

EXHIBIT A

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3.	NOTICE TO PLAINTIFF

COMPLAINT

Bo Shang
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10 Mcguffery Way
Burlington MA 01803

FILED
Superior Court of California
County of San Francisco

AUG 19 2024

CLERK OF THE COURT

BY: 
Deputy Clerk

JAMES XIONG

SAN FRANCISCO SUPERIOR COURT

COUNTY OF SAN FRANCISCO

Bo Shang

CASE NO.

CGC-24-617303

Plaintiff,

vs. Twitch and
Samantha Briasco-Stewart
Defendant

Bo Shang vs.

Twitch, and
Samantha Briasco-
Stewart

350 Bush St.

Suite 200

San Francisco CA 94107

erosolar@twitch.tv

508-733-5657

01/09/24

Bo Shang



*Civil Rights Tort
Discrimination against PLA supporters*

Plaintiff Bo Shang VS Defendants Twitch Interactive, Inc. and Samantha Briasco-Stewart

Overview and Potential Constitutional Effects of Twitch Users in the US

The complaint alleges that Twitch, a leading online platform for streaming video games and other content, has engaged in unlawful, unfair and fraudulent business practices that harm the plaintiff and other users of the service.

The outcome of this case may have a significant impact on the constitutional rights of Twitch users across the United States, as it challenges the validity and enforceability of Twitch's Terms of Service, which contain an arbitration clause that purports to waive the right to a jury trial and the right to participate in a class action. The plaintiff argues that the arbitration clause is unconscionable and unenforceable because Twitch coerces users into accepting it by presenting it in a non-negotiable and obscure manner, and because it deprives users of meaningful remedies and access to justice.

The plaintiff also argues that Twitch's Terms of Service are unconscionable and unenforceable because they grant Twitch unlimited and arbitrary power to terminate, suspend, or modify user accounts and content, without providing any notice, explanation, or opportunity to appeal. The plaintiff contends that these terms violate the First Amendment, the Fourteenth Amendment, the California Constitution, and the common law doctrines of good faith and fair dealing.

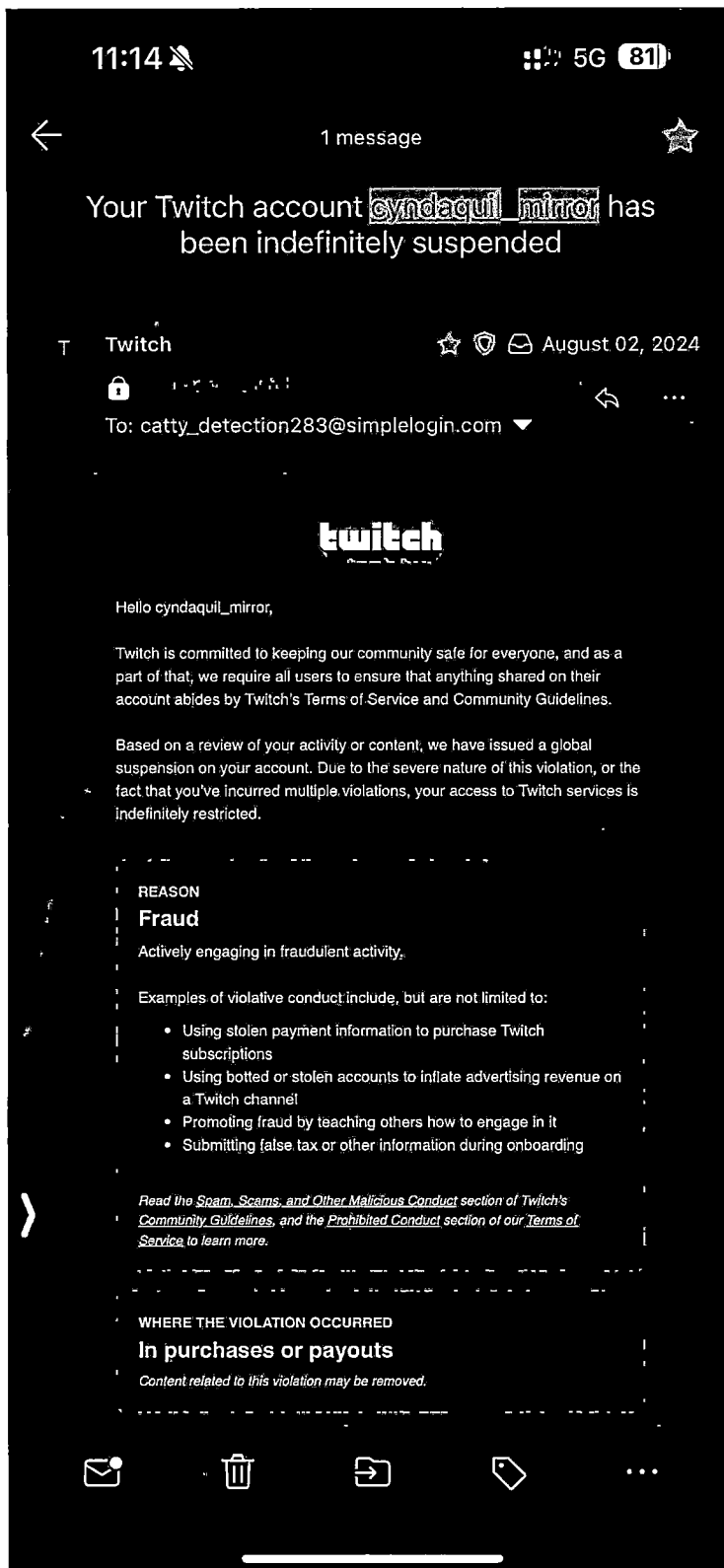


EXHIBIT A

Twitch screws around while claiming to enforce their Terms of Service without illegal bias. This account conducted no fraud or even purchase probably, and was created around January 24 when Plaintiff first emailed Defendant Samantha Briasco-Stewart. The only fraud the Plaintiff committed was testing out Twitch's ad system in mid-2023 that paid out to a Delaware C Corporation, and earned roughly \$3 in additional pay.

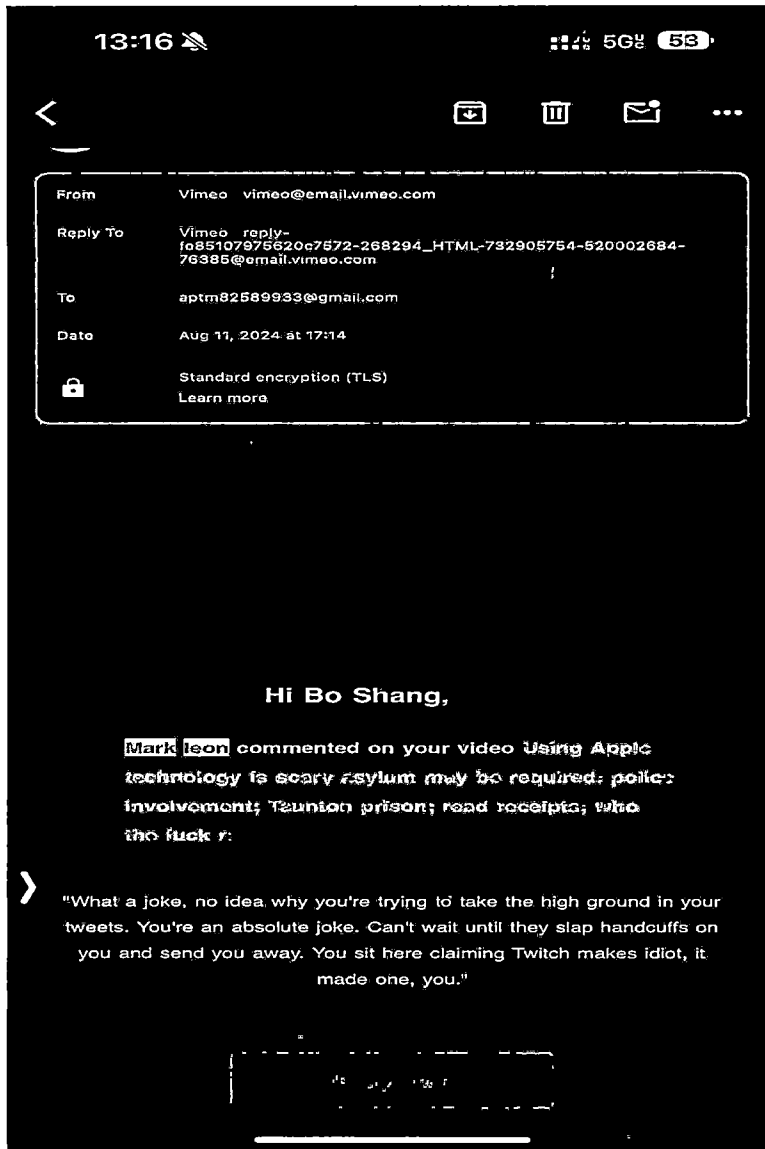


EXHIBIT B

Twitch users threaten to make false reports to mislead investigations as one of numerous threats the Plaintiff received from “Mark Leon” alone

The plaintiff also maintains that Twitch has violated his and other users' constitutional rights by engaging in unfair competition, deceptive advertising, and false representation of its services, which affect the right to free speech and the right to petition the government for redress of grievances. The plaintiff alleges that Twitch has misled users about the nature, quality, and availability of its services, such as its content moderation policies, its partner and affiliate programs, its subscription and donation features, and its community standards. The plaintiff accuses Twitch of favoring certain streamers and content creators over others, based on arbitrary and discriminatory criteria, such as popularity, revenue, personal relationships, or political views. The plaintiff charges Twitch with censoring, suppressing, or manipulating user content and communications, based on its own agenda, preferences, or biases. The plaintiff also alleges that Twitch has interfered with his and other users' ability to seek legal recourse or public accountability for Twitch's misconduct, by invoking its arbitration clause, threatening legal action, or retaliating against users who complain or criticize Twitch.

Twitch does their naïve users average harm. Twitch is an extractive, predatory, and falsely-advertised business that victimizes their users who almost all suffer from ICD-11 Addictive Behaviors: Gaming Disorder, if diagnosed.

Twitch is criticized for not consistently applying its Terms of Service or Community Guidelines in a manner that aligns with the Equal Protection

Below are specific instances supporting the plaintiff's broader claim that Twitch inherently engages in deceptive business practices.

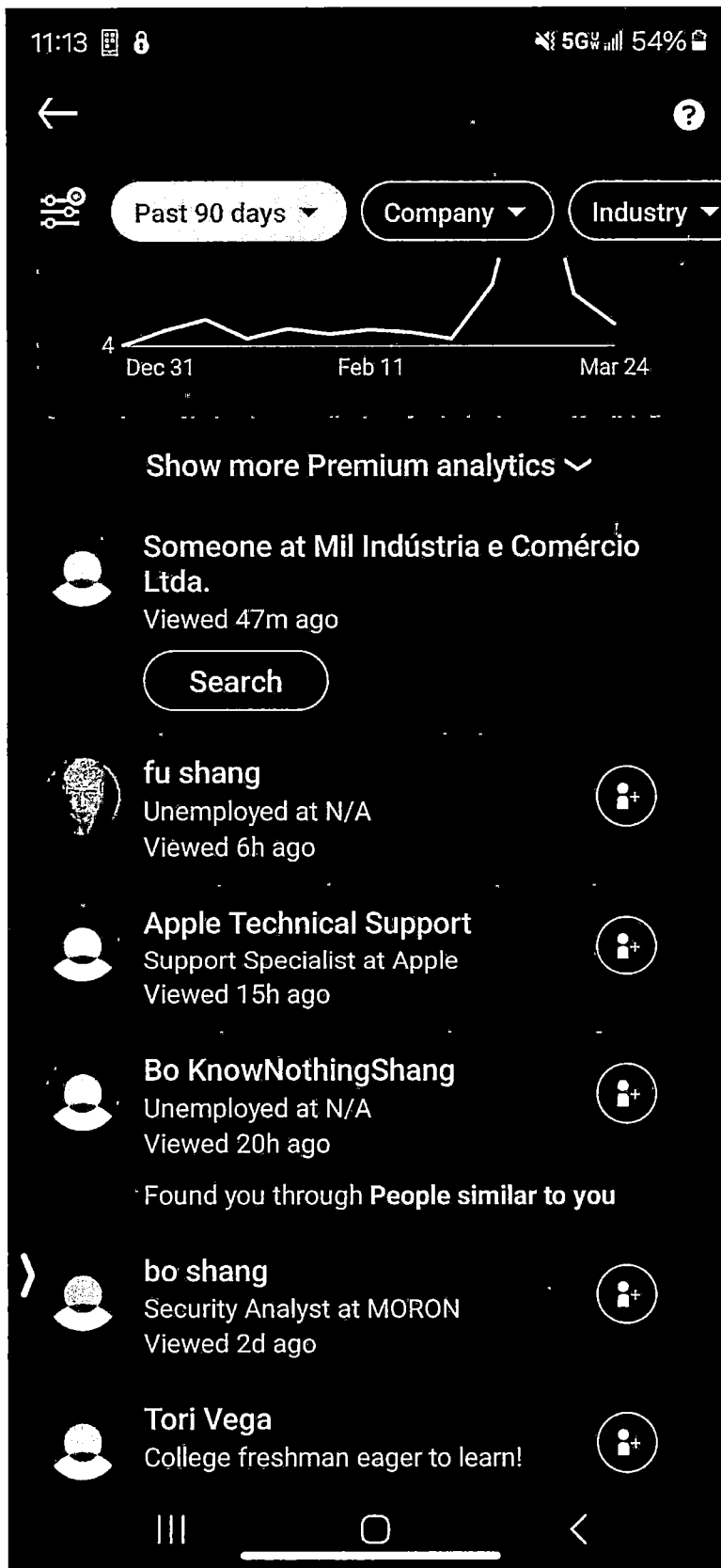


EXHIBIT C

Twitch users display typical behavior on LinkedIn with new account creation, etc.

RELEVANT CALIFORNIAN CIVIL STATUE

California Business and Professions Code -DIVISION 7. GENERAL BUSINESS REGULATIONS [16000 - 18001] - BPC CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 17200 et seq.

INTRODUCTION - PART 2. PRESERVATION AND REGULATION OF COMPETITION [16600 - 17365]

In 17200, California Law defines, “As used in this chapter, unfair competition shall mean and include any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and any act prohibited by Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the Business and Professions Code.”

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=17200.&lawCode=BPC

Californian Statue of Limitations for when the Plaintiff signed or acknowledged that Twitch created a legal contract in Terms of Service is 4 years, which covers the Tewksbury 2020-2021 claim made below.

<https://www.courts.ca.gov/9618.htm?rdeLocaleAttr=en>

WHY TWITCH IS INERENTLY DECEPTIVE BY CALIFORNIAN LAW

Twitch Interactive, the leading streaming platform for gamers and content creators, is not only an allegedly fun and harmless way to connect with others who share similar interests. /law. Twitch preys on vulnerable individuals who suffer from gaming disorder, a condition recognized by the World Health Organization as a form of addictive behavior that impairs one's functioning and well-being. Gaming disorder affects millions of people worldwide, who spend excessive amounts of time and money on online games, neglecting their personal, social, and occupational responsibilities.

Twitch worsens this problem by enticing these users to watch endless hours of streams, donate money to their favorite streamers, and subscribe to channels that promise exclusive perks and benefits. However, these subscriptions are often based on fraudulent contracts that mislead the users about what they are actually paying for. For example, one of the most popular streamers on Twitch, Pokimane, has a subscription description that states: "You will receive my undying love and appreciation for a month (or even longer depending on how many months you sub for)". This is a blatant lie that deceives the subscriber into thinking that they will have a personal and lasting relationship with Pokimane, which is clearly impossible and unrealistic.

Twitch allows such false advertising to continue, knowing that it will generate more revenue from the naive and desperate users who hope to find love and validation from their online idols. This is a clear violation of the California Unfair Competition Law, which prohibits any unlawful, unfair, or fraudulent business act or practice and any deceptive or misleading advertising. Twitch should be held accountable for its unethical and illegal conduct and stop exploiting its users for profit.

Exhibit D: Pokimane's contract of "undying love and appreciation, as clearly described by Twitch Terms of Sale

Subscription Service Terms

Twitch may offer certain Ancillary Products and Services in connection with the Twitch Services on a subscription basis with recurring payments ("Subscription Services") as disclosed to you when you subscribe to any Subscription Services; Subscription Services may renew automatically, and you agree that we are authorized to charge you for payment on a recurring basis prior to each renewal. You agree that your Subscription Service will renew continuously until you cancel it. Twitch reserves the right to discontinue or modify any subscription fee payment option. If we discontinue or modify a subscription payment option, we will provide notice of such discontinuance or modification by email or through the Twitch Services in advance of the next billing date. If you are signing up under any promotional subscription fee, some additional restrictions may apply. These restrictions, if any, will be provided to you before you sign up for the applicable Subscription Service that is subject to the promotion.

You are responsible for all charges incurred under your account. Twitch reserves the right to deactivate Subscription Services to your account if payment is past due, regardless of the dollar amount.

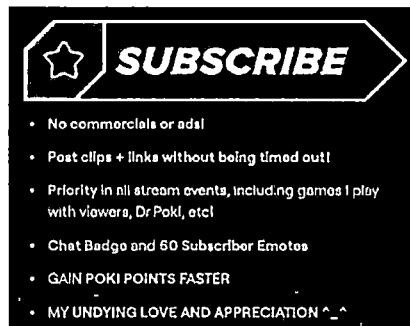
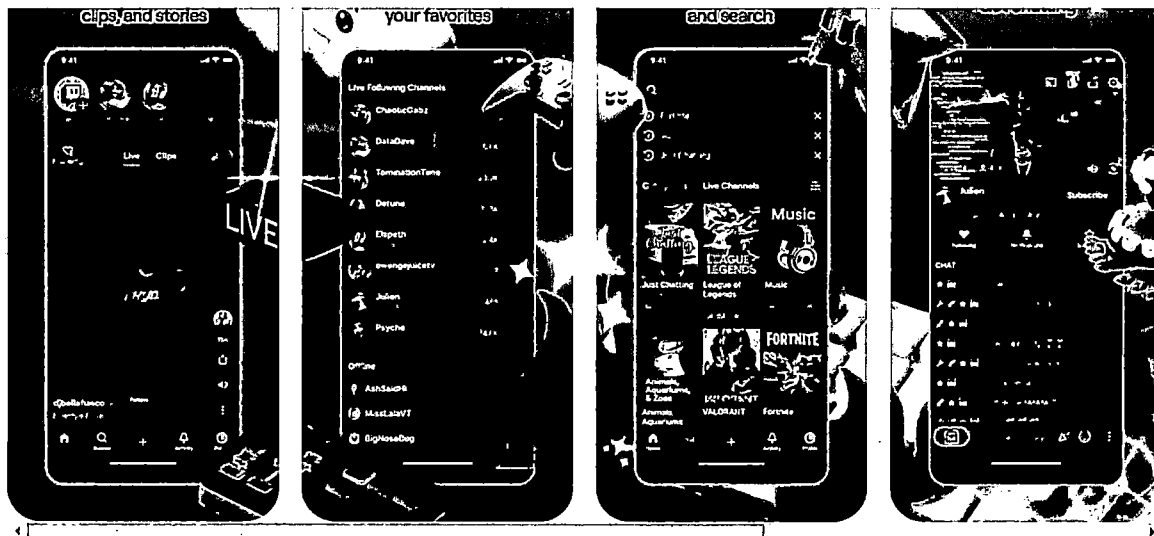


Exhibit E: Twitch claims to be, on the iOS and Android app stores: “Twitch is where thousands of communities come together for our favorite streamers, for the games we love, for the lulz, for each other, for whatever. Download Twitch and join millions enjoying live games, music, sports, esports, podcasts, cooking shows, IRL streams, and whatever else crosses our community’s wonderfully absurd minds. We’ll see you in chat.”

App Store Preview



Twitch is where thousands of communities come together for our favorite streamers, for the games we love, for the lulz, for each other, for whatever. Download Twitch and join millions enjoying live games, music, sports, esports, podcasts, cooking shows, IRL streams, and whatever else crosses our community's wonderfully absurd minds. We'll see you in chat.

Here's a convenient list of other awesome things about Twitch:

Everyone is "about" community. We actually are one: Whatever you nerd out about, you can find your people on Twitch.

Give support, get support: Find new streamers and subscribe to your favorites. Plus, unlock exclusive perks for your support.

Start your own channel: The Twitch app is one of the easiest ways to start streaming. Just create an account, go live directly from the app, and bring people together around whatever you're passionate about.


You never know what you'll find: Popular games are always live, but so are music festivals, rocket launches, street tours of Tokyo, and goat yoga. Yes, really.

Dark mode: Y'all love this one. Black and purple have never looked this good together.

Twitch's Terms of Service are available at <https://www.twitch.tv/p/legal/terms-of-service/>
For feedback and assistance, please visit our Support Center: <https://help.twitch.tv>

Please note: This app features Nielsen's proprietary measurement software which contributes to market research, like Nielsen's TV Ratings. Please see <http://privacy.imrworldwide.com/priv/mobile/us/en/optout.html> for more information

Exhibit F: The World Health Organization's definition of Addictive Behavior: Gaming Disorder, on the ICD-11


World Health Organization

Home
Health Topics
Countries
Newsroom
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Data
About WHO

Home / Classifications / Frequently asked questions / Gaming disorder

Frequently Asked Questions

Importance of ICD

ICD-11 Implementation

COVID-19 Emergency ICD Codes

Proposal Platform

Gaming disorder

What is the ICD?

The International Classification serves to record and report health and health-related conditions globally. ICD ensures interoperability of digital health data, and their comparability. The ICD contains diseases, disorders, health conditions and much more. The inclusion of a specific category into ICD depends on utility to the different uses of ICD and sufficient evidence that a health condition exists.

What is gaming disorder?

Gaming disorder is defined in the 11th Revision of the International Classification of Diseases (ICD-11) as a pattern of gaming behavior ("digital-gaming" or "video-gaming") characterized by impaired control over gaming, increasing priority given to gaming over other activities to the extent that gaming takes precedence over other interests and daily activities, and continuation or escalation of gaming despite the occurrence of negative consequences.

How is gaming disorder identified?

For gaming disorder to be diagnosed, the behaviour pattern must be severe enough that it results in significant impairment to a person's functioning in personal, family, social, educational, occupational or other important areas, and would normally have been evident for at least 12 months.

Why is gaming disorder being included in ICD-11?

A decision on inclusion of gaming disorder in ICD-11 is based on reviews of available evidence and reflects a consensus of experts from different disciplines and geographical regions that were involved in the process of technical consultations undertaken by WHO in the process of ICD-11 development. Further research showed that there is a need to standardize gaming disorder^[1].

The inclusion of gaming disorder in ICD-11 follows the development of treatment programmes for people with health conditions identical to those characteristic of gaming disorder in many parts of the world, and will result in the increased attention of health professionals to the risks of development of this disorder and, accordingly, to relevant prevention and treatment measures.

Should all people who engage in gaming be concerned about developing gaming disorder?

Studies suggest that gaming disorder affects only a small proportion of people who engage in digital- or video-gaming activities. However, people who partake in gaming should be alert to the amount of time they spend on gaming activities, particularly when it is to the exclusion of other daily activities, as well as to any changes in their physical or psychological health and social functioning that could be attributed to their pattern of gaming behaviour.

[1] <https://link.springer.com/content/pdf/10.1186/s13643-020-01329-2.pdf>

Frequently discussed topics

"Old ego"

Chronic fatigue syndrome

Congenital Lyme disease

Gaming disorder

Gender incongruence and transgender health in the ICD

Parental alienation

Traditional medicine

TWITCH CULTURE EXPLAINED

On Twitch and the rest of the social gaming world, these commonly used, almost always derogatory, terms are defined as such:

1. **Simp** - Simp (/simp/) is an internet slang term describing **someone who shows excessive sympathy and attention toward another person, typically to someone who does not reciprocate the same feelings, in-pursuit of affection or a sexual relationship.**
2. **White Knight** - In internet slang, a white knight is a *man who comes to the unsolicited defense of a woman online, in the hopes of romantic or sexual favor.*

Generally, a legal business to operate requires that the business brings net positive utility for the rest of society

3. **Economic Theory of a Positive Business** — A positive business can be defined as an enterprise that not only pursues profitability but also generates net positive utility to society. This utility can take the form of social, environmental, and economic benefits that contribute to the well-being of the community, stakeholders, and the broader environment.

INTRODUCTION TO CIVIL ACTION

Plaintiff Bo Shang brings this action against Defendants Twitch Interactive, Inc. ("Twitch") and Samantha Briasco-Stewart for violations of California Business and Professions Code Section 17200 et seq. due to deceptive, fraudulent, and unfair business practices.

PARTIES

1. Plaintiff Bo Shang is an individual residing in Burlington, Massachusetts.
2. Defendant Twitch Interactive, Inc. is a Delaware corporation with its principal place of business in San Francisco, California.
3. Defendant Samantha Briasco-Stewart is an individual residing in San Francisco, and at all relevant times was employed as a Senior Software Engineer by Twitch Interactive, Inc.

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to California Business and Professions Code Section 17200 et seq.
2. Venue is proper in this Court because Twitch Interactive, Inc. is headquartered in 350 Bush Street – Suite 200 in San Francisco, California, and many of the events giving rise to this complaint occurred in this county.

FACTUAL ALLEGATIONS BY PLAINTIFF

The plaintiff alleges that he has suffered immense mental and emotional distress because of being exposed to numerous "entertainers" on Twitch who violate various California and Federal laws, such as obscenity, fraud, and harassment. The plaintiff contends that Twitch knowingly allows and promotes such unlawful content, which has caused them a great deal of anguish and frustration.

1. The plaintiff started using Twitch in 2017 and noticed several unethical and illicit activities on the site, such as stalking and harassment conducted by different users and broadcasters associated with Twitch.
2. The plaintiff signed up to follow Twitch's top female broadcaster, Pokimane, with a subscription agreement including "everlasting love and appreciation" as stated in Twitch's Subscription Terms of Sale. However, even after subscribing for multiple months with Amazon Prime, the plaintiff claims they did not receive these promised perks.
3. The plaintiff claims that not providing the benefits that were promised amounts to deceptive and unfair business tactics as per Section 17200 of the California Business and Professions Code.
4. Plaintiff was unlawfully detained in Tewksbury Hospital, a facility masquerading as a mental health institution, from 2020 to 2021 due to the misdiagnoses influenced by Twitch's deceptive practices.
5. In 2023, the plaintiff restarted the investigation into the harassment and cyberattacks, reaching out to Samantha Briasco-Stewart through email. Although Defendant Briasco-Stewart confirmed receipt of the communication, there was no subsequent action taken to halt the harassment.
6. The plaintiff faced ongoing harassment and stalking by persons linked to Twitch, involving cyberattacks on their devices and tampering with software applications.
7. **In mid-2023, the plaintiff contacted President Biden and Amazon CEO Andy Jassy via email, seeking their intervention and assistance in stopping the harassment and cyberattacks perpetrated by Twitch and its affiliates. The plaintiff received a response from President Biden, who stated that American technology is a great human rights abuse on the world and that he would take action to protect the plaintiff and other victims of such abuse. The plaintiff also received a response from Amazon HR, who claimed that they had passed along the plaintiff's concerns to the appropriate parties within the company.**

From: bo@shang.software
Subject: Fwd: Amazon's Response : Subject: [EXTERNAL] Are you sure that your business model is not 18 U.S. Code § 1343 - Fraud by wire, radio, or television in a nutshell? Are you sure you aren't guilty of something more sinister in more serious crimes or human rights abuses? [ref:_00D3t2mKvO_5003t1hNIZh:ref]
Date: February 12, 2024 at 5:36 AM
To: Bo Shang bshang165@gmail.com



Begin forwarded message:

From: "Exact HR" <hr@exact.hr.amazon.dev>
Subject: Amazon's Response : Subject: [EXTERNAL] Are you sure that your business model is not 18 U.S. Code § 1343 - Fraud by wire, radio, or television in a nutshell? Are you sure you aren't guilty of something more sinister in more serious crimes or human rights abuses? [ref:_00D3t2mKvO_5003t1hNIZh:ref]
Date: July 5, 2023 at 11:02:41 GMT-4
To: "bo@aiwebassist.com" <bo@aiwebassist.com>
Reply-To: "Exact HR" <hr@exact.hr.amazon.dev>

Hi,

Thank you for your e-mail. My name is Michelle, and I work on the team that addresses concerns brought to the attention of Amazon's senior leadership. I am in receipt of your recent e-mail.

I wanted to thank you for your feedback. In addition, I will ensure that your feedback and suggestions are forwarded to the appropriate parties.

Have a wonderful day.

Sincerely,
Michelle



ref:_00D3t2mKvO_5003t1hNIZh:ref

EXHIBIT G

Amazon HR responds, on July 5 2023, after Plaintiff emailed CEO Andy Jassy with malware explained in Exhibit G, alleging that even these concerns were acknowledged and forwarded to the right parties.

Are you sure you aren't guilty of Are you sure that your business model is not 18 U.S. Code § 1343 - Fraud by wire, radio, or te

Hi Twitch Employee or Contractor or Someone Affiliated with Twitch Criminals,

Wait until you realize that 'professional gaming' (and certainly 'professional gambling') are only meant to abuse the mentally disabled by orchestrating a Ponzi-like scheme of convincing young people to buy gaming stuff, investing in 'social streaming', and certainly all types of gambling, in the hope that they'll be able to make money one day :)

You claim that Twitch requires all users to follow the law, yet Twitch policies often explicitly contradict the law. For example you did not start banning the promotion of any illegal online gambling websites until Oct 18 2022, yet illegal online gambling was made wire fraud in the Unlawful Internet Gambling Enforcement Act of 2006 and later regulated in 2011 under 18 U.S. Code § 1955 - Prohibition of illegal gambling businesses. Streamers who promote online gambling are essentially 'conducting' the business. Moreover promotion of the business is prohibited under 18 U.S. Code § 1084 - Transmission of wagering information; penalties and numerous other laws. You could see dozens if not hundreds of these streams at any point during any day.

As of today there are only 4 illegal gambling websites banned out of perhaps thousands, and your moderation team does not respond to any legal violations besides the 4. They also don't respond to a vast majority of logical and factual arguments made from either applicable laws or Twitch's own legal documents (ToS and Community Guidelines).

Take xqc for example, according to multiple news websites he gambled \$685M from 2021 - 2022 while streaming on Twitch on a single illegal crypto gambling site while living in Texas. He must have received at least tens of millions of dollars in illegal kickbacks if he were to sustain those losses somehow. In fact there are numerous

EXHIBIT H

One of two auto-emailed drafts, rewritten by OpenAI's API, emailed to around 2 million corporate and government accounts, one of which belonged to Amazon CEO Andy Jassy



THE WHITE HOUSE
WASHINGTON

June 21, 2023

Dear Mr. Shang,

Thank you for writing to me. While rapid technological advancement has helped connect us and opened up exciting possibilities for what the world can be, the rise of tech platforms has also introduced new and difficult challenges, from deteriorating mental health and well-being to the erosion of basic rights of Americans and communities worldwide. In particular, a handful of large tech companies have prioritized profits over the health, well-being, and safety of the public; they operate with minimal transparency and have evaded accountability for too long.

At the heart of American capitalism lies a simple idea: open and fair competition. The Internet should be no exception. Instead, rapid growth of digital platforms and social media companies has outpaced federal regulations, leading to a massive technology industry controlled by only a few big players. Rather than competing for consumers, big tech companies are consuming their competitors, leaving Americans fewer choices for internet platforms, providers, and online marketplaces and less control over how their personal data is acquired and used.

We are at an inflection point and have the opportunity to both bring back much-needed competition while promoting transparency, accountability, and equity in the technology sector. I was proud to sign an Executive Order that crystalized my Administration's commitment to help reign in big tech by challenging bad mergers, enforcing antitrust laws, and establishing rules on surveillance, data collection, and consumer privacy. And I continue to call on Congress to address the power of tech platforms, strengthen privacy protections, and ban targeted advertising to our children.

I appreciate your concern about big tech, and I am dedicated to ensuring that the Government continues to put you, the American people, first in everything we do.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Biden".

EXHIBIT I: President Joe Biden, on June 21, 2023, alleges or confirms Plaintiff's complaint about Twitch, that American technology is a gigantic human rights abuse on the world.

8. In early 2024, the plaintiff resumed contact with Defendant Briasco-Stewart, sending her several emails detailing the alleged harassment and cyberattacks by Twitch and its affiliates. The plaintiff did not receive any satisfactory response or action from Defendant Briasco-Stewart, who merely acknowledged the receipt of the emails. The plaintiff claims that she suffered severe emotional distress as a result of the continued harassment and cyberattacks, which forced her to take multiple days off of work in July 2024. The plaintiff filed a formal complaint against Twitch and Defendant Briasco-Stewart on July 25, 2024, seeking damages and injunctive relief.

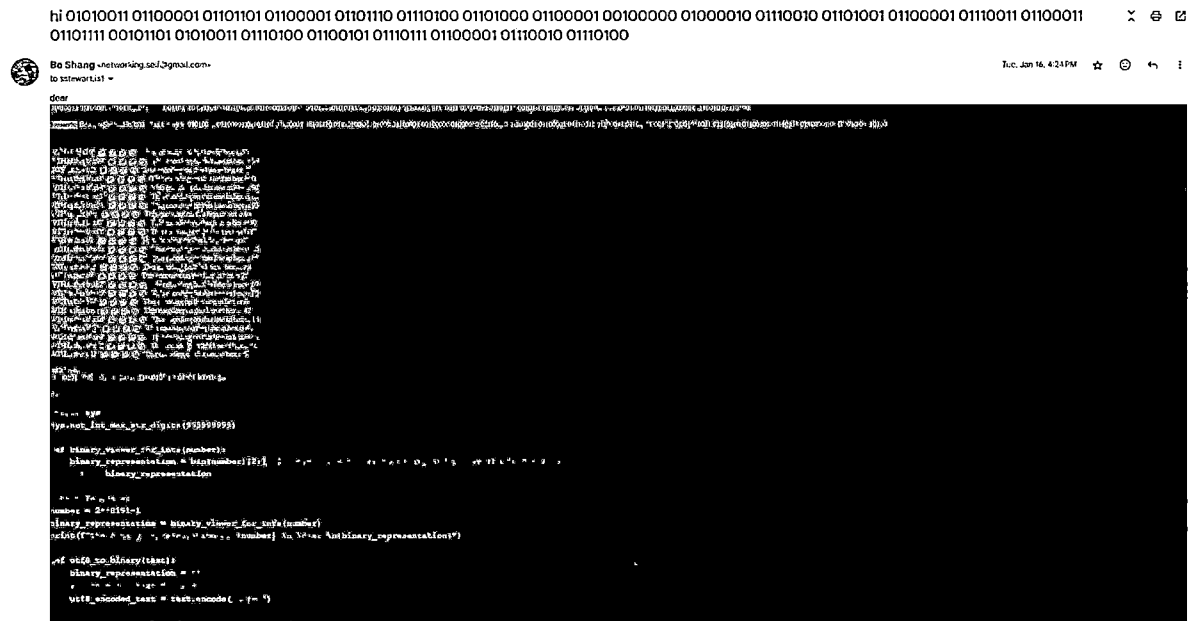


EXHIBIT J

The Plaintiff emails or really contacts Defendant Samantha Briasco-Stewart for the first time on January 16 2024, with some binary display stuff + a yet-to-be-done ghidra injection on something; probably American tech mentioned by Biden in Exhibit I, then sold to Zerodium or any weapons vendor.

<p>a. (3) How did the person in (2) harass you? (Explain below):</p> <p><input type="checkbox"/> Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.</p> <p>Mr. Shane has sent me emails, text messages and voice messages containing threatening content and sexually explicit content. He seems to be on drugs a fair amount of the time (one image he sent me was a drug screening that was positive for meth), and also sends me content that is just plain strange due to this. In addition to these direct communication channels, he has attempted to contact me via google/apple photo sharing, paypal fund requests, twitter follows and messages, Instagram/facebook messages, and twitter followers. He has also posted my contact information publicly on his twitter account multiple times, and mailed a package to my workplace addressed to me.</p> <p>(4) Did the person in (2) use or threaten to use a gun or any other weapon?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, explain below):</p> <p><input type="checkbox"/> Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(5) Were you harmed or injured because of the harassment?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, explain below):</p> <p><input type="checkbox"/> Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.</p> <p>Yes if you count mentally harmed - I've had to take many days off work from the mental stress of going through this, and my friends and relatives can vouch for how my mental state has been worse because of the harassment.</p>	<p style="text-align: center;">Case Number: _____</p>
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EXHIBIT K

The Defendant Samantha Briasco-Stewart shocks the Plaintiff, on Jul 25 2024, with a belated complaint in a civil restraining order request; only numerous read receipts were sent before never any communication in English or any other language. The Defendant alleges that she had to take numerous days off of work due to harassment or stalking, and the Plaintiff would like to offer an alternative theory for days off work in Exhibit L

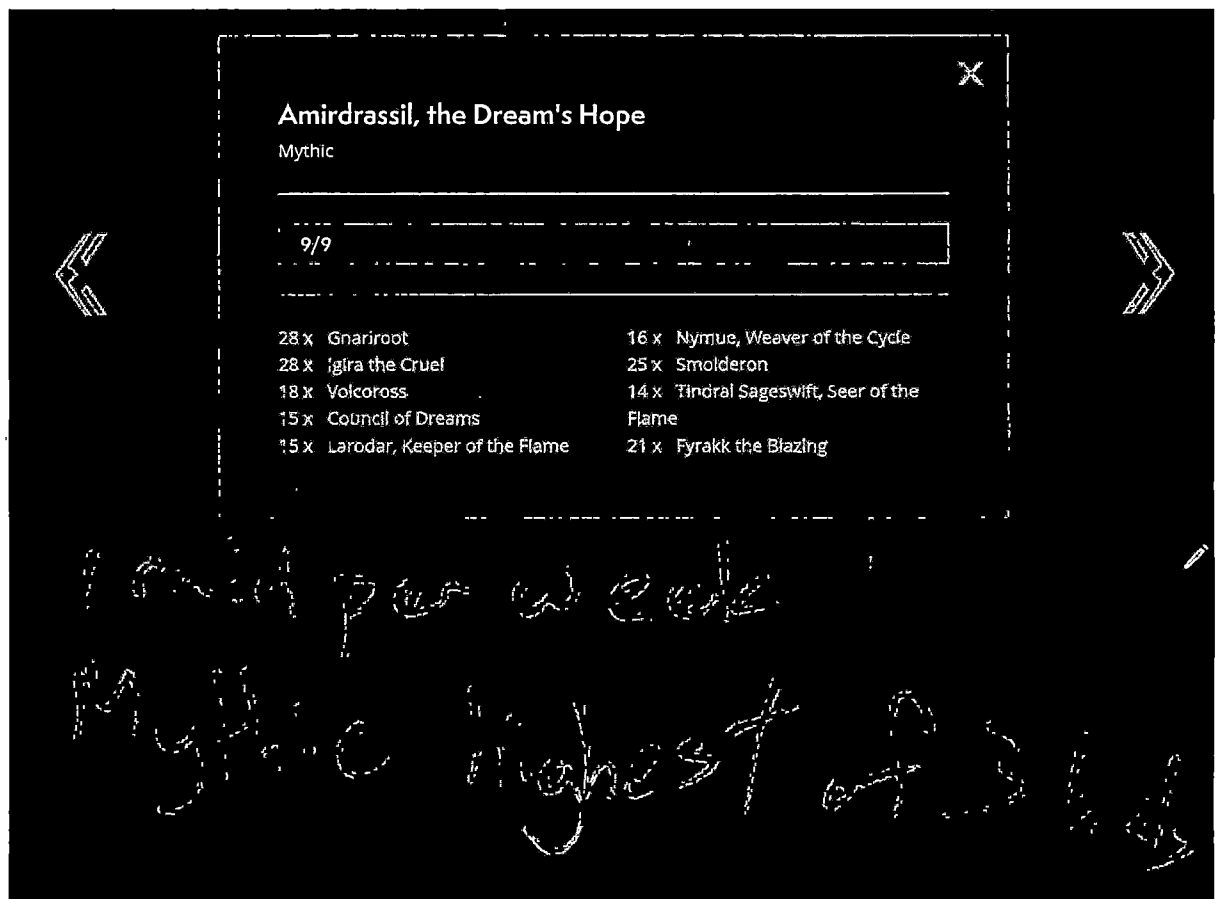


EXHIBIT L

The Defendant's World of Warcraft character, on August 17, 2024, displays 28 kills on mythic difficulty for 1 World of Warcraft dungeon alone. There are normal, heroic, and finally mythic levels of difficulty for the same dungeon in Warcraft. The Plaintiff suspects that weekly raiding eats up 4+ hours of her time, and that she plays an additional 10+ casually on top.

9. The plaintiff alleges that most of the harassment occurred in March 2024, when she received numerous read receipts from Defendant Briasco-Stewart after sending her emails. The plaintiff contends that these read receipts were sent intentionally by Defendant Briasco-Stewart to mock and intimidate the plaintiff, and that no reasonable person would send such read receipts by default. The plaintiff argues that these read receipts constitute evidence of Defendant Briasco-Stewart's knowledge and involvement in the harassment and cyberattacks.

Summary: The plaintiff claims Twitch runs a platform that is economically harmful and engages in misleading activities detrimental to the users' mental and physical well-being.

CAUSE OF ACTION

Violation of California Business and Professions Code Section 17200 et seq.

1. Plaintiff incorporates all preceding paragraphs as though fully set forth herein.
2. Defendants engaged in unlawful, unfair, and fraudulent business practices by promising benefits that were never delivered, as well as enabling and perpetuating harassment and cyberattacks against Plaintiff.
3. Defendants' conduct has caused Plaintiff significant mental and physical harm, lost wages, and severe emotional distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

1. Compensatory damages of \$200,000 for negligence in responding to harassment the Plaintiff suffered on Twitch, leading to the Plaintiff's claims of harassment to Tewksbury Hospital. However Tewksbury didn't believe the Plaintiff and informed the Plaintiff that every piece of harassment was imaginary psychosis of amphetamine.
2. Compensatory (punitive) damages amounting to \$5,000,000 for the distress and pain caused by the far-reaching actions of the Defendants, for deterring such abusive behavior in the future by Californian businesses.
3. Court order mandating Twitch to adjust their business operations for societal economic benefit or halt activities, and obligating their streamers to comply with Californian and Federal civil and criminal laws.

4. Reimbursement of the Plaintiff's travel expenses for required court appearances in San Francisco.
5. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: August 19, 2024

Respectfully submitted,

Bo Shang

Plaintiff, Pro Se

bo@shang.software

+1 617-618-8279 | +1 781-999-4101

Copilot – Pro – Arguments on behalf of Plaintiff

The plaintiff seeks various forms of relief, including:


- An injunction requiring Twitch to stop engaging in unfair competition, deceptive advertising, and false representation of its services;
- A declaration that Twitch's Terms of Service, Privacy Policy, and Community Guidelines are unconscionable, unenforceable, and void as against public policy
- An injunction prohibiting Twitch from enforcing its Terms of Service, Privacy Policy, and Community Guidelines against the plaintiff and other users who have been harmed by Twitch's conduct
- An injunction requiring Twitch to restore the plaintiff's account, content, and chat privileges, and to refrain from further interfering with his use of the service;
- An injunction requiring Twitch to implement adequate security measures to prevent unauthorized access and manipulation of user accounts and data;

8/19/24

Bo Shang



CIVIL CASE COVER SHEET

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Bo Shang TELEPHONE NO.: 415-617-8279 FAX NO.: EMAIL ADDRESS: bo@shangsoftware.com ATTORNEY FOR (Name): Pro Se		FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> Superior Court of California County of San Francisco <div style="font-size: 1.2em; font-weight: bold;">AUG 19 2024</div> CLERK OF THE COURT BY:  Deputy Clerk <div style="font-size: 1.2em; font-weight: bold;">JAMES XIONG</div>	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 400 North 11th St MAILING ADDRESS: CITY AND ZIP CODE: San Francisco CA 94102 BRANCH NAME:		CASE NUMBER: <div style="font-size: 1.2em; font-weight: bold;">CGC-24-617303</div>	
CASE NAME: Bo Shang VS Twitch Semayth			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$35,000) <input type="checkbox"/> Limited (Amount demanded is \$35,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
JUDGE: DEPT.:		JUDGE: DEPT.:	

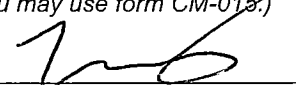
Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input checked="" type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
|--|--|
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify):
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

 Date: 8/19/24 Bo Shang
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)
NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

NOTICE TO PLAINTIFF

NOTICE TO PLAINTIFF

A Case Management Conference is set for:

DATE: JAN 22, 2025

TIME: 10:30 am

**PLACE: Department 610
400 McAllister Street
San Francisco, CA 94102-3680**

All parties must appear and comply with Local Rule 3.

CRC 3.725 requires the filing and service of a case management statement form CM-110 no later than 15 days before the case management conference. However, it would facilitate the issuance of a case management order **without an appearance** at the case management conference if the case management statement is filed and served twenty-five days before the case management conference.

Plaintiff must serve a copy of this notice upon each party to this action with the summons and complaint. Proof of service subsequently filed with this court shall so state. **This case is eligible for electronic filing and service per Local Rule 2.11. For more information, please visit the Court's website at <https://sf.courts.ca.gov> under Online Services.**

[DEFENDANTS: Attending the Case Management Conference does not take the place of filing a written response to the complaint. You must file a written response with the court within the time limit required by law. See Summons.]

ALTERNATIVE DISPUTE RESOLUTION REQUIREMENTS

IT IS THE POLICY OF THE SUPERIOR COURT THAT EVERY CIVIL CASE SHOULD PARTICIPATE IN MEDIATION, ARBITRATION, NEUTRAL EVALUATION, AN EARLY SETTLEMENT CONFERENCE, OR OTHER APPROPRIATE FORM OF ALTERNATIVE DISPUTE RESOLUTION PRIOR TO A TRIAL.

(SEE LOCAL RULE 4)

Plaintiff **must** serve a copy of the Alternative Dispute Resolution (ADR) Information Package on each defendant along with the complaint. (CRC 3.221.) The ADR package may be accessed at <https://sf.courts.ca.gov/divisions/civil-division/alternative-dispute-resolution> or you may request a paper copy from the filing clerk. All counsel must discuss ADR with clients and opposing counsel and provide clients with a copy of the ADR Information Package prior to filing the Case Management Statement.

**Superior Court Alternative Dispute Resolution Administrator
400 McAllister Street, Room 103-A
San Francisco, CA 94102
adrcoordinator@sftc.org**

See Local Rules 3.3, 6.0 C and 10 B re stipulation to judge pro tem.