BIBB COUNTY SCHOOL DISTRICT

Dr. Dan A. Sims, Superintendent

**ACTION MEMORANDUM**

---

**TO:** Board of Public Education for Bibb County

**FROM:** Dr. Dan A. Sims, Superintendent of Schools

**SUBJECT:** ***In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation***
United States District Court for the Northern District of California
Case No. 4:22-MD-03047-YGR, MDL No. 3047

---

## Summary

The District is seeking permission from the Board of Education ("Board") to retain the legal services of Lieff Cabresar Heimann & Bernstein, LLP, Brockstedt Mandalas Federico LLC, and Matthew W. Johnson at Johnson Law Office and to join the above Social Media Litigation as a plaintiff.

## Background

The District has been made aware of a nation-wide consolidated federal lawsuit involving multiple school districts and several social media companies, including Meta Platforms, Inc. (which operates Instagram and Facebook), Snap, Inc. (Snapchat), ByteDance/TikTok, Inc. (TikTok), and Google LLC (YouTube) (collectively, the "Social Media Companies").

The consolidated lawsuit involves claims that the Social Media Companies deliberately designed, developed, and marketed their social media platforms to attract and addict minors. The plaintiff school districts allege that the social media companies' conduct has fueled an unprecedented youth mental health crisis and that school districts, as the primary providers of mental health services to youth, have been forced to bear the brunt of the costs of that crisis.

Districts have been compelled to divert substantial human and financial resources away from their core educational mission to address the fallout, as well as to address student distraction and performance issues. As many school districts have experienced, this includes: hiring additional counselors and mental health staff; confiscating devices;

repairing property damage from viral social media “challenges”; revising curricula and teaching methods to account for reduced attention spans; and developing new educational materials to combat social media addiction.

Through the consolidated lawsuit, school districts seek compensatory damages for the costs they have incurred, as well as injunctive relief, funding to abate the nuisance, and orders requiring the Social Media Companies to change their harmful platform designs.

The Bibb County School District seeks approval from the Board to retain the services of the above-referenced law firms to file any potential claim(s) on behalf of the District for damages and costs incurred by the District related to students’ use of social media sites and the impact of the use of the sites by students on the resources and educational mission of the District. Per the attached Retainer Agreement, the District will not be responsible for out-of-pocket expenses associated with this litigation, and instead, attorney’s fees and costs will paid from any recovery received by the District. The firms have agreed to a 25% contingency fee.

**Recommendation**

It is recommended that the Board give the Superintendent the authority to retain the law firms of Lieff Cabresar Heimann & Bernstein, LLP, Brockstedt Mandalas Federico LLC, and Matthew W. Johnson at Johnson Law Office to represent the District in any and all claims the District may have against the Social Media Companies and authorize the District to join the above Social Media Litigation.

**Superintendent’s Comments and Approval**

| Superintendent’s Signature | Approved/Not Approved |
|---|---|
| Dr. Dan A. Sims | Approved |