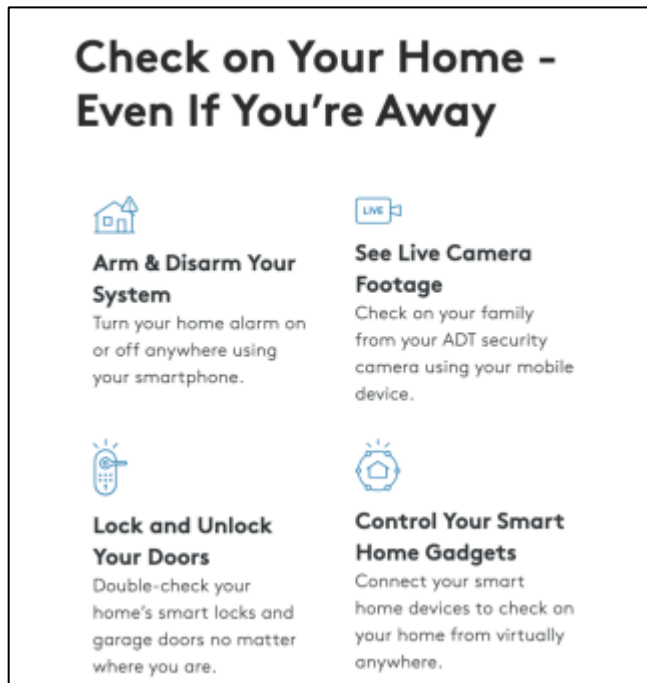
14. ADT markets and sells a comprehensive security system package that includes the hardware necessary to operate a home security system, the monitoring services that detect home intrusions and alert the police, and the security system installation.

15. ADT offers various tiers of its home security systems at different price points. The basic tier, for example, features security monitoring equipment with 24/7 alarm monitoring while the highest tier home security package includes various convenience and home automation features.

16. One of the highest tier home security packages is ADT Pulse. ADT Pulse allows consumers to “check on your home - even if you’re away” by giving them remote access to control their home security system from a mobile application or a web browser portal. Specifically, consumers can arm and disarm their home security systems, remotely lock and unlock doors, view live camera footage, and control various smart home devices like a thermostat and lights. *See* Figure 1, showing a screenshot of ADT’s marketing materials for ADT Pulse.²

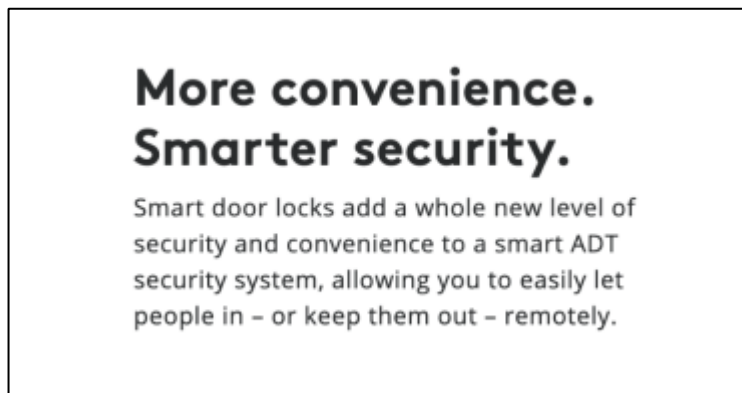
¹ ADT Services | In-Home Consultation, Installation, Repairs, Customer Support, <https://www.adt.com/services> (last visited May 7, 2020).

² ADT Pulse® | Official ADT Smart Home Automation System, <https://www.adt.com/pulse> (last visited May 7, 2020).



(Figure 1.)

17. Consumers must purchase various smart devices from ADT to reap the benefits of the ADT Pulse service and all the advertised remote accessibility features. ADT touts that its smart home features are not only more convenient to consumers, but they provide “smarter security.” For example, ADT claims that the purchase of its smart locks for use with the ADT Pulse system will result in a “whole new level of security and convenience....” as shown in Figure 2.



(Figure 2.)

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.