

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN FRANCISCO

BO SHANG,  
Plaintiff,  
v.

TWITCH INTERACTIVE,  
SAMANTHA BRIASCO-STEWART,

Defendant.

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

COMPLAINT FOR FRAUD

Plaintiff, BO SHANG ("Plaintiff"), an American individual residing in the State of Massachusetts, by and through his undersigned counsel or in pro per, hereby alleges the following against Defendant, SAMANTHA BRIASCO-STEWART ("Defendant"), and states as follows:

Plaintiff emphasizes that he believed in, and was harmed by, Twitch's alleged fabrications about user data protection and the legitimacy of streaming as a profession, which were perpetrated in conjunction with LinkedIn's platform and exploited alongside Microsoft Windows' known vulnerabilities in SMBv2 and Address Space Layout Randomization (ASLR). Plaintiff alleges these acts contributed to a broader mask of lies and Ponzi-scheme deception, designed to present gaming streams as a viable livelihood while in reality exerting a destructive, negative-sum extractive influence on American and allied nations' brain development.

I. PARTIES

1. Plaintiff BO SHANG is, and at all relevant times was, an American individual residing in the State of Massachusetts. He was exposed to various statements and claims appearing on LinkedIn and connected with Twitch's operations, which led him to believe that streaming on Twitch was a legitimate, sustainable profession and that Twitch properly protected user credentials.

2. Defendant SAMANTHA BRIASCO-STEWART is an individual believed to reside in San Francisco, California. Upon information and belief, she worked at Twitch, also based in San Francisco, for seven (7) years, constituting her entire career.

3. LinkedIn Corporation is headquartered in Sunnyvale, California (the broader San Francisco Bay Area). The alleged

fraudulent statements were published on or referenced LinkedIn, including references to Twitch’s official LinkedIn presence.

## II. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over the causes of action alleged herein pursuant to the California Constitution and the general jurisdiction of the California Superior Courts. The amount in controversy, exclusive of interest and costs, is within the jurisdictional limits of this Court.

5. Venue is proper in the County of San Francisco under California Code of Civil Procedure §§ 395(a) and 395.5, in that Defendant resides in San Francisco, and the acts alleged (including LinkedIn publications and references to Twitch’s operations) were directed to, or occurred within, San Francisco County.

## III. FACTUAL ALLEGATIONS

6. Plaintiff specifically points to Twitch’s purported public assurances that it would protect user credentials, especially in light of widely publicized technology concerns regarding Microsoft Windows SMBv2 and Address Space Layout Randomization (ASLR). Plaintiff contends that these vulnerabilities, left insufficiently addressed, enabled or exacerbated the data protection failures of which Twitch and its representatives, including Defendant, were aware.

7. Twitch, where Defendant worked her entire career, is alleged by Plaintiff to be “nothing more than a Ponzi scheme on the brain,” given that every aspect of its operations is purportedly fraudulent. By way of example, Plaintiff points to a publicly touted \$100 million contract supposedly entered into between another streamer (xQc) and the Kick platform, despite serious questions regarding its legitimacy.

8. Plaintiff further alleges that popular Twitch streamer Pokimane questioned the legitimacy of xQc’s purported Kick contract. Plaintiff finds it ironic given Pokimane herself allegedly sold her “undying love and appreciation” as a subscription product, in conjunction with Twitch’s Terms of Sales, thereby committing fraud in exchange for monetary gain.

9. Plaintiff also contends that xQc was only able to assert such a lucrative contract figure after streaming himself laundering approximately \$685 million in cryptocurrency on illicit gambling websites while broadcasting on Twitch. These actions, if true, would constitute violations of federal statutes prohibiting the transmission of wagering information (18 U.S.C. § 1084), operation of illegal gambling businesses (18 U.S.C. § 1955), and money laundering (18 U.S.C. §§ 1956, 1957). Plaintiff further cites analogous California laws, including Penal Code §§ 330, 331, and case law such as *Kelly v. First Astri Corp.*, 72 Cal.App.4th 462, 85 Cal.Rptr.2d 303 (1999).

10. In addition to these allegations, Plaintiff asserts that Defendant made false and misleading statements on or referencing her LinkedIn profile, specifically claiming that she developed a “credential checker” at Twitch that alerts users if their plaintext credentials were leaked, directly contradicting Twitch’s publicly stated security policies purportedly relying on OAuth protocols and its disclaimers about not storing credentials in plaintext.

11. Furthermore, Plaintiff accuses Twitch of repeatedly misrepresenting streaming as a legitimate profession. Plaintiff contends that it is actually a negative-sum extractive industry, damaging the mental welfare of Americans and allied

nations by surrounding users with an entire mask of misrepresentations—allegedly a multi-layer Ponzi-scheme deception. Plaintiff states that these overarching lies, combined with LinkedIn’s amplification of them and Microsoft Windows’ security gaps in SMBv2 and ASLR, all contributed to Plaintiff’s reliance and resulting harm.

12. Plaintiff avers that these misrepresentations served to bolster Defendant’s and Twitch’s professional profile at Plaintiff’s expense, thereby constituting actionable fraud under California law. Plaintiff specifically emphasizes that he was misled into believing that streaming was both secure and viable, leading him to invest time, resources, and emotional energy predicated on Twitch’s deceptive assertions.

#### IV. CAUSE OF ACTION - FRAUD

California Civil Code and Case Authority:

Under Cal. Civ. Code § 1572 (defining Actual Fraud) and §§ 1709-1710 (defining Deceit), a cause of action for fraud in California consists of: (1) a misrepresentation of material fact; (2) knowledge of its falsity; (3) intent to defraud/induce reliance; (4) justifiable reliance; and (5) resulting damage. See *Lazar v. Superior Court*, 12 Cal.4th 631, 638, 49 Cal.Rptr.2d 377, 909 P.2d 981 (1996), and *Engalla v. Permanente Medical Group, Inc.*, 15 Cal.4th 951, 974, 64 Cal.Rptr.2d 843, 938 P.2d 903 (1997).

13. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 12, inclusive, as though fully set forth herein.

14. Defendant, through her LinkedIn postings and references, represented that she built or worked on a tool at Twitch that monitors potential plaintext credential leaks, implying that Twitch retains or processes credentials in plaintext contrary to Twitch’s official statements.

15. Defendant knew or should have known that such statements were false or misleading. Twitch’s public documentation references OAuth flows and denies storing credentials in plaintext, thus negating the purported justification for a “plaintext credential checker.”

16. Defendant intended that such statements enhance her professional credibility, standing, and reputation on LinkedIn, to the detriment or confusion of Plaintiff and the general public.

17. Plaintiff justifiably relied on these representations, believing them to be true, and thereby expended time and resources to investigate Twitch’s actual security practices. Plaintiff further suffered emotional distress over the potential exposure of his credentials, given Microsoft Windows SMBv2 and ASLR vulnerabilities that might have been exploited.

18. As a proximate result of Defendant’s misrepresentations, Plaintiff has suffered damages including, but not limited to, time lost, investigative costs, and emotional harm. The precise amount of these damages will be proven at trial.

#### V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in favor of Plaintiff and against Defendant as follows:

A. For compensatory damages according to proof at trial;

103	B. For special and consequential damages in an amount to be determined at trial;	103
104	C. For punitive or exemplary damages as permitted by law, including but not limited to Cal. Civ. Code § 3294;	104
105	D. For costs of suit and reasonable attorneys’ fees, as permitted by law;	105
106	E. For pre-judgment and post-judgment interest as permitted by law; and	106
107	F. For such other and further relief as the Court deems just and proper.	107
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109	DEMAND FOR JURY TRIAL: Plaintiff hereby demands a trial by jury on all causes of action so triable at law.	109
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111	Dated: _____	111
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114	_____	114
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