

FILED

IN THE UNITED STATES COURT FOR THE MIDDLE DISTRICT OF  
TENNESSEE NASHVILLE DIVISION

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U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN

Chris Sevier Plaintiff	)	
	)	CASE NO:
V.	)	
	)	JURY TRIAL
Apple Inc.	)	
	)	
Defendant	)	
	)	
	)	
	)	

COMPLAINT

NOW COMES the Plaintiff in a complaint for damages and states.

Just for Apple's and the Court's convenience, my electronic group made a music video/vocal edit of Zedd's "Shave It Up" combined with the talk on "the demise of guys," that summarizes the issues in the lawsuit as it relates to rewiring, voyeurism products liability, and systemic problems that are the direct result of our collective arrogance to not do something about a problem area:

<http://www.youtube.com/watch?v=9VbaJKrRgEM&feature=youtu.be>

INTRODUCTION:

1. The Plaintiff loves Apple. The Plaintiff believes in Apple, as a company and knows that it has good intent. Since its inception, Apple has always been a pro-

family company. Apple has always been an entity that is concerned with the welfare of our Nation's children, while furthering pro-American values. There is no reason for Apple, a private company to overly support pornography online, explicit sexual content which has led to the proliferation of arousal addiction, sex trafficking, prostitution, and countless numbers of destroyed lives. The Plaintiff respectfully demands that Apple sell all of its devices on "safe mode," with software preset to filter out pornographic content. If the purchaser of Apple's products is over 18, Apple should allow the buyer to take additional step to acquire a password from Apple in order to remove the filter to access Constitutionally protected indecent content. If the buyer is under 18, Apple should not provide the password.

2. Apple should see this lawsuit as a warning sign of the class action lawsuits to follow in the event Apple elects to resist the Plaintiff's reasonable request. The Plaintiff does not wish to create facilitate acrimonious litigation against Apple. The Plaintiff asks that the Court and Apple support his demand for the sake of their families and grandchildren.

3. If Apple agrees to sell its devices "on safe mode" before trial, the Plaintiff will terminate this litigation.

4. Because Apple is selling its devices without filters, Apple is currently in

violation of Tenn. Code Ann. § 39-17-911.

5. The Plaintiff's request shifts the burden off of the buyers who do not want to see porn onto those who do want to see pornographic content to take the additional step.

6. Porn is addicting and poisonous. It is not harmless and incidental. Apple knows or should know this to be true. Porn has an adverse impact on males who view it. By making the purchaser take intentional steps to access sexually indecent content removes civil liability off of Apple and keeps them in compliance with Tenn. Code Ann. § 39-17-911.

7. The simple limitation requested by the Plaintiff does not offend the First Amendment to the United States Constitution because it places reasonable restrictions on the time, manner, and speech concerning sexual content that we all know is harmful - especial Apple. (There is not a single female employee, which consists of mothers, wives, and future spouses, who will not support this proposal)

8. The Plaintiff asks that Apple, here and now, adopt this reasonable policy proffered by the Plaintiff sua sponte. If Apple refuses, the Plaintiff respectfully requests that this Honorable Court award temporary and permanent injunctive relief. The Plaintiff will resolve to pursue a comprehensive lawsuit against Apple progressing towards a trial on the merits before a Tennessee Jury. In the lawsuit,

Apple and this Court can look for the Plaintiff to display in open Court a bastion of damaging pornographic content items that cause sexual addiction. Parents should not have to be prejudiced because of Apple's criminal violation of Tenn. Code Ann. § 39-17-911 due to the recklessly selling devices without filters. Apple's position that it is the parents burden to do the filtering is outrageous. Plaintiff request that Apple and this Honorable Court to open its eyes to the realities of the human heart. We need Apple and this Court to protect us from ourselves from developing intrusive sexual additions afforded like never before thanks to cyberspace and devices that allow us to connect to it. A filterless devise is the gateway to the harm that follows.

9. For anyone to suggest that the policy proposed by the Plaintiff is unnecessary or unreasonable would be a demonstration of the very arrogance itself which proves the necessity for safeguards to protect our hearts in the first place. The human heart is what is at stake.

10. The Plaintiff is a victim of Apple's product that was sold to him without any warning of the damage the pornography causes. "But for" the Plaintiff's use of the Apple product, the quality of the Plaintiff's life would have been much better and injury would have been avoided. The Plaintiff sustained these unwarranted damages in the course of using Apple's product as designed. Apple's product was not adequately equipped with safety features that would have otherwise blocked

unwarranted intrusions of pornographic content that systematically poisoned his life.

11. PATRIOTISM: Since the inception of our Country to the present date, other Nations throughout the world follow America as a example in nearly every facet of life. American is in many respect a lighthouse for the rest of the world to follow, arguably because it was formed on Judeo-Christian values. American is only the sum of its parts, and great companies, like Apple, make up an essential sum as a world leader in business and professional ethos. Apple should set the example for device makers all over the world to install preset filters on their devices for the sake of our children. Not for just moral/religious/patriotic reasons, but for scientific ones. Porn on the "world-wide-web" is an international epidemic that is reprogramming our societies outlook on sexual relations with extreme prejudice. It has lead to American girls traveling abroad to be abducted and cast into sex trafficking, since the proliferation of unfiltered pornography has given rise to a demand of illegal depravity, since we have arrogantly pretended that it is harmless. Although pornography itself is not illegal (and rightfully so), it most certainly responsible for increasing a host of criminal activity. And imposing the Plaintiff's simple request will protect Apple from criminal liability under Tenn. Code Ann. § 39-17-911. Otherwise, the U.S. Attorney's Office should be commissioned to begin to prosecute Device makers who refuse to sell their products on "safe mode" for

being culpable in the distribution and sale of online child pornography. If the U.S. Attorney's office would take up this campaign, it would effectively cut the head off of the dragon when it comes to this issue that has placed unreasonable burdens on parents and warped out collective outlook on sexuality by promoting lust based intercourse, opposed to sex based on commitment and intimacy. If the U.S. Attorney's office would invest itself in this worthy objective against a few device makers, it would reduce Federal spending on cyber police units in the FBI. If Apple and the other device makers would elect to sell their products on "safe mode," Apple would save our Nation from overwhelming problems created by porn. (Pornography is the root of many horrific symptoms that follow including marital affairs, orphaned children, sex trafficking, dependency on sex drugs to achieve arousal, depersonalization, sex addiction, self esteem problems, shame addiction, and the like.

12. CIGARETTE ANALOGY: The Plaintiff's grandfather died of emphysema. He smoked cigarettes, as a young man, which caused the emphysema. Back when cigarettes were first prevalent on the market, it was unknown that smoking could cause a host of medical problems to include latent ones. Cigarette manufacturers denied that nicotine was addictive or bad for your health. Rampant porn online is proving to be the cigarettes of our time. In fact, the current generation should be called "the stimulation generation" given the growing body of evidence which

shows the adverse impact pornography is having on males.

13. KNOWLEDGE: Apple is well aware that the internet is rife with pornography. Since Apple sells devices with programs like Safari installed that enable the user to connect to the internet, Apple is in a better place to know that the internet is loaded with pornography that can cause unwarranted arousal addiction better than the purchasers. Therefore, the burden to safe guard its consumers should fall on Apple, not the purchasers who would otherwise not like to be inflicted with the myriad of problems that stem from viewing porn.

14. DEFINITIONS: The Plaintiff respectfully demands that Apple sell its products on "safe mode," which can only be altered if the person is of age and acknowledges the dangers of viewing pornography following waiver. The Plaintiff respectfully demands that the pre-set filters block any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or a portion of the human body, which depicts nudity, sexual conduct, excess violence, or sadomasochistic abuse, and which is harmful to minors and adult males.

15. DEFINITION OF A MINOR AND REFUSAL TO ISSUE PASSWORDS: The Plaintiff respectfully demands that Apple refuse to provide passwords to minors to remove the filtering software. A "minor" is defined as "any person who has not reached eighteen (18) years of age and is not emancipated; . . ." Tenn. Code Ann. § 39-17-901(8). The definition of "harmful to minors" is: that quality of any

description or representation, in whatever form, of nudity, sexual excitement, sexual conduct, excess violence or sadomasochistic abuse when the matter or performance:(A) Would be found by the average person applying contemporary community standards to appeal predominately to the prurient, shameful or morbid interests of minors and adult males: (B) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and,(C) Taken as a whole lacks serious literary, artistic, political or scientific values for minors; . . . .

16. CORRELATIONS: Apple knows that the proliferation of pornography online that is accessible through its devices has generated a marked increase in sex trafficking and arousal addictions. Before online porn became rampant there was not a need for organizations like A21, Orphan Secure, Abolition International, Stop Sex Trafficking Now. Anti-Sex trafficking organizations are popping up around the globe because of the reckless and arrogant policies that Apple and other device makers have injected us with because Apple very obviously places greed over the wellbeing of our citizenry. The FBI and other law enforcement agencies did not have to allot a substantial number of personnel and assets to combating as many sex crimes before the damaging effects of pornography online began to play out in our communities and around the globe.

17. THE RISE OF LATE NIGHT SEX ENHANCEMENT DRUGS



COMMERCIALS IS RELATED THE END RESULT OF THE RECKLESS LACK OF REGULATION OVER PORNOGRAPHIC CONTENT: Apple knows that the overwhelming numbers of commercials on Television late at night promoting sex enhancing drugs is a direct result of the proliferation of pornography on the internet. These drugs are the end result of arousal addiction that was not rampant before the internet was introduced. Because of the psychological impact that porn has on the brain, many men in America have developed a dependency on sex drugs to accomplish love making. This problem was virtually nonexistent before the proliferation of pornography on line.

18. LACK OF WARNINGS AND NOTICE: Although Apple sells its products with the capacity to connect to the internet that is loaded with harmful content, Apple does not place any warnings whatsoever concerning the addicting and harmful nature of porn, and its impact on the male brain over time. The software to block porn already exists, and it would be of little burden on Apple to have it installed on their devices. The cost on Apple to comply with this demand is worth the benefit for the sake of male sexuality, families, and communities.

19. WEAPON ANALOGY: After purchasing a handgun, the weapons dealer does not ship the gun loaded. There is an extra step that the purchaser must take to make the weapon dangerous. Here, Apple should be required to sell its products in a "safe mode" that can only be changed if the purchaser takes an additional

intentional step, just like the gun purchaser must take the step to insert a cartridge to arm his gun. Most adult males know that porn is dangerous, but many of them lack the will power themselves to install filters given the realities of evil and the human nature. Apple needs to sell its products in a way to protect us from ourselves. This Honorable Court has an affirmative duty to see to it that Apple does this.

20. ALL OF APPLES FEMALE EMPLOYEES SUPPORT THE PLAINTIFF'S DEMAND: Upon information and belief, the Plaintiff believes that all female employees at Apple, and a large majority of the male employees, will support the policy to include actual blocks and filters on all devices sold by the company in an effort to keep Americans free from porn addictions and to strengthen our the integrity of our families and communities. Apple products are like the head of the snake for arousal addiction. That is, Apple products are the superceding cause of sexual addiction and dysfunctions, not porn makers themselves. Therefore, the regulations must fall on the family friendly product providers, like Apple, to protect our communities from systemic injuries. Apple should think of the well being of their own children and the generations of grandchildren to come, and how the adaptation of the Plaintiff's proposal may have a positive impact on them. Everyone knows that males are stimulated by sight. Our children, grandchildren, families, and friends need Apple to protect our eyes from unintentionally observing

things that could end up being damaging.

**21. APPLE IS SUPPORTING CRIMINAL ACTIVITY UNDER THE CURRENT**

**PLAN:** Apple products are indirectly supporting pornography, organized crime, prostitution, and sex trafficking by selling its products without preinstalled filters.

To suggest otherwise is a categorical denial of reality and is the same kind of shameful activity reflecting the human heart that merits the necessity of filters in the first place. Apple is in direct violation of Tenn. Code Ann. § 39-17-911. It would be observed of criminal liability if required to sell its devices with preset filters on safe mode that could only be removed if the buy was not a minor.

**22. APPLE HAS A DUTY TO SOCIETY TO NOT INTERFERE WITH**

**MARITAL CONTRACTS, TO DECREASE THE NUMBER OF CHILDREN BEING ORPHANED OR BEING RAISED IN SINGLE PARENT HOMES AND FROM DECREASING THE CHANCES OF AMERICAN WOMEN**

**TRAVELING ABROAD FROM BEING SEX TRAFFICKED:** Besides protecting our Nations children, who use Apple products. Apple must protect husbands and male adults. Apple has a duty to protect woman and children who are turned into slaves in the sex trafficking industry because Apple products were contributorily in liable in creating the demand because it arrogantly sold its devices without filters and without any notifications about the damage the adverse impact on the male psych that viewing porn causes.

### 23. APPLE IS HIJACKING GREAT SEX BY FAILING TO SELL ITS

PRODUCTS IN SAFE MODE: One tragic component of pornography for everyone is that it obviously encourages lust, which hijacks great sex, making the thrill of engaging in deviant behavior the primary objective of intercourse, as apposed to the furtherance of intimacy in a complimentary relationship between members of the opposite sex. Online porn essentially tricks its viewers into seeking intensity based sex rather than sex based on advancing connection in a material relationship. (This explains why nearly every other commercial at night involves sex enhancement drugs - those drugs help with intensity based sex as shown in pornography). Those sex drugs and commercials were previously obsolete before the proliferation of online porn. Pornography is to blame for that increase, as the "cooledge effect" plays out in rewiring the brain ways in regards to sex, causing those who are victimized by it to live a life that is less than what it should be. Lust based sex predicated on escapism produces the same effect in the brain as using illegal drugs like heroine, and often produces terrible consequences in kind, such as unwanted pregnancy, libido problems, attraction to depravity, erosion of the family, and infidelity that would not have occurred if the victims of filterless Apple products hadn't stumbled into porn. In watching porn, the male viewers brains are rewired to desire acts of shameful depravity over time. Pedophiles and the consumers of prostitutes, nearly all of which are males, did not start out that way. Nearly all of those men started down that path after looking at

porn. It is completely outrageous for Apple to suggest that porn is not a terrible problem that is being encouraged by their reckless disregard of its adverse impact on its consumers hearts and our communities. The evidence of porn's terrible impact is all around us. (The fact that we are allowing gay people to serve in our military which is going to produce terrible consequence is the result of a collective culture mindset warped by the lie that porn is harmless. Proliferation of porn online is another source of why our Country would even entertain the outrageous contention that same sex marriages should potentially be recognizable as a valid legal institution.) Apple's hands are not clean in the development of sex trafficking and child prostitution because their products are being used to increase the demand. In fact, devices makers hands are dirtier than the makes of porn themselves in that it is the aggregation of these separate porn makers on a world wide web that establishes the dangers.

24. WHAT HISTORY HAS DEMONSTRATED IN FAILING TO ACT. Evil is allowed to exist in this world only because good men do nothing to prevent it. (The Plaintiff believes that Apple consists of great men that will adopt the Plaintiff's respectful demand on its own because it is concerned for children and families). History has taught us in the case of 911. The United States Government knew where the terror camps in Afghanistan were, but we did nothing about them. The ultimate result of our non responsiveness to that festering problem was that two

planes crashed into the world trade center, and 3,000 Americans lost their lives tragically. Besides producing shame, depression, thrill seeking, female objectification, the pornographic images that are readily accessible through Apple products poisons the heart, leading to arousal addiction, attention deficit disorder, shame addiction, thrill seeking, and antisocial practices that detract from the quality of life at the expense of everyone. The content we set before our eyes has a cumulative poisonous effect that devastates our souls. Although porn is rightfully legal despite its well documented downsides, it most certainly leads to illegal activity and cataclysmic destruction in males. Apple continues to be a substantial "part of the problem," not part of the solution in arrogantly selling its products without filters that install accountability and protect the hearts of its customers.

#### 25. APPLE SHOULD SET THE EXAMPLE FOR ALL DEVICE MAKERS:

Given Apple's influence and reach as a world leader in technology advancement, it should set the example for all device makers in implementing this policy. Such an act of good faith will likely cause demand to sky rocket. But even if it does not, it should do this act out of good will in the same way that Craig's list shut down its adult services section after the Craig's killer - also a porn addict - murdered countless girls, who were using the internet as a vehicle for prostitution.

Unregulated free flow of information has had disastrous consequences on our County because it has poised our hearts and caused a collective shift in thinking

that makes the 1950s seem like a more appealing time to live in than today. By initiating this action, the Plaintiff, who is otherwise a proponent of peace, is merely creating a platform for Apple to set the standard on this matter in an effort to help improve the overall condition of our Country by protecting our youth and family units. If Apple cares about its bottom-line, Apple needs to take steps to safeguard our child from sex predators and from the possibility of being sex trafficked. Apple needs to sell its products in a fashion that encourages families to stay together, not tear them apart. Otherwise, Apple needs to embrace the fact that it is engaging directly in child pornography and sex trafficking. Consumers should embrace this perception of Apple as well and only support manufactures who have the integrity to install preset filters on their devices. More importantly, pornography impacts children with less developed brains in an much worse way than it does adults and Apple must understand the scientific data resulting from the studies and do something to protect our child from having access to content that is appealing, but harmful due to spiritual and biological factors that are inseparable components of our humanity. Additionally, Apple should be forwarded here and now that the local churches in our County are no longer willing to be spectators as counter productive lies of self-interested dogma perpetrates a poisonous cancer to the best interest of our Nation. Although the Plaintiff acts alone here, Apple should brace itself for a litany of follow up lawsuits, if it does not change its current

business practices.

26. WAIVER REQUIREMENT OF THOSE OVER 18 YEARS OF AGE: The Plaintiff demands that if a purchaser who is over 18 wants to remove the filter, they should first be given information by Apple in which they must acknowledge of the prospective damage the porn before a password to remove the filter can be issued in order to further exemplify Apple of any of the damaging events that may follow. Just as tobacco companies are required to provide warnings, Apple should provide ample notice of the harmful qualities that porn has on the brain in taken in cumulated quantities. Apple needs to maneuver in a way which will actually enable Apple to assert, in good faith, that Macintosh was not responsible for any harmful consequences that followed from an individual, who took the proactive steps to used their devises to access harmful pornography following an acknowledgement of adequate warning notice. (Just because cigarettes and alcohol are bad for many people does not mean that they should be outlawed - just regulated strictly).

27. APPLE HAS NO INCENTIVE TO PLACE THE BURDEN ON THOSE WHO DO NOT WANT TO SEE PORN OPPOSED TO THOSE WHO DO: Neither the Courts, Mac, nor entities like the ACLU, should be so concerned with protecting questionable rights of porn content providers online any more than they should be worried about the rights of drug dealers to sell drugs, in so far as there is an



abundant amount of statistical data that demonstrates beyond a reasonable doubt that internet porn, with its private viewing quality, easily accessibility, and endless supply component is poisoning the hearts of males, especially the young males who are in the process of development. Those would who denies these objective realities are opponents of common sense and are very obviously haunted by their own guilt ridden consciences in so far as they want to promote a counterproductive agenda of self-absorption and misery, making others feel as lost, distorted, and confused to calculable sanity as they are in an self-justifying effort to excuse their personal blindness. No one can suggest with a straight face that porn has harmless impact on males (otherwise why has the states imposed mandated filters on all their electronic devices). The burden placed on Apple in complying with the Plaintiff's demand is of low burden, but the reward would be high for our entire Country, even if the selling of products on "safe mode" helped reduce sex trafficking, divorce, prostitution, by 1%, this Court and Apple should find the demand presented here reasonable. Apple should place the burden on those who want to view porn to take additional steps to get access to view the porn, oppose to requiring those who do not want to view porn to take additional steps to block access to it.

28. APPLE SHOULD KILL "BACKPAGE.COM:" Apple should work in conjunction with the FBI to block in perpetuity any website that is undeniably

known to be fostering prostitution, such as "backpage.com." If "backpage.com" has a problem with that, then Backpage.com can start its own device company. (Which would be subject to a similar lawsuit if their devices were not sold on safe-mode). It is absolutely outrageous to unreasonably burden our Nation's law enforcement agencies expecting them to police web pages like, Backpages.com, when it there is widespread knowledge that the adult escort section of the page is a euphemism for prostitution. Apple knows that backpage is not merely a billboard for posting, but a hub for proliferating prostitution, infidelity, sex trafficking, and an abundant amount of criminal activity. Apple should zap such websites that it reasonably believes is engaging in rampant criminal activity. (Making it more difficult to commit a crime, does have a positive impact on the demand side.)

29. BURDEN IS ON APPLE: The problem that porn is creating could cease through easy and nonprejudicial adjustments made by device makers. The burden should absolutely fall on device makers like Apple to protect their customers, who may not have the education and knowledge that pornography promotes an unhealthy hardwiring of brain as it relates to sex, dopamine, relationships, self-esteem, depression, productivity, perception in the analog world.

30. CUTTING OFF THE HEAD OF THE SNAKE: To kill a snake, you must cut its head off. Here pornography is the snake. The head of that snake is devices that allow one to connect to the internet in the first place - not the software, internet,

and content provider that come subsequently. Apple devices allow its owner to connect to the internet that is invested with an oceans of harmful pornographic content. Therefore, Apple devices constitutes the snakes head in this controversy, which can easy be cured by requiring installation of preset filtering software on all devices. Either Apple or this Honorable Court must require strict compliance with the Plaintiff's reasonable demand in order to safeguard the welling being from the venomous effect of porn for the sake of our children.

PARTIES:

31. The Plaintiff is a resident of Tennessee. Living at 3416 Hampton Avenue, Nashville, TN 37203. He is over 18.

32. Apple Inc., formerly Apple Computer, Inc., is an American multinational corporation headquartered in Cupertino, California that designs, develops, and sells consumer electronics, computer software and personal computers. Its best-known hardware products are the Mac line of computers, the iPod music player, the iPhone smartphone, and the iPad tablet computer. Its software includes the OS X and iOS operating systems, the iTunes media browser, the Safari web browser, and the iLife and iWork creativity and production suites.

## JURISDICTION

33. Plaintiff brings his complaint under federal diversity jurisdiction, 28 U.S.C. 1332, as the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000.

34. This case arises under the United States Constitution and 42 U.S.C. Sections 1983 and 1988, as amended. This Court has jurisdiction in this matter pursuant to 28 U.S.C. Sections 1331 and 1343. The declaratory and injunctive relief sought is authorized by 28 U.S.C. Sections 2201 and 2202, 42 U.S.C. Section 1983 and Rule 57 of the Federal Rules of Civil Procedure.

35 This Court is an appropriate venue for this cause of action pursuant to 28U.S.C. 1391(b)(1) and (b)(2).

## FACTS

36. The Plaintiff bought the Mac Book pro from an Apple store in Tennessee. The Plaintiff is an EDM, electronic artist, in a musical group called Ghost WARS. He purchased the Mac Book create music. He also bought the Macbook so that he could log onto the internet.

37. Without the Mac book, the Plaintiff could not have logged on to the internet. The Apple devise was the gateway that lead him to observe pornographic content

that was addicting and damaging.

38. The mac book that the Plaintiff purchased came with Safari installed on the computer so that he could log onto the internet. The Plaintiff merely used the software on the Mac Book as intended.

39. When the Plaintiff bought his Apple computer the control panels were not set to block pornography. There was no software on the computer that was already installed and set to block pornography that caused him to be injured and permanently prejudiced.

40. In using safari, the Plaintiff accidentally misspelled "facebook.com" which lead him to "fuckbook.com" and a host of websites that caused him to see pornographic images that appealed to his biological sensibilities as a male and lead to an unwanted addiction with adverse consequences.

41. The Plaintiff developed arousal addiction as a result of viewing pornographic content, which harmed the quality of his life.

42. The Plaintiff began to prefer the cyber beauties over his wife, which caused his marriage to fail. His wife abducted his son and disappeared, which was a subsequent consequence of Apple's decision to sell its computers not on "safe mode."

43. Before purchasing a Macbook the Plaintiff had never seen pornographic

images.

44. Before purchasing a Macbook the Plaintiff never went to a strip club or sex shop of any kind.

45. The Plaintiff became depressed and despondent, unable to work as a result of observing porn on his mac book and the impact it caused.

46. The Plaintiff will have to continue to seek counseling to overcome the damaging impact that observing pornographic images online caused and has suffered irreparable injuries.

47. Upon information and belief, if the Macintosh can sell computers with software like Safari on it, then it can easily sell its computers with software designed to block harmful content, like pornography. Safety should be a paramount concern to Apple in yards to its customers, who purchase Apple's expensive products. Instead of requiring the purchaser to take the steps to install software to filter out pornography, the burden should be reversed. Purchasers of Apple products who would like to watch Constitutionally protected pornography should be the ones required to take the steps to have the filter blocking systems removed. Adults who do not want to be subjected to damaging and tempting pornography should not be tasked with installing porn filter programs. To install porn filters one is required to have an degree of computer expertise, and such a requirement is unduly

burdensome on a large scale..

48. Since the inception of the porn industry outside of the viral world - to include stripe clubs and bricks and mortar retailers that sell pornographic materials - the states and cities have had a Constitutionally protected right to limit the time, place, and manner of those entities, restricting them by zoning laws to be in places that were not the most convenient because porn is all around hazardous. The Plaintiff's request for the preliminary-automatic-blocking of all porn from Apple devices does not violate the first amendment because it merely requires consumers of age, who want to view porn, to take additional steps to access porn. Those who want to be safeguarded from porn should not be required to take the additional steps to install porn filtering blocks. (This policy would definitely decrease the number of cases of men who are subsequently injured in a moment of weakness or who stumble into porn by accident.) Porn proponents in the physical world are use to being inconvenienced by having to go to inconveniently zoned porn shops in the physical world, they will not mind being a little inconvenienced in Cyberspace by having to take the step to procure a password. They should expect as much.

49. When the Plaintiff bought his Apple Mac Book, no one at the apple store warned him that looking at pornographic images and videos could cause addictions to include arousal addiction or that the devise could be the gateway to accessing content that could cause a rewiring of his brain, which lead to the demise of his

family, unemployment, and unwanted changes in life style. Just because porn is legal suggests does not mean that Apple is not aware that it is harmful and addictive. (Before cocaine became illegal it was found in coke products; just because alcohol is legal does not mean that it is not harmful nor that we don't need regulations in place to protect us from unnecessarily or overly poisoned by it - the Plaintiff is not suggesting that porn and cocaine are equally harmful - they are harmful in different ways and cause many members of society to settle for a life that is less than what it could be; both porn and alcohol are similar in that they should be required to be made inaccessible to minors to all outlets that provide its contents. Porn should be legal, but access to it online should be more restricted so that the viewer must be solely responsible for the consequences of intentionally deciding to use in in a self gratification session, marked by pathetic loneliness. If Apple would adopt the Plaintiff's demand, it would be doing untold good for families and communities for generations to come. Apple would effectively allow us to help take our Country back to a place of good will, prosperity, concern for ones neighbor, and an appreciation of family values.

50. Once logged on to the internet through his Mac Book, the Plaintiff ran search engines and came across pornographic sights unintentionally. Upon information and belief, Apple knew or should have known that the internet is loaded with porn (to include a litany of pop up porn enticers designed to get male viewers hooked do



the fact they are attracted by sight.) For example, Macintosh has a better understanding the harmful and accessible qualities of porn, then a 14 year old who finds himself alone in his room with one of their filterless product purchased by an adult. Apple knows or should know that the pornographic content would be poisonous to the Plaintiff's mind, body, and spirit causing addiction and the rewiring of brain to prefer the pursuit of lust/intensity based eroticism over intimacy based sex. Apple knew or should have known that the content accessible through its devices without safeguards and warnings could destroy the Plaintiff's quality of life and his family, prejudicing generations to come.

51. As human beings themselves, Apple employees know that a man is born full of harmonies and attacked to by women engaging in sexual acts with the intent to cause vicarious arousal. Apple could have easily safe guarded the Plaintiff from seeing harmful and addicting content without much burden to itself by (1) adjusting the control panels, upon sale of the product; and alternatively, (2) by installing filter blocking software that required him to seek out the password to get access by his own freewill. That is, just as Apple installed Safari on the computer purchased by the Plaintiff, Apple could have sold the computer with filtering software that was preset to block pornographic images. If the control panels in the Mac Book were automatically set to block porn or filtering blocking software was already installed upon purchase, then the Plaintiff would not have stumbled upon

content that was objectively damaging to him in a multitude of ways, which caused a myriad of injuries that Apple should be held directly accountable for. (Just like cigarette manufacturers who engaged in rampant fraud to maximize profits in denying the addicting nature of nicotine, Apple knows or should know that porn causes an assortment of arousal addictions and perversions that cause its victims to settle for a life that is less than what it could be.

52. As it stands, the Plaintiffs respectfully submits that requiring parents or those who want to be safeguarded from the selfish exploits of porn makers, should not be taxed with the burden of downloading accountability software, doing so is confusing and requires more expertise than running a single search engine request for "hardcore porn."

53. It was foreseeable to Macintosh that coming across pornographic sights would be virtually unavoidable. It is estimated that 37% of all websites contain pornographic material. Mac has a duty not to defraud their customers, by selling them a product that could harm them. Apple breached that duty here.

54. This situation is no different than in the bar/alcohol industry. It is illegal for anyone to drink alcohol in all states until they are 21 years old. (That is because we recognize our true nature and need laws to protect us from ourselves - especially minors with ). Bars do not make alcohol, but they are vehicle through which patrons can get the content in the same way that Apple products are the gateway to

accessing internet porn. Bar owners have the duty to prevent those who are 21 and under from getting into their establishments. Otherwise, the bar could be shut down and charged with criminal misconduct. That is because in using the bar, minors could access the harmful content that the bar provides access to.

Additionally, bar owners have a duty to make sure that its patrons, who are of age, do not drink in excess. If a bartender sold too many drinks to a patron, who drove home above the legal limit and got into a car accident that caused the death of a third party, the bartender could be held liable for criminal liability, as one of the superseding causes of the damaging activity that followed, given its foreseeability. The onus is on the bar to safeguard its customers for good cause. The burden is not necessarily on the alcohol makers or the bar patrons to the same degree. Here, Apple should be held civilly responsible for safeguarding its patrons from accessing harmful content, not porn makers and Apple customers, in the same way that a bar must protect its customers from the harmful content made available to them by porn makers. In this case, the Plaintiff would not have been able to view internet porn without purchasing the Apple product. The superseding cause of the damage that followed points back to Apple's breach of duty.

55. The Plaintiff believes that the American public should boycott any company that refuses to install filtering software on its devices upon sale as their way of contributing to the war on sex trafficking, prostitution, greed mongering, arousal

addiction, and the erosion of the family. There are volunteers in the field from American who are daily risking their lives in the fight against sex trafficking because device makers like Apple had reckless disregard for the human race in general by selling filterless devices. Apple should be part of the solution, not part of the problem by adopting the Plaintiff's request without being forced to by Court order.

56. In the 1950s, before there was the internet and the ACLU, we had prayer in school, males were not flaming out academically, there was no need for viagra commercials to clog up our televisions late at night, homosexuals were substantially fewer in number, sex trafficking was virtually nonexistent, prostitution was way down, and child porn was unheard of. Why are things different - easily accessible pornography accessible through high speed internet and devices like Apple products is one contributing factor in that complex answer. All of creation and science point to the unquenchable reality that God is real. Man has a spiritual side to him. Porn poisons the spiritual side of man. Time has demonstrated that these things are so self evidently true that for any man to deny them is proof positive of their existence. Apple knows, just like tobacco manufacturers, that porn is a silent poisoner of the heart, which yields adverse psychologic change, physiological alterations, and metaphysical deprivations. It follows that poisoned people commit poisoned atrocities. By not selling devices with filters that are set to cut out porn,

Apple is responsible for stifling the progression of men and their capacities for leadership. Porn proliferates lust, which is a wicked betrayer that leaves a man worse off than he was before. Apple has no incentive to encourage that self-evident reality.

57. The Courts and Decision Makers At Apple's should adopt the Plaintiff's reasonable demand for the sake of their own children and grandchildren for generations to come. The situation online is out of control. Our Honorable Courts know that porn is dishonorable and that it offends the Constitution because it is speech that constitutes a danger to the average male, given his biology. (Porn is destroying young males who are flaming out in nearly every respect - academically, romantically, socially, occupationally). The Plaintiff asks that the Judge presiding over this case and the decision makers at Apple consider the well being of their own children, and the generations of children to come who would be adversely impacted if protective steps offered by the Plaintiff in earnest are not implemented.

58. Protecting Women And Their Future Who Engage In Pornography Negligently. With the advent of websites like "youporn.com," now virtually anyone can become a "porn star." Boys are secretly video taping girls they are having sex with and uploading the videos to the complete ruin of the girl. On a whim, couples are creating homemade sex tapes and uploading them to sights like

"youporn.com" only to subsequently break up. What is left is a permanent record of shameful conduct that follows those individuals the rest of their lives. (No traditional male of ordinary prudence wants to enter into a serious relationship with a girl who has a public memorialization of her being railed by some other guy on youporn.com). The memorialization of those sexual acts create a source of conflict as individuals try to make "a go" in subsequent relationships. Regret, shame, dysfunction and conflict and an increase in single parent homes and welfare are encouraged because of how the internet appeals to our darker sense of nature. Countless individuals who engage in creating porn as subsequently inflicted with a host of problems that stem from regret that stamps them like a bad tattoo. If Apple would institute the implementation of filters to automatically block pornography, many of these concerns could be rectified. Unconscionable degrees of pain and suffering would be greatly avoided by this easy to enforce solution. Apple would be giving many people a "second chance" that they would not otherwise have, while setting the standard for device makers to follow.

59. The Plaintiff is human male and is hardwired to like images of naked women. Apple was aware of that when it sold him their product. Looking at porn caused a release of dopamine and endorphins in the Plaintiff, triggering the same addictive qualities as heroine use. The Plaintiff developed arousal addiction. In arousal addiction, the addict wants/needs different to achieve the same high or escapism to

avoid feelings of pain. This is a distinct from the chemical addiction associated with drugs and alcohol, where more is needed to achieve and maintain "the high." Slowly this consequence caused the Plaintiff's quality of life to be infringed upon.

60. As a result of the harmful content accessed through his Apple computer, the Plaintiff began to prefer the asynchronistic internet world to the spontaneous interaction in social relationship; this kept the Plaintiff from being able to function in a job because the work place is analog, static, and interactively passive. This caused the Plaintiff a loss of income, which damaged him as the quality of his life decreased. The superseding cause of that quantifiable injury was the product sold by Apple. The Plaintiff used the product as intended and it harmed him.

61. UNFAIR COMPETITION AND INTERFERENCE OF THE MARITAL CONTRACT: The Plaintiff became totally out of synch in his romantic relationship with his wife, which was a consequence of his use of his Apple product. The Plaintiff began desiring, younger more beautiful girls featured in porn videos than his wife, who was no longer 21. His failed marriage caused the Plaintiff to experience emotional distress to the point of hospitalization. The Plaintiff could no longer tell the difference between internet pornography and tangible intercourse due to the content he accessed through the Apple products, which failed to provide him with warnings of the dangers of online pornography whatsoever. Apples had a duty to safe guard the Plaintiff from being injured in

using their product. Apple breached their duty.

62. APPLE KNOWS THAT ONLINE PORN IS WORSE THAN NON-ONLINE PORN: Apple knew or should have known that internet pornography is more addictive than ordinary pornography because of its wide availability, explicit nature, endless supply and unsurpassed privacy component. Apple was also aware that addicts regularly spend extended periods of time searching the Internet for new or increasingly hardcore pornography in an effort to re-experience the high once felt.

63. THE COURTS KNOWLEDGE: This Court knows better than anyone else, having had countless sex crime cases come before it, that most sex criminals got their start by either looking at pornography or because they were sexually assaulted by an individual who was a porn addict. This Court has a duty to proliferate objective truth, and should require Apple to adopt the Plaintiff's demand before a series of class action lawsuits are launched to accomplish this objective at the expense of judicial economy.

64. THE PLAINTIFF'S SUGGESTION HELPS THE PORN ECONOMY: For the proponents of the bricks and mortar pornography industry, the Plaintiff's reasonable request here supports their cause. Forcing Apple to install preset porn filtering software could have a positive financial impact on the traditional porn trade. The porn industry has the same regulatory and supply and demand problems



that the music business and print media does, as a consequence of the free flow of information online. There is so much free porn on the internet that ultimately its going to be difficult for porn providers to rely on the income generated from their work to continue to make a living. It is no secret that "getting off" is the objective of porn viewers. Porn provides the opportunity for vicarious sex. The internet has created a serious supply and demand problem for future porn makers. There are countless amateur porn sights and so much free porn content that there will someday not be a need to pay for it. (Lets be honest, people do not watch porn because of the plot. They watch it to "get off" through a vicarious deviant sexual experience based on deviant lust; there is plenty of content for free on line that allows porn observers to accomplish the goal of porn to an extent that porn makers themselves should stand behind the Plaintiff's request). Porn providers are having difficulty earning income off their content because of the amount of free porn on the internet is driving the price down. Both porn and the music business know the meaning of the phrase "it is hard to compete with free" thanks to the lack of regulation over the cyberspace due to abuse of free speech dogma.

65. LOSS OF TAXABLE INCOME: The goal of the smut viewer is vicarious sex driven by lust, not intimacy, but there is enough free porn content on the internet to accomplish that, which in turn causes the government to lose money because of its inability to tax the porn industry. Additionally, given the realities of arousal

addiction and the difficulty in monetizing porn, porno performers are being paid less and less to engage in more extreme and shame based activities to the extreme detriment of all. Suffice it to say, the lack of regulation over porn has chocked off profitability at the expense of tax capacity, which creates a burden on society. Consequently, Apple is hurting the economy by their failure to provide actual safeguarding technology that blocks porn for taxation reasons. Second, unregulated internet porn is hurting brick and mortar or "mom and pop" porn shops. This is no different than how illegal downloading of musical content and movie content has caused the collapse of traditional record stores and video rental entities, such as block buster. Healthy sex is supposed to be about the furtherance of intimacy within the right context in the first place. If individuals want to pervert sex into making it about shame and deprave exploits the government should have the right to impose a sin tax them for it, in the same way that it imposes a sin tax on the purchase of cigarettes. After all, the Government is the entity that has to carry the burden of taking care of single mothers on welfare because the husbands ran off with another girl as an extension of the lies that warped them after they stubbled onto pornography.

66. PREVENTING ACCIDENTAL AROUSAL ADDICTION: This complaint is designed to protect those who have a proclivity not to want to see porn but who lack the expertise to figure out the complicated process of installing accountability

mechanisms on their computers. There would be a large decrease in those who let porn infiltrate their lives if the filter software was required. Those who understand its dangers would be less likely to accidentally come in contact with it (as the Plaintiff did). There would most definitely be fewer messed up their lives. (Just like cigarette manufactures should not be permitted to target kids, who unknowingly know the dangers of smoking; Apple should not allow the internet porn providers to reach customers, who otherwise would not seek out pornography through a tangible source and who may not fully understand the subtle corrosive effect of pornography on their brain, social interactions, relationship, sexual health, and future because of the lack of sufficient warnings.

67. PUTTING INNOCENT PEOPLE AND LAW ENFORCEMENT AT RISK: No one can argue with a straight face that porn is not bad nor that it has not increased sex trafficking, prostitution, and sex crimes. There are countless christian based volunteer organizations springing up like A21, Orphan Secure, Abolition International, Stop Sex Trafficking Now, and others who have volunteers putting their lives and quality of life on the line because of horrific failures of device makers to curb the catastrophic effects of pornography. The tremendous amount of government resources through law enforcement agencies that has had to be re-diverted to combat cyber crime because of the natural consequence of unregulated pornography would be substantially decreased if Apple would adopt the Plaintiff's

reasonable request. Apple should join the fight against sex trafficking, not support sex trafficking.

68. IT IS APPLE'S DUTY NOT PORN CONTENT MAKERS: It is not by accident that legislative prerogatives have imposed a rating system on traditional movies produced in Hollywood in establishing censorship. If Apple would merely be the leader in amending its control panels to block porn and install filtering software in a material way, it will cut back on the number of those whose lives become harmed by pornography and sex crimes. Apple should make these adjustments because unlike porn content providers, Apple has a long track record of caring more about its clients than it does making money. Porn content makers care only about money because they are morally bankrupt. Yet, Brick and mortar porn shop's financial interest will be advanced through the adaptation of this reasonable solution. Regarding such physical porn providers, there is a built in accountability which reduced the number of porn users in the past because they have to take additional steps to get porn. Filterless devices removed those steps and exploited human nature in the same way the greed driven cigarette manufacturers did in the 1920s.

69. Before the internet, porn customer would have to drive in public and purchase items and might be concerned that his car might be recognized in the parking lot of the "porn shop;" there was more accountability due to a decrease in anonymity.

Cities have zoned a lot of those types of porn shops and strip clubs to remote locations because it is no secret that they produce more harm than good in society (because of what the content does to the human heart). Society has always had an interest in not making porn illegal, but to make it difficult to access. That task should not just fall on the government but on pro-family businesses like Apple. By requiring Apple to install filtering software or to preset control panels in a material way to block porn would require those who want to gain access to porn to have to take additional steps to get it in the same kind of way that is accomplished by city zoning. To get to physical porn shops, additional steps must be taken. Likewise, to get to digital porn sights, additional steps should be taken. Companies, like Apple, that create devices that hook up to the internet should be responsible for seeing to it that additional steps are taken, instead of making those who many not full understand the damaging qualities of porn to take additional steps to install blocking software. The burden should not be on the those who do not want to have their lives ruined by pornography to have to down load filtering programs or to figure out how to set their control panels to block such content.

70. The Plaintiff was injured by the product he purchased from Apple, which was an unintended consequence of that purchase. Therefore, he has standing to sue and the injury has materialized into fruition so the matter is ripe. Although it could be suggested that one of his motivations for filing the lawsuit is that he is greatly

concerned for the youth of America. But this Court and Apple should stand with the Plaintiff in his concern, not as his adversary.

71. For every 400 movies made in Hollywood, there are 11,000 pornography movies made. That is because porn is addicting, and different more extreme content is demanded, which porn makers are happy to supply. Apple's hands are not clean in these matters because without the mechanical device void of filters, the destructive content would remain unobserved.

72. The Plaintiff does not want Apple to alter control settings to block porn because he does not like porn, but because he is wired to love it to the point of addiction. Countless males, like the Plaintiff, needed Apple to protect them from themselves, given the biological make up of males to be attracted to females as a result of sight.

73. The Plaintiff has never smoked a single cigarette in his life. The Plaintiff has never tried illegal drugs a single time in his life. The Plaintiff very rarely drinks alcohol. The Plaintiff demonstrated addictive behavior which required treatment as a result of his use of his Apple product as it was intended.

(If the Plaintiff were to try heroin, he suspects he would like it, but he does not think he would like what it would do to his life overall. That same analogy applies here. The Plaintiff did not intend to form a pornography addiction. He certainly

does not like what it has done to his personal life in terms of causing the loss of his wife and child.)

74. The Plaintiff is not a proponent of making porn illegal. "Being human should not be against the law." That is, members of society should not be prosecuted for "being human." Legislating morality to the extreme because of the nature of the human heart. Sex addiction is distinct from chemical addiction in that all humans are born with sexual impulse and desires. It comes from the inside using the natural, whereas drug addiction is developed as the result of external components.

75. The Plaintiff is a former combat veteran and Army officer, having served in on Title 10 in an environment where morality was legislated. Given the dangers of war and the special mission of our armed forces Soldiers operated in an environment of higher disciplinary standards for good cause. The Plaintiff observed first hand that efforts to outlaw all vices does not necessarily work. (In making sex and alcohol illegal, other forms of vices developed and became widespread, such as gossip and envy). The Plaintiff is by no means seeking an absolute band on pornography that is well defined within protected speech. However, the circumstances warrant that Apple place reasonable limitations on harmful speech for the benefit of everyone.

76. The Plaintiff is not a proponent of legislating morality in the extreme. Nor does he believe that citizens should be punished for being human. Sex is one of the most

sacred gifts bestowed upon us by the benevolent creator Himself. But healthy sex is all about context, not shame, perversion, deviance, attention, and infidelity. It is self-evident that sex is sacred because it produces actual life. The Plaintiff does not desire to have a sexual preference to his Mac Book over a tangible female because images on line are taking advantage of his biological hardwiring. Porn addiction caused the Plaintiff to no longer tell the different between viral sex and actual sex. The Plaintiff had to get counseling for this, which Apple should be held accountable for by granting the Plaintiff's request. Apple failed to provide any warning or take any measures whatsoever to safeguard the Plaintiff from being injury in a manner that was entirely foreseeable from Apple's prospective.

77. All of these damaging events could have easily be avoided if pro-family device makers, such as Apple, would do the right thing, by (1) recognizing the realities of human nature when it comes to sex, spirituality, and biological make up; (2) recognizing the implications of pornographic content - especially porn on the intern, its unique private accessibility, and accessible nature; (3) protecting male consumers who are hardwired to be attracted to porn by do not like how it destroys everything. (When McDonalds was sued for causing obesity, McDonalds still sold the same old fattening products, but also made healthier food options available. Here in the instant case, the Plaintiff's request is seeks a similar result in some respects. The Plaintiff's proposal is not asking that Apple sell devices that never



allow the purchaser to view unhealthy porn. If the individual was over 18 years of age, Apple could make it possible for the viewers who desire to assume the risk to take steps to get an access code in person at the Apple store in order to be able to remove the filter. If the evidence demonstrates that the consumer is not 18 years of age, then the purchaser should not be given the access code.

78. The Plaintiff believes that Stanford Psychologist, Philip Zimbardo, who authored, the Demise of Guys, be employed by Apple to draft the notice required for a consume to who seeks the password to remove the filter. That notice can be derived from this lecture on the Demise of Guys: See: <http://www.youtube.com/watch?v=FMJgZ4s2E3w>. (Millions of young men are flaming out academically, socially, emotionally, economically, spiritually, relationally, mentally, and physically as a result of viewing porn on-line, which should have all of us concerned).

79. Most porn sights no longer require that the visitor click to confirm that they are 18 and up, which is totally sham form of accountability regardless. Given the free flow of information on the internet, it is virtually impossible to regulate the smut industry; however, device providers like Mac, PC, and mobile devises can be regulated by this Court if necessary, which will create the requisite desired regulation.

80. Mac could save the countless marriages, impact generations to come, and

reduce addictive nature of teenager if instead of making it to where the user has to take proactive steps to block pornographic images that the devices sold already come with pornographic images being blocked. That is, instead of having to proactively maneuver to add filters. Filters could be in place that the purchaser could take proactive steps to have it removed.

81. The Plaintiff's burdenless and reasonable request on the Defendant does limit speech but not to the extent to violate the First Amendment rights of porn makers. The fact that porn is destructive to more than just the viewer is inherent on its face. All one has to do is to imagine that the girl in the video or picture is there daughter or future wife to understand that porns adverse effect on the participants future family. Having restrictions found in the simple solution recommended by the Plaintiff does not affront the time, place, and manner requirements under the First Amendment to the United States Constitution.

82. Likewise, here in the instant case, there is minimal burden on the device provider to sell computers with software installed that already blocks porn. If Mac sells computer with Safari software on it, then it could easily install software that blocks porn, which those who would like to take the steps to view such harmful content could take steps to have it removed.

83. Pornography addiction is diagnosed when an individual engages in the overuse or abuse of pornography to the extent that they experience negative consequences.

Looking at these images and videos that are all over the internet created a process that produced pain and provided escape from internal discomfort. As a direct consequence of purchasing his Mac book, the Plaintiff ultimately failed to control the behavior (powerlessness) and the continuation of the behavior despite significant negative consequences. The Plaintiff used the product as it was intended and was injured as a result.

84. Arousal addiction is different from chemical addiction in that the addict wants "different," not more, to achieve the "fix." And the industry is supplying the demand because device makers are enabling it by non action.

85. The Plaintiff's brain was digitally rewired for change, novelty, excitement, and constant arousal.

86. Porn is in fact one of the most search topics on the internet. It is estimated that 13% of all internet searches annually were for erotic content. Its unavoidable and all over the place. All this Court and Apple need to do to side with the Plaintiff in his concern is picture their grandparents doing searches on line and stumbling into pornographic acts involving their grand kids.

87. On May 24, the Plaintiff mailed the following demand to Apple's Legal Department located at 1 Infinite Loop Cupertino CA, 95014.

I love Apple. I believe that its intentions are good and that it is a pro family based company. Apple could be a major source of influence to promote the greater good.

However, I have an urgent and critical demand that I will not compromise on. Please, Apple, you must do this: when you sell a device computer, iPhone, and the like - please install filtering software that automatically blocks porn, which is addicting and categorically destructive. Apple should control the password that allows the filter to be removed because it protects its customers and third parties from accidentally using Apple products in ways that could harm them and others. The burden should be on the purchaser to take the additional step to request the password from apple to remove the porn filters. Requiring an Apple customer to take the additional steps to seek out, download, and install filtering software is unfair and outrageous, while being in complete contradiction to the law regarding strip clubs and bricks and mortar sex shops outside of cyberspace. The onus should be on the customers, who want to view porn, to take intentional steps to remove the preset filtering software in order to view pornographic images at their own risk. In order to remove the software, Apple should require the purchaser to show proof that they are over 18. Secondly, Apple should require those who seek to remove the filter to acknowledge the inherent dangers of viewing porn online before providing them with the password. If Apple will take my suggestion it will ward off future litigation because Apple's products that are recklessly being sold without filters is damaging our world. Under the First Amendment to the United States Constitution, my suggestion does not place an unreasonable limitation to the time, place, and manner in which pornographic content can be accessed. My demand shifts the burden from off of those who do not want to accidentally see porn to those who do to take the steps to accomplish that. The studies found by Professor Philip Zimbardo of Standford University are true in every respect, as it applies to me.

Porn caused me to have arousal addiction, depression, anxiety, and other issues. It has destroyed my life - ruined my marriage - caused me to be unemployed. I will continue to be in counseling for the rest of my life as a direct consequence of my accidental encounter with pornography online. When I bought my Apple products, I did not know that I would be so damaged by the porn content. There were no warnings anywhere. Apple materially breached its duty to me, and I have sustained irreparable injury. I used the Apple product as it was intended, and the quality of my life has been devastated by it. My Mac came with Safari already installed on it. I used my Mac as intended and it harmed me greatly. As a male, I am hardwired to like looking at naked women. Apple knows this to be true of all men who purchase their products. If Apple had sold me the computer with software set to block porn, then I would not have taken the steps to remove it, and consequently, my life, health, and overall well being would not have be decimated.

Apple's employees consists of women, men, women, husbands, wives, and grandparents, nearly all of whom support my reasonable proposal. For the sake of our children and for the generations to come Apple should adopt my suggestion. After 10 days, I will be filing a lawsuit in the United States District Court for the Middle District Of Tennessee, under diversity and federal question jurisdiction, seeking injunctive and other forms of relief, if this demand is not satisfied.

### COUNT ONE FRAUDULENT MISREPRESENTATION

88. The Plaintiff realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

89. The Apple intentionally misrepresented to the Plaintiff a material fact in regards to the dangers of the Apple devise in so far as it allowed him to observe content on the internet that damaged him.

90. Because the Plaintiff reasonably relied on the misrepresentation that use of the Mac Book was safe, the Plaintiff continued his use of safari and suffered severe loss of enjoyment of life, loss of his capacity to earn a living, medical expenses, physical and mental pain and suffering.

91. Apple did nothing to safeguard the Plaintiff from viewing content that was harmful to the Plaintiff in using the devise.

### COUNT TWO PRODUCTS LIABILITY

92. The Plaintiff realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein. Plaintiffs aver that

Apple, by processing, manufacturing or furnishing electronic devices that allowed unfiltered access to addictive content that was a significant and substantial health risk to the public at large, and more particular, to the Plaintiff, violated the Tennessee Products Liability Act of 1978, T.C.A. § 29-28-101, et seq. - T.C.A. § 29-28-105 provides that manufacturers, processors, or finishers who provide products which are unreasonably dangerous are held strictly liable for any injury to a person caused by that product.

93. Apple provided devices that knowingly provided access to harmful content on line that causes addiction. Apple could have taken a few easy steps to ensure that its product was safe but failed to do so. (If Apple can install safari software to connect to the internet, it can install filtering software to protect the customer from unwillingly coming into contact with content that causes damage).

94. As manufacturer, processor, or furnisher of a device that allowed the Plaintiff to access addictive content without warning, Apple processed a finished product which was unreasonably dangerous or defective pursuant to T.C.A. § 29-28-102(2) (8) inasmuch as the danger of accessing unfiltered pornography that causes addiction was not one that would have been contemplated by the ordinary consumer and inasmuch as the content accessible through the use of the Mac proved it to be defective or in a dangerous condition that it would not have been furnished to the public by a reasonable prudent manufacturer, processor, or

furnisher.

95. Apple sold a Mac Book to the consumer with software to access the internet without any filters to block addicting pornography. Apple failed to provide any warning whatsoever that viewing pornography online could be psychologically harmful and addicting.

96. Mac Book was in an unsafe condition without having installed filtering porn software or control settings that block porn at the time it left the Macintosh Plant.

97. The Plaintiff avers that the injuries suffered were a direct and proximate result of the unreasonably dangerous or defective condition of the Mac Book created by Apple in the absence of pre-set filters upon sale. Apple, knowing the damaging and addicting qualities of pornography, is liable and answerable to the Plaintiff for the injuries suffered.

**OUTRAGEOUS CONDUCT AND INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS**

98. The Plaintiff realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein. Apple knew or should have known that the Plaintiff is chemically and biologically designed to be attracted to females by sight.

99. Apple knew or should have know that the Plaintiff could accidentally stumble

upon pornographic images that would real him in to the point of causing arousal addiction.

100. Apple knew or should have know that the impact of such a condition could destroy the Plaintiff's family, quality of life, income producing capability, and so forth.

101. Apple could have easily sold its devise with filtering software installed which required the Plaintiff to take an additional step to acquire a password that was specifically designed to have the filter removed.

102. The foreseeable and proximate cause of the injuries inflicted on the Plaintiff directly stem from Apple's failure to act.

103. The fact that Apple was well aware of the of damaging qualities of pornography but did not provide any warnings to the Plaintiff of how the content assessable on the Apple product could cause him injury.

104. The burden placed on Apple to make the adjustment

#### NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

105. The Plaintiff realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

106. Defendants owed the Plaintiff a duty of care by selling him a device that would not cause him mental, physical, and emotional injuries and diminish the quality of his life.

107. Apple breached their duty of care by negligently, accidentally or recklessly creating a punishing, hazardous and unduly harsh living environment, by negligently, accidentally or recklessly failing to safeguard the mental and physical health and well-being of Plaintiff by selling him a device that was not set on "safe



mode," and by negligently, accidentally or recklessly failing to provide plaintiff with notice of the dangers of pornography that was accessible through the device.

108. Apple's breach of this duty directly and proximately caused the Plaintiff to suffer damages, mental and emotional, including fear, humiliation, depression, severe physical, thrill seeking, and emotional distress and an untreated ulcer from losing his wife and child.

109. As a result, the Plaintiff has been damaged in an amount to be determined at trial.

110. WHEREFORE,

1. Plaintiff demands a preliminary and permanent injunction be imposed on all Apple devices going forward that requires the installation of software that makes reasonable attempts to block pornography on line. The Plaintiff asks that this software not be removable if the purchaser is under 18 years of age. If the purchaser is over 18 and would like to remove the filter, Apple should be required to provide a password to do so after the buyer acknowledges a warning provided by Apple of the dangerous of viewing pornographic content.

2. The Plaintiff demands that Apple make a donation to A21, Stop Sex Trafficking Now, International Justice Mission, Orphan Secure, and Abolition International to assist in their effort to combat the systemic problems that have stemmed from

Apple's negligent decision to not safeguard its customers from the inherent dangers of viewing pornography.

3. The Plaintiff demands that he be an amount over \$75,010 to cover loss of income, medical expenses, costs, disbursements, reasonable attorneys fees, interest, for his personal damages, and whatever other relief the Court deems just and equitable.

4. The Plaintiff demands that Apple issue a public statement about the dangerous of viewing pornography on line consistent with the finding of these scholars and professors from Stanford University memorialized in their publications entitled "The Demise of Guys" and summarized in this video: <http://www.youtube.com/watch?v=FMJgZ4s2E3w>

Thanks so much,  
s/Chris Sevier Esq./  
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