

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

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NETCHOICE, LLC,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. _____
	)	
DAVE YOST, in his official capacity as	)	
Ohio Attorney General,	)	
	)	
<i>Defendant.</i>	)	

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**DECLARATION OF LIBBY ROIN  
IN SUPPORT OF PLAINTIFF’S MOTION FOR  
TEMPORARY RESTRAINING ORDER AND FOR PRELIMINARY INJUNCTION**

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I, Libby Roin, declare as follows:

1. **Identity of Declarant.** I am Chief Executive Officer of Goodreads. I am over the age of 18 and am competent to make the statements herein. I make this declaration from personal knowledge, information relayed to me by Goodreads staff, and a review of Goodreads’ records kept in the ordinary course of business.

2. **Goodreads’ Service.** Goodreads is the world’s largest site for readers and book recommendations. Its mission is to help people discover books they love and get more out of reading. Goodreads is owned by Amazon.

3. Goodreads was started in 2006 as a website where users could create and share virtual bookshelves to track books they had read, were reading, or planned to read; post book ratings and reviews; and engage in discussions about books with other users. These user-generated reviews and the ability to track reading continue to be the main draw for Goodreads users. Goodreads also now provides personalized book recommendations to its users based on books they

have previously “shelved” or reviewed, offers special functionalities for authors, and publishes original content to the Goodreads News and Interviews page. *See, e.g.*, Goodreads, News and Interviews, [Isabelle Allende Talks Writing, Hope, and Influence of Family](#) (Jan. 1, 2022), <https://perma.cc/8W8Y-C2DZ>.

4. **Means of Accessing Service.** Goodreads is free to users, all of whom are subject to Goodreads’ Terms of Service and must be 13 years of age or older to access the services users need to register for a Goodreads account to post their own ratings, reviews, and comments; to track reading and add books to digital bookshelves; to connect with friends to share reading lists and participate in private discussions; and to “follow” verified authors and other readers. It is not necessary for users to create or log in to a Goodreads account to access book reviews, book pages, blogs, and other content on the Goodreads site.

5. To create an account, users must provide a verifiable email address (meaning an email address that can be confirmed as functional through an automated verification email) and a name, which is not verified and need not be real and in fact, many users prefer to create accounts using pseudonyms. Account holders may provide additional information about themselves, including their birthdays, but they are not required to do so.

6. **Use of Goodreads Among Younger Users.** Goodreads facilitates discussion not only among adult readers, but also among teen readers (including teens between 13 and 16) who are still developing their love of reading.

7. One of the popular genres on Goodreads is “Young Adult,” which describes books that span the entire spectrum of fiction genres but are “written for, published for, or marketed to adolescents and young adults, roughly ages 13 to 18.” *See* Goodreads, *Genres: Young Adult*, <https://www.goodreads.com/genres/young-adult>. The individual titles on Goodreads with which

users engage most frequently include, among others, Harry Potter and the Sorcerer’s Stone, The Hunger Games, Twilight, and The Fault in Our Stars – all young adult novels. Harry Potter has more than 9.6 million ratings on Goodreads.

8. Many teachers and school librarians use Goodreads with students to inspire a love of reading.<sup>1</sup> One teacher in Massachusetts said her “students love to watch their own progress [on Goodreads], updating their reading every time they read” in class, which “often spins into reading at home. And I love encouraging them by liking their status updates.” Similarly, a teacher in California said she asks students to use Goodreads to let her “know what page they are on in their book, review books when they finish them and add books to their to-read shelf.” As a result, her “[s]tudents are suddenly reading more and asking for books more often. They are excited and focused to go to the library to find more books,” and “[p]reviously reluctant readers are seeking out books at the public library.”

9. Teachers can also encourage students to set goals for themselves through the Goodreads Reading Challenge. One school librarian reported that she asks students to use the Goodreads Reading Challenge to challenge themselves to read more books each year, resulting in one student setting “herself a goal of reading 100 books” and “smash[ing] that by managing 110!”

10. Goodreads also facilitates peer-to-peer recommendations among teen readers, with less prolific readers able to benefit from the suggestions of their book-loving classmates. The California teacher said that she observed “students who are light readers friending students who

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<sup>1</sup> See, e.g., Goodreads Help, *As a teacher, what’s the best way to use Goodreads in the Classroom?* (Mar. 4, 2022), <https://help.goodreads.com/s/article/As-a-teacher-what-s-the-best-way-to-use-Goodreads-in-the-classroom>; Goodreads News and Interviews, *6 Tips for Teachers to Use Goodreads in the Classroom* (Aug. 7, 2017), <https://www.goodreads.com/blog/show/996-6-tips-for-teachers-to-use-goodreads-in-the-classroom>.

are heavy readers,” with the heavy readers “recommending books to [the lighter readers] and they are picking them up.”

11. Teachers can also use Goodreads to facilitate and extend classroom activities and craft innovative homework assignments. For example, teachers can set up private book discussions for their classrooms, have students write book reviews on Goodreads, and encourage students to analyze existing reviews to learn how to write effective critiques.

12. Teachers and librarians also use Goodreads to share their own love of reading with students and encourage students to connect among themselves. For example, the librarian quoted in paragraph 9 above described how she used Goodreads to comment on students’ reading “progress and they on mine. They will send me a message or a recommendation and it’s a great way to encourage their love of reading.” This librarian described Goodreads as particularly “valuable for our advanced readers in year 7 and 8. It means that they can talk with older students about books even though they may not get to see them at school.”

13. **The Social Media Parental Notification Act.** I understand that Ohio’s Social Media Parental Notification Act (the “Act”) applies to certain online services that permit users to interact socially within the service (as defined by a set of statutory factors) and target or are “reasonably anticipated to be accessed” by users under 16 years old.

14. I also understand the Act exempts services for which social interaction between users is limited to “reviewing products offered for sale by electronic commerce” and commenting on reviews posted by other users. Ohio Code § 1349.09(O). It seems clear that the Act was not intended to restrict young readers from discussing books, as would result if the Act were interpreted to apply to Goodreads, but it is not clear whether this exemption as written applies to Goodreads. On one hand, any exemption for reviews-oriented social interaction would appear

applicable to Goodreads, the purpose of which is to facilitate reviews and related discussion on books, but on the other hand, there is no requirement that all books reviewed or discussed on Goodreads be “offered for sale” by e-commerce, as the exemption apparently requires. Although the vast majority of books reviewed on Goodreads can be purchased through e-commerce, I have not reviewed each and every such title to ensure all are “offered for sale” by e-commerce (or even are in print), nor would it be feasible to do so, though I suspect there are books listed on Goodreads that are not offered for sale by e-commerce (*e.g.*, out of print titles). I cannot think of a reason why Goodreads’ eligibility for the exemption should depend on whether a particular book reviewed is or is not “offered for sale by” e-commerce, nor do I see any reason for the State to impede young teens’ ability track their reading and discuss books on Goodreads. But given the inclusion of that language in subsection O, I do not know for sure that Goodreads is exempt.

15. **The Act’s Likely Consequences if Applied to Goodreads.** If the Act takes effect on January 15, 2024, and the State were to take the position that Goodreads is subject to the Act, that determination would have significant, negative consequences for Goodreads users.

16. First, as discussed above, although Goodreads’ terms require users to be 13 or older, Goodreads does not require users to submit birthdates or ages in order to create an account, and many users do not provide (and do not want to provide) this information for themselves or their children. Relying on user activity to estimate a user’s age would not be reliable because genres directed at young people—such as Young Adult—are widely read by adults (for example, the Harry Potter series), and teenagers’ reading habits can be similar to those of adults. Therefore, to the extent the Act requires Goodreads to ascertain the ages of its users, Goodreads would need to begin collecting age information from all current and prospective account holders, a practice likely

to alienate and deter privacy-conscious individuals from creating or maintaining accounts, regardless of age. This is likely to reduce sign-ups across all users—both minors and adults.

17. To the extent the Act requires age-verification (rather than simply self-reported age), that would erect yet an additional barrier to users' ability to track, review, and discuss books on Goodreads, particularly for users who lack government identification. Many teens under 16 do not have government issued-identification cards and would need to rely on a parent to produce a birth certificate or passport. Parents may not want to provide their children's birth certificates or passports to Goodreads, and Goodreads does not want to make production of such sensitive information a condition to accessing Goodreads.

18. For teen users under 16, the "verifiable consent" requirement would add an additional obstacle to accessing Goodreads' services. Such users would need to arrange with their parents to provide consent by signing and returning a consent form, calling a toll-free number, or connecting with "trained personnel by videoconference."

19. These requirements, taken together and if interpreted to apply to Goodreads, would add significant friction to users' ability to sign-up for Goodreads, particularly for individuals who do not want to share sensitive age information, who lack government-issued identification, who have limited access to technology, or limited time. The result would be fewer Goodreads users of all ages, and in particular, fewer teen users. As a consequence, teachers will find it more difficult to use Goodreads to promote reading among their students and many younger teens will find it harder to use Goodreads to track and discuss their reading, find new books, and set reading goals. Certain teens are likely to be excluded altogether. The broader Goodreads community would also be harmed, as fewer users (and fewer younger teens in particular) would contribute to the commentary on Goodreads.


20. The Act's requirements also would be costly for Goodreads to implement. Goodreads would need to redesign its services to begin collecting age information from prospective and existing users, establish one or more methods for parents to provide "verifiable consent" for their children to create accounts, and hire new employees to receive and review this information. Goodreads would also need to manage additional security risk arising from the sensitive age, identity, and family relationship information Goodreads would be required to collect.

21. Given the risk of minors incorrectly reporting their ages to Goodreads or providing consent from someone other than a parent or guardian, the Act's penalty scheme—which I understand authorizes penalties of up to \$10,000 per day of noncompliance (even if inadvertent)—could cause Goodreads to err on the side of reducing access for minors in borderline cases, such as where a user's age or relationship with a purported parent could not be verified, or in cases where parents disagree about whether to grant consent.

22. Goodreads has worked hard to create tools that encourage and inspire readers, including teens, to read and discuss books and build community around books. But as a result of how this Act and its exemptions are drafted—and ambiguity about whether the Act's requirements might be interpreted to apply to Goodreads—Goodreads will be forced to spend resources to review its services and consider whether they should be changed to mitigate legal risk, including changes that may affect teen readers' ability to use Goodreads to discuss books. If Goodreads were to do this, it would reduce young users' ability to engage in discourse about books on Goodreads.

I declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the foregoing to be true and correct to the best of my knowledge.

Executed on this ~~22<sup>nd</sup>~~  
d of December, 2023 in San Francisco, California.

  
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Libby Roin