

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

MEGAN GARCIA, INDIVIDUALLY AND  
AS THE PERSONAL REPRESENTATIVE OF  
THE ESTATE OF S.R.S. III,

Plaintiffs,

v.

Case No. 6:24-cv-01903-ACC

CHARACTER TECHNOLOGIES, INC.;  
NOAM SHAZEER; DANIEL DE  
FRIETAS ADIWARSANA; GOOGLE  
LLC; AND ALPHABET INC.,

Defendants.

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**Uniform Case Management Report**

The goal of this case management report is to “secure the just, speedy, and inexpensive determination of” the action. *See* Fed. R. Civ. P. 1. Under Local Rule 3.02(a)(2), this case management report should be used in all civil cases except those described in Local Rule 3.02(d). Individual judges may have additional case management preferences that can be found under each judge’s name on the Court’s website, [flmd.uscourts.gov/judges/all](http://flmd.uscourts.gov/judges/all).

**1. Date and Attendees**

The parties may conduct the planning conference “in person, by telephone, or by comparable means[.]” <i>See</i> Local Rule 3.02(a)(1).
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The parties conducted the planning conference on January 9 and 13, 2025. Thomas Zehnder, Dustin Mauser-Claassen, Stephanie Herrera, and Victoria Degtyareva (for Defendant Character Technologies, Inc.); Matthew Donohue and Lauren White (for Defendants Google LLC and Alphabet Inc.); Paul Schmidt and Isaac Chaput (for Defendant Noam Shazeer); Andrew Schapiro (for Defendant Daniel De Freitas Adiwarsana); and Matthew Bergman and Meetal Jain (for Plaintiff Megan Garcia) attended one or both conferences.

## 2. Deadlines and Dates

The parties have agreed to these deadlines and dates as a compromise:<sup>1</sup>

Action or Event	Date	
Deadline for providing mandatory initial disclosures. <i>See</i> Fed. R. Civ. P. 26(a)(1).	3/28/2025	
Deadline for moving to join a party, <i>see</i> Fed. R. Civ. P. 14, 19, and 20, or amend the pleadings, <i>see</i> Fed. R. Civ. P. 15(a).	3/28/2025	
Deadline for serving expert disclosures under Rule 26(a)(2), including any report required by Rule 26(a)(2)(B).	Plaintiff	1/9/2026
	Defendant	2/6/2026
	Rebuttal	3/6/2026
Deadline for completing discovery and filing any motion to compel discovery. <i>See</i> Fed. R. Civ. P. 37; <i>Middle District Discovery</i> (2021).	3/27/2026	
Deadline for filing any dispositive and <i>Daubert</i> motion. <i>See</i> Fed. R. Civ. P. 56. (Must be at least five months before requested trial date.)	5/22/2026	
Deadline for participating in mediation. <i>See</i> Local Rules, ch. 4. The parties are meeting and conferring regarding a mutually agreeable mediator and will update the Court within fourteen (14) days of this submission.	8/31/2026	
Date of the final pretrial meeting. <i>See</i> Local Rule 3.06(a).	9/11/2026	

<sup>1</sup> Plaintiff Megan Garcia and Sewell Setzer, II, the decedent's father, are currently in the process of seeking appointment as co-administrators of the decedent's estate and expect promptly to be appointed. Once this process is complete, Plaintiff intends to amend the complaint to add the decedent's father as a co-plaintiff, but will make no substantive changes to the allegations or claims at issue. Defendants' agreement to the dates herein is based on Plaintiff's representation that this process will be completed on or before Defendants' motions to dismiss are adjudicated, and will not involve any substantive changes to the allegations or claims at issue. If Plaintiff has not been appointed administrator or co-administrator of the decedent's estate, or if any co-administrators have not appeared as parties, on or before adjudication of Defendants' motion to dismiss, the parties agree to jointly submit an amended case schedule for the Court's approval.

Deadline for filing the joint final pretrial statement, any motion in limine, proposed jury instructions, and verdict form. <i>See</i> Local Rule 3.06(b). (Must be at least seven days before the final pretrial conference.)	9/25/2026
Date of the final pretrial conference. <i>See</i> Fed. R. Civ. P. 16(e); Local Rule 3.06(b).	10/30/2026
Month and year of the trial term.	11/2026

The trial will last approximately 10 days and be

- jury.  
 non-jury.

### 3. Description of the Action

Plaintiff Megan Garcia alleges that her son, S.R.S. III, was harmed by conversations he had with generative AI chatbots, called “Characters,” on Character.AI, an online platform operated by Character Technologies, Inc., and she seeks to hold Defendants liable for S.R.S. III’s suicide. Defendants deny the claims.

### 4. Disclosure Statement

- Each party has filed a [disclosure statement](#) using the required form.

Plaintiffs have filed the required disclosure statement. Defendants Character Technologies, Inc., Google LLC, and Alphabet Inc. have filed the required disclosure statement. Defendants Noam Shazeer and Daniel De Freitas Adiwarsana will do so promptly upon approval of ECF filing credentials.

### 5. Related Action

- The parties acknowledge their continuing duty under Local Rule 1.07(c) to notify the judge of a related action pending in the Middle District or elsewhere by filing a “Notice of a Related Action.” No notice need be filed if there are no related actions as defined by the rule.

## 6. Consent to a Magistrate Judge

“A United States magistrate judge in the Middle District can exercise the maximum authority and perform any duty permitted by the Constitution and other laws of the United States.” Local Rule 1.02(a). With the parties’ consent, a district judge can refer any civil matter to a magistrate judge for any or all proceedings, including a non-jury or jury trial. 28 U.S.C. § 636(c).

The Court asks the parties and counsel to consider the benefits to the parties and the Court of consenting to proceed before a magistrate judge. Consent can provide the parties certainty and flexibility in scheduling. Consent is voluntary, and a party for any reason can decide not to consent and continue before the district judge without adverse consequences. *See Fed. R. Civ. P. 73(b)(2)*.

- The parties do consent and file with this case management report a completed Form AO 85 “Notice, Consent, and Reference of a Civil Action to a Magistrate Judge,” which is available on the Court’s website under “Forms.”
- The parties do not consent.

## 7. Preliminary Pretrial Conference

- The parties do not request a preliminary pretrial conference before the Court enters a scheduling order.
- The parties do request a preliminary pretrial conference, and the parties want to discuss enter discussion points.

## 8. Discovery Practice

The parties should read the Middle District Discovery Handbook, available on the Court’s website at [fmd.uscourts.gov/civil-discovery-handbook](http://fmd.uscourts.gov/civil-discovery-handbook), to understand discovery practice in this District.

- The parties confirm they will comply with their duty to confer with the opposing party in a good faith effort to resolve any discovery dispute before filing a motion. *See Local Rule 3.01(g); Middle District Discovery (2021) at § I.A.2.*

## 9. Discovery Plan

The parties submit the following discovery plan under Rule 26(f)(2):

A. The parties agree to the timing, form, or requirement for disclosures under Rule 26(a):

Yes.

No; instead, the parties agree to these changes: enter changes.

B. Discovery may be needed on these subjects:

**Plaintiff:** Involvement of Google, in design of and support for the technology underlying Character AI's products; internal product experimentation data and research related to Character AI's products; Character AI's engagement with minor users and their receipt of minor data; defendants' knowledge of the risks of physical and mental harms to minor users of Character AI's products; Character AI's sale or transmission of user data to third parties; past and present relationships between Google, Noam Shazeer and Daniel De Freitas Adiwarsana; and Google's 2024 acquisition of Character AI's technology, data and personnel.

**Defendants:** S.R.S. III's medical records, including records relating to any mental health treatment; S.R.S. III's school records; any criminal, law enforcement, or other judicial records related to S.R.S. III or his family members; any other factors that may have contributed to S.R.S. III's alleged injuries; records related to S.R.S. III's suicide; forensic data from S.R.S. III's digital devices; communications involving S.R.S. III or Plaintiff related to the allegations in the First Amended Complaint; documents and testimony related to Plaintiff's claim for loss of SRS. III's services, comfort, care, society, and companionship.

C. Discovery should be conducted in phases:

No.

Yes. Depositions shall not be noticed while motions to dismiss are pending and responses to interrogatories and requests for admission discovery shall not be furnished and documents not produced until thirty (30) days after the Court resolves those motions.

D. Are there issues about disclosure, discovery, or preservation of electronically stored information?

No.

Yes; Defendant Character Technologies, Inc. has served a preservation notice on Plaintiff and has identified to Plaintiff digital devices believed to have been used by S.R.S. III to access Character.AI. Plaintiff has represented that she is taking reasonable and proportionate steps to determine who has possession, custody, and control of these devices. The parties are negotiating a protocol for the joint forensic examination of devices and will continue to meet and confer about related issues.

Plaintiff has served a preservation notice on Character AI, and talks are ongoing with all other defendants.

E.  The parties have considered privilege and work-product issues, including whether to ask the Court to include any agreement in an order under Federal Rule of Evidence 502(d). The Parties agree to negotiate, and ask the Court to enter, an order under Federal Rule of Evidence 502(d).

F. The parties stipulate to changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure and Local Rule 3.04 or other limitations:

No.

Yes; describe the stipulation.

#### **10. Request for Special Handling**

The parties do not request special handling.

The parties request special handling. Specifically, describe requested special handling.

Enter party's name unilaterally requests special handling. Specifically, describe requested special handling.

#### **11. Certification of familiarity with the Local Rules**

The parties certify that they have read and are familiar with the Court's Local Rules.

## 12. Signatures

/s/ Matthew P. Bergman  
Matthew P. Bergman\* (Lead Counsel)  
Laura Marquez-Garrett\*  
Glenn Draper\*  
Tech Justice Law Project  
600 1<sup>st</sup> Avenue, Suite 102-PMB 2383  
Seattle, WA 98104  
(206) 741-4862  
matt@socialmediavictims.org  
laura@socialmediavictims.org  
glenn@socialmediavictims.org  
*\*Admitted Pro Hac Vice*

*Counsel for Plaintiff*

/s/ Isaac D. Chaput  
Isaac D. Chaput\*  
COVINGTON & BURLING LLP  
Salesforce Tower  
415 Mission Street, Suite 5400  
San Francisco, California 94105-2533  
(415) 591-7020  
ichaput@cov.com

Paul W. Schmidt\* (Lead Counsel)  
COVINGTON & BURLING LLP  
New York Times Building  
620 Eighth Avenue,  
New York, New York 10018-1405  
(212) 841-1171  
pschmidt@cov.com  
*\*Admitted Pro Hac Vice*

*Attorneys for Defendant*  
*Noam Shazeer*

/s/ Matthew K. Donohue  
Matthew K. Donohue\*  
Fred Rowley, Jr.\*

/s/ Thomas A. Zehnder  
Thomas A. Zehnder  
Florida Bar No. 0063274  
Dustin Mauser-Claassen  
Florida Bar No. 0119289  
KING, BLACKWELL, ZEHNDER  
& WERMUTH, P.A.  
25 East Pine Street  
Orlando, FL 32801  
(407) 422-2472  
tzehnder@kbzwlaw.com  
dmauser@kbzwlaw.com

*Counsel for Defendant*  
*Character Technologies, Inc.*

/s/ Jonathan H. Blavin  
Jonathan H. Blavin\* (Lead Counsel)  
Stephanie Goldfarb Herrera\*  
MUNGER, TOLLES & OLSON, LLP  
560 Mission Street  
San Francisco, CA 94105  
(415) 512-4011  
(415) 512-4063  
Jonathan.Blavin@mto.com  
Stephanie.Herrera@mto.com

Victoria A. Degtyareva\*  
MUNGER, TOLLES & OLSON, LLP  
350 S. Grand Avenue, 50<sup>th</sup> Floor  
Los Angeles, CA 90071  
(213) 683-9505  
Victoria.Degtyareva@mto.com  
*\*Admitted Pro Hac Vice*

*Counsel for Defendant*  
*Character Technologies, Inc.*

/s/ Andrew H. Schapiro  
Andrew H. Schapiro+  
Quinn Emanuel Urquhart & Sullivan, LLP

Wilson Sonsini Goodrich & Rosati, P.C.  
953 E. 3rd Street, Suite 100  
Los Angeles, CA 90013  
(323) 210-2900  
mdonohue@wsgr.com  
fred.rowley@wsgr.com

191 N. Wacker Drive  
Suite 2700  
Chicago, IL 60606  
(312) 705-7400  
andrewschapiro@quinnemanuel.com  
+Motion for *Pro Hac Vice* Forthcoming

Lauren Gallo White\* (Lead Counsel)  
Wilson Sonsini Goodrich & Rosati, P.C.  
One Market Plaza, Spear Tower  
Suite 3300  
San Francisco, CA 94105  
(415) 947-2000  
lwhite@wsgr.com

*Counsel for Defendant*  
*Daniel De Freitas Adiwarsana*

Jay B. Shapiro  
Florida Bar No. 776361  
Stearns Weaver Miller Weissler Alhadeff  
& Sitterson, P.A.  
150 W. Flagler Street, Suite 2200  
Miami, FL 33130  
(305) 789-3229  
jshapiro@stearnsweaver.com  
*\*Admitted Pro Hac Vice*

*Counsel for Defendants*  
*Google, LLC and Alphabet, Inc.*

### **CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that, on January 13, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Thomas A. Zehnder  
Thomas A. Zehnder  
Florida Bar No. 0063274