

FROM THE COURTS

Class Action Alleges Geico Secretly Reporting Video-Watcher's Data



DIEGO M. RADZINSCHI

A consumer advocate has launched a putative class action against Geico, claiming it shares information with Google, violating the Video Privacy Protection Act.

by Jason Grant and Riley Brennan

A consumer advocate has launched a putative class action against Geico, claiming the national insurer is secretly reporting to Google user information and video-watching behavior for all those who watch videos on Geico's website.

The complaint was first surfaced by Law.com Radar.

"Visitors would be shocked and appalled to know that Defendants secretly disclose to Google all of the key data regarding a visitor's viewing habits," the lawsuit, lodged in U.S. District Court in Los Angeles by plaintiff Jesse Cantu, claims.

Cantu's lawsuit alleges that Geico uses Google Analytics to help report the "personally identifiable information, the titles watched, and more" of the viewers of Geico's website videos for the purpose of "data harvesting and targeted advertising."

And it claims that such surreptitious reporting of information and data, done without first getting informed, written consent from the video-watchers, violates the Video Privacy Protection Act of 1988.

The act was meant to protect individual's privacy, and Cantu's 12-page complaint asks for declaratory and injunctive relief, statutory damages under the VPPA, punitive damages and attorneys fees and costs for the putative class.

Cantu is a consumer privacy advocate with dual motivations for watching a video on the website, said the complaint. Cantu was genuinely interested in learning more about Geico's goods and services, in addition to being a "tester," "who works to ensure that companies abide by the obligations imposed by federal law."

He is represented in the lawsuit, filed April 25, by Todd Friedman of the Law Offices of Todd M. Friedman, based in Woodland Hills, California.

Meghan Killian, a partner at Duane Morris in Los Angeles, has entered an appearance on behalf of auto insurer Geico in the case.

"When Plaintiff [Cantu] watched videos on the Website, Defendants disclosed information that allowed Google (and any ordinary person) to readily identify Plaintiff's video-watching behavior," the complaint says at one point.

It then alleges that the "defendants did so knowingly and for the purpose of retargeting Plaintiff in connection with Google advertising campaigns," even though "defendants did not obtain the informed, written consent of Plaintiff to disclose PII concerning Plaintiff to third parties."

It also alleges that the potential class for the lawsuit numbers in the thousands.

"While the exact number and identities of The Class members are unknown to Plaintiff at this time and can only be ascertained through appropriate discovery. Plaintiff is informed and believes and thereon alleges that The Class includes thousands of members," the complaint states.

Friedman, the attorney for Cantu, could be reached for comment Monday.

It appears he has represented Cantu in other consumer, privacy-based suits against other defendants, as well, based on online information.

Killian, representing Geico, also couldn't be reached for comment.

Jason Grant covers legal stories and cases for the New York Law Journal, an ALM affiliate of the Daily Business Review. Contact him at jgrant@alm.com. On Twitter: @JasonBarrGrant. Riley Brennan reports for Law.com, an ALM affiliate of the Daily Business Review. Contact her at rbrennan@alm.com.



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **COUNCIL ZONING MEETING** on **June 28, 2023 beginning at 6:00 PM** to consider the proposed site plan for the property located at 10915 NW 41 Street. The meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166.**

The City of Doral proposes to adopt the following Resolution:

RESOLUTION No. 23-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE SITE PLAN FOR HEALTHPEAK PROPERTIES INC., FOR THE PROPERTY GENERALLY LOCATED NORTH OF NW 41 STREET AND WEST OF NW 109 AVENUE, DORAL, FLORIDA, PURSUANT TO SECTION 53-184(F) OF THE CITY'S LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 23-06-DOR-02

APPLICANT: Healthpeak Properties Inc. (the "Applicant")

PROJECT NAME: Doral Medical Plaza Phase II

PROPERTY OWNER: East Florida DMC Inc.

LOCATION: 10915 NW 41 Street, Doral, Florida 33178

FOLIO NUMBER: Portion of 35-3019-072-0010

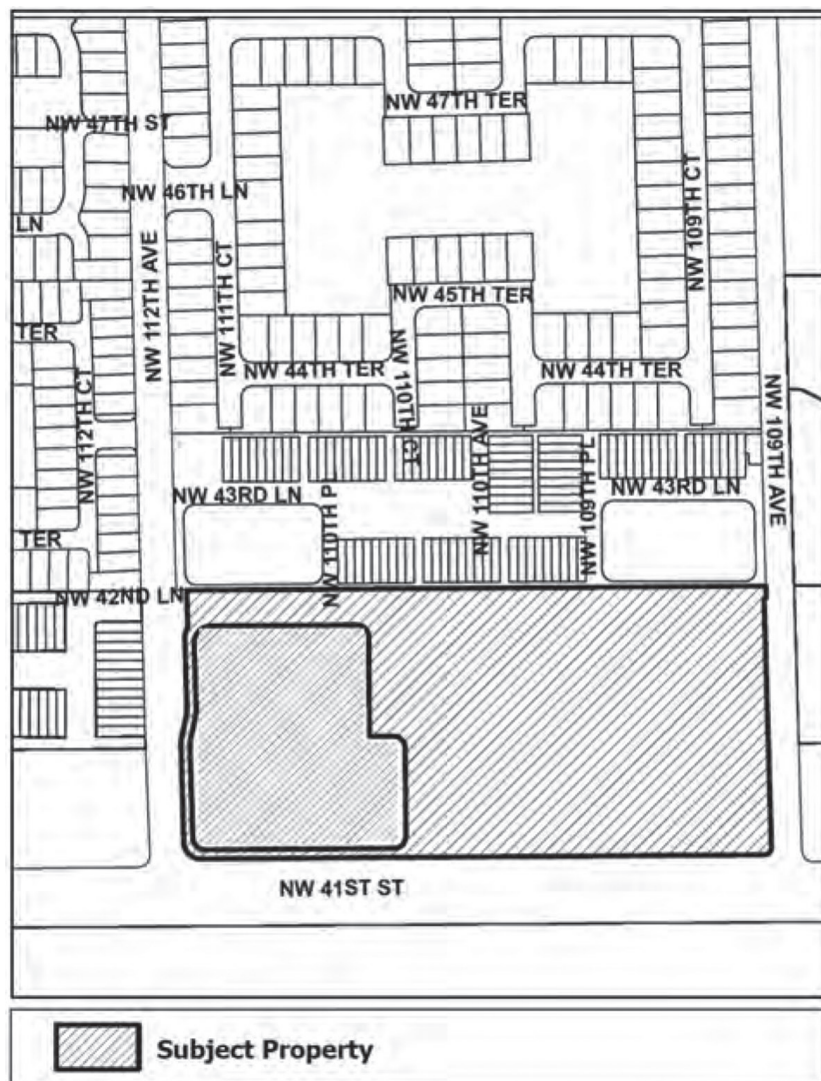
SIZE OF PROPERTY: ±11.8 acres

FUTURE LAND USE MAP DESIGNATION: Business

ZONING DESIGNATION: Commercial Corridor District (CC)

REQUEST: The Applicant is proposing a ±62,160 square foot, three-story medical office building, which is intended to be the second phase of development where the existing, free-standing HCA Doral Florida Emergency facility is located.

Location Map



Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL. The application file may be examined at the City of Doral Planning and Zoning Department located at 8401 NW 53 Terrace, Doral, FL 33166.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, any person who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

Connie Diaz, MMC
City Clerk
City of Doral