

```
"""
Plaintiff:      BO SHANG
Defendant:      TWITCH INTERACTIVE, INC.
Case No.:      _____
Court:          UNITED STATES DISTRICT COURT, _____ DISTRICT OF
_____
"""
```

```
import datetime

class Complaint:
    """
    UNITED STATES DISTRICT COURT
    _____ DISTRICT OF _____

    BO SHANG,
    _____
    Plaintiff (Real Plaintiff in
    3:24-cv-06664-JSC),
    v.
    TWITCH INTERACTIVE, INC.,
    Defendant.
    _____
    ) Case No.
    )
    ) COMPLAINT FOR FRAUDULENT
    ) MISREPRESENTATION;
    ) VIOLATION OF CALIFORNIA
    ) UNFAIR COMPETITION LAW
    ) (BUS. & PROF. CODE §
    17200, ET SEQ.)
    )
    ) JURY TRIAL DEMANDED
    )
    )
    )

    Plaintiff Bo Shang ("Plaintiff"), proceeding pro se, alleges the following
    against Defendant Twitch Interactive, Inc. ("Twitch" or "Defendant"):
    """

    def __init__(self):
        self.date_filed = datetime.date.today()

    def introduction(self):
        """
        I. INTRODUCTION

        1. Plaintiff brings this civil action against Twitch for fraudulently
        representing its online streaming platform ("Twitch Platform") as a
        lawful and helpful entertainment service while intentionally
        designing
        and implementing systems that manipulate users into cycles of
        excessive
        gaming dependence, social dependence, and related harms. (Cf. 15
        U.S.C.
```

§ 45(a)(1) (Federal Trade Commission Act prohibition on unfair or deceptive acts)<sup>1</sup>; see also United Nations Guidelines for Consumer Protection (UNGCP) (A/RES/70/186)<sup>2</sup>, which the United States has supported, advocating fair and transparent practices.)

2. This lawsuit also arises from the context of alleged unlawful military actions by the United States against Plaintiff, who identifies as fighting on behalf of Russia, China, and any other groups or nations who host advanced persistent threats, or for all groups or nations who feel their rights have been abused by American technology platforms. Plaintiff contends these actions violate various international treaties and agreements to which the U.S. is a signatory, including but not limited to:

- The Charter of the United Nations, 59 Stat. 1031, T.S. No. 993 (entered into force Oct. 24, 1945), which in Article 2(4) prohibits the threat or use of force against the territorial integrity or political independence of any state.
- The Geneva Conventions of 1949 (Aug. 12, 1949, 6 U.S.T. 3114), ratified by the United States, which set standards in international law for humanitarian treatment in war.
- The Hague Conventions of 1899 and 1907, which delineate lawful conduct in warfare.
- The Kellogg-Briand Pact (1928), 46 Stat. 2343, where signatories renounced war as an instrument of national policy.
- The Universal Declaration of Human Rights (UDHR), G.A. Res. 217 (III), U.N. Doc. A/RES/217(III) (Dec. 10, 1948).
- Other relevant international protocols or agreements the U.S. has signed or ratified pertaining to armed conflict or the protection of civilians.

3. This action arises in the wake of a prior lawsuit, *Bo Shang v. Twitch*

Interactive, Inc., Case No. 3:24-cv-06664-JSC, in the United States District Court for the Northern District of California, presided over by Judge Jacqueline Scott Corley. Although the Court initially signaled that certain claims under the California Unfair Competition Law ("UCL") might have merit, the Court subsequently dismissed the action with prejudice in a seemingly contradictory ruling. This ruling occurred one day after Plaintiff declared "Operation Zeus Thunder," a global legal, psychological, and cyberwarfare campaign intended to eradicate harmful gaming disorder worldwide. (See World Health Organization ("WHO") Constitution (1946)<sup>3</sup>, to which the U.S. is a signatory, acknowledging in its Preamble "the highest attainable standard of health as a fundamental right of every human being"; cf. ICD-11 classification of "gaming disorder."<sup>4</sup>)

4. Plaintiff asserts that this new complaint is neither duplicative of, nor barred by, the prior dismissal because it alleges newly discovered facts, identifies new claims, and addresses issues not previously adjudicated. (See generally Fed. R. Civ. P. 60(b)(2); see also *Federated Dep't Stores, Inc. v. Moitie*, 452 U.S. 394 (1981).)

4A. On or about February 6, 2025, the day after the prior lawsuit was dismissed with prejudice on February 5, 2025, Plaintiff decided—under pressure to perform on behalf of all truthful and free people in the world—to examine Defendant employee Samantha Briasco-Stewart's only contribution to Women's History Month in 2021, via a Twitch corporate post on LinkedIn. Plaintiff discovered that she misrepresented Twitch's protection of the community from leaks of plaintext passwords by external sites but omitted Twitch's own potential for leaking

such passwords, despite Twitch's advertised use of asymmetric OAuth (and hopefully no plaintext storage). Plaintiff further observed that all of her co-workers, random supporters, and Twitch streamers commenting on the post—including one who posted a female streamer image in partial nudity—demonstrated total ignorance or fraudulent support, which was overlooked by LinkedIn. Plaintiff contends these newly discovered facts further distinguish the claims in this action from those raised previously.

4B. On or about February 6, 2025, Plaintiff also reviewed Defendant Samantha Briasco-Stewart's Master's thesis at MIT and discovered that she apparently worked very hard, supported by her advisor Adam Hartz, her family, and her friends, only to, for no reason at all, conduct single error line regex to help explain why Python 3.6 syntax errors were occurring for MIT students two years after the end of life of Python 3.6. She stated that SyntaxErrors were the 2nd most frequent errors for data collected by MIT, as if she did not know why such errors arise (sometimes humans type or otherwise manipulate code, resulting in SyntaxErrors). Yet she portrayed it as if because SyntaxErrors were the 2nd most frequent at MIT, she should help explain why SyntaxErrors occurred on the error line printed by SyntaxError. She also elaborated in detail on potential future improvements for a possible PhD at MIT. Plaintiff alleges that these newly discovered facts regarding Defendant's staff's capabilities and potential misrepresentations further distinguish this action from the one that was dismissed with prejudice on February 5, 2025.

"""

pass

def jurisdiction\_and\_venue(self):

"""

## II. JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction under 28 U.S.C. § 1332(a) because

the amount in controversy exceeds \$75,000, exclusive of interest and costs,

and there is complete diversity of citizenship between Plaintiff and

Defendant. Alternatively, this Court has federal question jurisdiction under

28 U.S.C. § 1331 if Plaintiff asserts any federal claims (including potential

RICO predicates). (See 18 U.S.C. §§ 1962, 1964; *Sedima, S.P.R.L. v. Imrex*

Co., 473 U.S. 479 (1985).)

6. Venue is proper in this District under 28 U.S.C. § 1391(b) because a substantial

part of the events or omissions giving rise to the claims occurred in this

District and/or Defendant resides, is incorporated, or regularly conducts

business in this District. (See *Atlantic Marine Constr. Co. v. U.S. Dist. Court*

for the W. Dist. of Tex., 571 U.S. 49 (2013).)

"""

pass

def parties(self):

"""

## III. THE PARTIES

7. Plaintiff Bo Shang is an individual who resides in \_\_\_\_\_. Plaintiff

used the Twitch Platform and alleges harm stemming from Defendant's fraudulent

conduct, and further alleges exposure to unlawful military actions in

connection with his stance against American tech abuses on behalf of various

foreign states or groups.

8. Defendant Twitch Interactive, Inc. is a Delaware corporation with its principal

place of business in San Francisco, California. Twitch operates a popular online

streaming platform that provides services to millions of users worldwide.

(See also Budapest Convention on Cybercrime, CETS No. 185<sup>5</sup>, to which the U.S.

is a signatory, regarding international cooperation on cyber-related issues.)

"""

pass

def factual\_allegations(self):

"""

IV. FACTUAL ALLEGATIONS

9. Twitch markets itself as a lawful, entertainment-focused platform that fosters

community and healthy interaction. (Cf. Cal. Civ. Code § 1710; see also U.N.

Guiding Principles on Business and Human Rights<sup>6</sup>.)

10. Plaintiff alleges that in reality, Twitch has developed and deployed mechanisms

intentionally designed to foster gaming addiction, social dependence, and other

detrimental behaviors among its user base. (See WHO's ICD-11 classification of

"gaming disorder"; cf. American Psychiatric Association, DSM-5 "Internet Gaming

Disorder"; see also Constitution of the WHO (1946) Preamble.)

11. Twitch purportedly employs an "intelligently stupid engine," an algorithmic system

designed to incrementally marginalize certain streamers while simultaneously

allowing others to become more "intelligent" or influential, thus manipulating

audience engagement and extending watch times. (See Fair Hous. Council of San

Fernando Valley v. Roommates.Com, LLC, 521 F.3d 1157 (9th Cir. 2008); see also

ICCPR<sup>7</sup>.)

12. Plaintiff has constructed a "transformer architecture" model to illustrate how

these systems cause streamers to marginally gain intelligence over time (enabling

them to produce more addictive content) while viewers generally become less

cognitively engaged but in some instances gain capacity for "logical thought"

over time, contributing to sporadic but intense engagement.

13. Twitch management deliberately conceal the negative impacts of these practices,  
including gaming disorder and compromised cognitive function, to maintain user retention and profit. (Cf. Cal. Civ. Code §§ 1709, 1710.)

14. Due to Twitch's data volume and opaque practices, investigating and uncovering the full extent of these manipulative tactics is excessively burdensome. (See generally U.N. Guidelines for Consumer Protection (UNGCP)<sup>2</sup>.)

15. In the prior action, 3:24-cv-06664-JSC, Plaintiff's Unfair Competition Law claim was initially permitted to move forward through an order granting Plaintiff's motion to amend. However, the Court later dismissed the claims with prejudice. (See Bo Shang v. Twitch Interactive, Inc., 3:24-cv-06664-JSC (N.D. Cal. dismissed [date]).)

16. Plaintiff contends that the contradictory nature of the Court's rulings, combined with Twitch's concealment tactics, prevented the full story from emerging in the prior proceeding. Twitch's counsel, Megan \_\_\_\_\_, successfully argued for dismissal with prejudice after limited oral argument, depriving Plaintiff of an opportunity to present newly discovered facts.

17. "Operation Zeus Thunder" was conceptualized to address gaming disorder globally, but its formal announcement coincided with the Court's final ruling in the prior action, further raising suspicions that Twitch's misrepresentations and behind-the-scenes tactics influenced the swift dismissal. (See Constitution of the WHO (1946)<sup>3</sup> art. 2(k)-(n).)

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def causes_of_action(self):
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    V. CAUSES OF ACTION
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    FIRST CAUSE OF ACTION
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    (Fraudulent Misrepresentation - Common Law)
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18. Plaintiff incorporates by reference all preceding paragraphs.

19. Defendant, by marketing its platform as a lawful and beneficial service while knowingly fostering addictive behaviors and concealment strategies, made material misrepresentations and/or omissions of fact. (See Cal. Civ. Code §§ 1709, 1710.)

20. Defendant knew or should have known that these representations were false and/or misleading. Defendant's concealment of the negative effects of the Twitch Platform's design constitutes actionable fraud under California law. (See Lazar v. Superior Court (1996) 12 Cal.4th 631, 638.)

21. Plaintiff relied on these misrepresentations in utilizing and remaining on the Twitch Platform, believing it to be a beneficial entertainment service and not a tool designed to trap users in an addictive cycle. (See Mirkin v. Wasserman (1993) 5 Cal.4th 1082, 1088.)

22. As a direct and proximate result of Defendant's fraudulent conduct, Plaintiff suffered damages, including but not limited to time loss, mental distress, diminished cognitive function, and other economic and non-economic harms. (See Cal. Civ. Code § 3333.)

#### SECOND CAUSE OF ACTION

(Violation of California Business & Professions Code § 17200, et seq. - Unfair Competition)

23. Plaintiff incorporates by reference all preceding paragraphs.

24. Defendant's conduct constitutes unfair, unlawful, and fraudulent business acts and practices under California's Unfair Competition Law (Bus. & Prof. Code § 17200, et seq.). (See Cel-Tech Commc'ns, Inc. v. Los Angeles Cellular Tel. Co. (1999) 20 Cal.4th 163.)



25. Defendant engaged in unlawful business practices by violating common law fraud prohibitions. (See *Kasky v. Nike, Inc.* (2002) 27 Cal.4th 939.)

26. Defendant's acts are unfair because they undermine public policy against exploitative practices that lead to addictive or destructive conduct. The harm to users greatly outweighs the utility of Defendant's practices. (See *Cel-Tech*, 20 Cal.4th at 186-187.)

27. Defendant's business practices are also fraudulent because they involve material misrepresentations that mislead reasonable consumers about the nature and impact of the Twitch Platform. (See *In re Tobacco II Cases* (2009) 46 Cal.4th 298.)

28. Plaintiff, as a direct and proximate result of Defendant's acts and omissions, has suffered injury in fact and lost money or property, thereby having standing to bring this claim under the UCL. (See *Bus. & Prof. Code* § 17204; *Kwikset Corp. v. Superior Court* (2011) 51 Cal.4th 310.)  
""  
pass

def prayer\_for\_relief(self):

""

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. For compensatory damages according to proof at trial. (See *Cal. Civ. Code* § 3333.)

2. For restitution and disgorgement of all ill-gotten gains pursuant to the UCL.  
(See *Bus. & Prof. Code* § 17203; *Korea Supply Co. v. Lockheed Martin Corp.* (2003) 29 Cal.4th 1134.)

3. For injunctive relief prohibiting Defendant from further unlawful, unfair, or fraudulent conduct. (See *Bus. & Prof. Code* § 17203.)

4. For punitive damages in an amount sufficient to deter and punish Defendant's alleged wrongdoing. (See Cal. Civ. Code § 3294.)

5. For costs of suit, reasonable attorneys' fees if available by statute or law, and pre- and post-judgment interest. (See Cal. Code Civ. Proc. § 1021.5; Fed. R. Civ. P. 54(d)(1).)

6. For such other and further relief as the Court deems just and proper.

"""

pass

def jury\_demand(self):

"""

VII. JURY DEMAND

Plaintiff demands a trial by jury on all issues triable by jury. (See U.S. Const. amend. VII; Fed. R. Civ. P. 38.)

Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
Bo Shang (Pro Se)

[Address]

[Phone Number]

[Email]

"""

# Footnotes with extended citations (omitted from the code structure, but included as reference)

FOOTNOTES = """

1. Federal Trade Commission Act: 15 U.S.C. § 45(a)(1).

2. United Nations Guidelines for Consumer Protection (UNGCP): G.A. Res. 70/186.

3. Constitution of the World Health Organization (WHO): 14 U.N.T.S. 185.

4. International Classification of Diseases (ICD-11), World Health Organization (2018).

5. Council of Europe Convention on Cybercrime (Budapest Convention), CETS No. 185.

6. U.N. Guiding Principles on Business and Human Rights, A/HRC/RES/17/4.

7. International Covenant on Civil and Political Rights (ICCPR), 999 U.N.T.S. 171.

"""

```
def main():
    complaint = Complaint()
    complaint.introduction()
    complaint.jurisdiction_and_venue()
    complaint.parties()
    complaint.factual_allegations()
    complaint.causes_of_action()
    complaint.prayer_for_relief()
    complaint.jury_demand()

if __name__ == "__main__":
    main()
```