

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF  
MASSACHUSETTS

Deborah Caine, individually and on behalf of all others similarly  
situated v. Sturdy Memorial Hospital, Inc.

Caine · No. 25-cv-10261-ADB · Decided March 10, 2026

SUMMARY

The United States District Court for the District of Massachusetts grants Sturdy Memorial Hospital's motion to dismiss a putative class action alleging that Google Analytics on the hospital's website intercepted and disclosed patients' health information. The court holds that the complaint does not plausibly allege that Sturdy Memorial intercepted communications for the purpose of committing a criminal or tortious act under the Electronic Communications Privacy Act's crime-tort exception. The court dismisses the federal claim without prejudice, declines supplemental jurisdiction over the state-law claims, and denies the plaintiff's motion to amend as moot.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Massachusetts                                                                                                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | Allison D. Burroughs                                                                                                                                                                                                                                                                                                                                                                             |
| JURISDICTION          | United States District Court for the District of Massachusetts                                                                                                                                                                                                                                                                                                                                   |
| DECIDED               | March 10, 2026                                                                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 25-cv-10261-ADB                                                                                                                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE    | Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the amended complaint. Plaintiff separately moved to amend the complaint. The court dismissed the sole federal claim without prejudice, declined supplemental jurisdiction over the state-law claims, and denied the motion to amend as moot while granting leave to amend.                                            |
| STANDARD OF REVIEW    | On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true, views them in the light most favorable to the plaintiff, draws reasonable inferences for the plaintiff, and considers whether the complaint states a plausible claim for relief. The court may also consider documents incorporated by reference, matters of public record, and matters susceptible to judicial notice. |

## TOPICS

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## PRACTICE AREAS

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electronic communications privacy

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statutory interpretation

## QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged that Sturdy Memorial intercepted electronic communications for the purpose of committing a criminal or tortious act under the ECPA's crime-tort exception, 18 U.S.C. § 2511(2)(d).
2. Whether the court should exercise supplemental jurisdiction over the state-law claims after dismissing the sole federal claim.
3. Whether plaintiff's motion to amend should be granted after dismissal of the federal claim.

## HOLDINGS

1. The ECPA crime-tort exception does not require specific intent to commit a crime or tort or an intent to harm, but it does require facts showing that the defendant purposefully, rather than merely knowingly or negligently, committed a criminal or tortious act.
2. Caine failed to plausibly allege that Sturdy Memorial purposefully acquired individually identifiable health information without authorization or purposefully intruded upon her seclusion; therefore, the ECPA claim failed.
3. The court declined to exercise supplemental jurisdiction over the remaining state-law claims after dismissing the sole federal claim.

## KEY QUOTATIONS

*“Accordingly, to state a claim under the ECPA’s crime-tort exception, Caine must plead facts showing that Sturdy Memorial purposefully—not merely knowingly or negligently—committed criminal or tortious acts.”* (8)

*“Because the Amended Complaint does not plausibly allege that Sturdy Memorial intercepted communications “for the purpose of committing [a] criminal or tortious act,” 18 U.S.C. § 2511(2)(d), the ECPA claim fails, and Count I is DISMISSED.”* (9)

## FACTUAL BACKGROUND

Sturdy Memorial operated a health-care website and patient portal that users could use to research medical conditions, locate providers, book appointments, access medical records, and communicate with providers.

Caine alleged that Sturdy embedded Google Analytics, which transmitted users' health-related searches, provider information, portal activity, and IP addresses to Google without consent or knowledge. She alleged that Sturdy's conduct violated the ECPA and various Massachusetts laws, breached fiduciary and implied contractual duties, and constituted negligence.

## PROCEDURAL HISTORY

Caine filed the action in Suffolk Superior Court on July 24, 2024. After filing an amended complaint adding an Electronic Communications Privacy Act claim, Sturdy Memorial removed the case under 28 U.S.C. §§ 1441(c) and 1331. Sturdy Memorial moved to dismiss, and Caine moved to amend to add more specific private-health-information allegations. The court granted dismissal of the ECPA claim without prejudice, declined supplemental jurisdiction over the remaining state claims, granted leave to amend within 21 days, and denied the pending amendment motion as moot.

## DISPOSITION

dismissed

## CASES CITED

- *Ruivo v. Wells Fargo Bank, N.A.*, 766 F.3d 87, 90 (1st Cir. 2014)
- *Giragosian v. Ryan*, 547 F.3d 59, 65 (1st Cir. 2008)
- *In re Colonial Mortgage Bankers Corp.*, 324 F.3d 12, 20 (1st Cir. 2003)
- *United States ex rel. Hutcheson v. Blackstone Medical, Inc.*, 647 F.3d 377, 383 (1st Cir. 2011)
- *MIT Federal Credit Union v. Cordisco*, 470 F. Supp. 3d 81, 84 (D. Mass. 2020)
- *Haley v. City of Boston*, 657 F.3d 39, 46 (1st Cir. 2011)
- *Cardigan Mountain School v. New Hampshire Insurance Co.*, 787 F.3d 82, 84 (1st Cir. 2015)
- *Pitta v. Medeiros*, 90 F.4th 11, 17 (1st Cir. 2024)
- *Gagliardi v. Sullivan*, 513 F.3d 301, 305 (1st Cir. 2008)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Frith v. Whole Foods Market, Inc.*, 38 F.4th 263, 270 (1st Cir. 2022)
- *Rodríguez-Reyes v. Molina-Rodríguez*, 711 F.3d 49, 53 (1st Cir. 2013)
- *In re Group Health Plan Litigation*, 709 F. Supp. 3d 707, 719 (D. Minn. 2023)
- *In re Meta Pixel Healthcare Litigation*, 647 F. Supp. 3d 778, 797 (N.D. Cal. 2022)
- *Thomas v. Pearl*, 998 F.2d 447, 451 (7th Cir. 1993)
- *Meredith v. Gavin*, 446 F.2d 794, 799 (8th Cir. 1971)
- *United States v. McHugh*, 57 F. Supp. 3d 95, 100 (D. Mass. 2014)
- *Stein v. Edward-Elmhurst Health*, No. 23-cv-14515, 2025 WL 580556, at \*6 (N.D. Ill. Feb. 21, 2025)
- *Doe v. Lawrence General Hospital*, No. 25-cv-10081, 2025 WL 2808055, at \*12, \*20 (D. Mass. Aug. 29, 2025)

- **United Mine Workers of America v. Gibbs**, 383 U.S. 715, 726 (1966)

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