

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Reynaldo Gonzalez v. Google LLC

No. 18-16700, United States Court of Appeals for the Ninth Circuit (January 3, 2022)

SUMMARY

The Ninth Circuit denied rehearing en banc, leaving intact the panel's affirmance of dismissal of plaintiffs' Anti-Terrorism Act claims against Google. The panel held that most claims were barred by Section 230 of the Communications Decency Act, and the remaining claims failed to state a claim. Judge Gould dissented from the denial, reiterating his earlier panel dissent.

CASE DETAILS

COURT	United States Court of Appeals for the Ninth Circuit
WRITING FOR THE COURT	Ronald M. Gould; Marsha S. Berzon; Morgan Christen
JURISDICTION	Federal
DECIDED	January 3, 2022
DOCKET	18-16700
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from district court dismissal; petition for panel rehearing and rehearing en banc denied.
PRECEDENTIAL VALUE	Published
PARTIES	Reynaldo Gonzalez, Estate of Nohemi Gonzalez, Beatriz Gonzalez, Jose Hernandez, Rey Gonzalez, Paul Gonzalez v. Google LLC

TOPICS

appellate procedure

civil procedure

statutory interpretation

KEY QUOTATIONS

"I respectfully dissent from denial of rehearing en banc for the reasons stated in my panel opinion dissenting in part in Gonzalez v. Google LLC, 2 F.4th 871, 918–52 (9th Cir. 2021)."

FACTUAL BACKGROUND

Plaintiffs, family members of victims of a 2015 terrorist attack in Paris, sued Google under the Anti-Terrorism Act, alleging that Google's YouTube platform recommended videos from ISIS, thereby aiding and abetting

international terrorism.

PROCEDURAL HISTORY

The district court dismissed plaintiffs' action under the Anti-Terrorism Act. The panel affirmed the dismissal, holding that most claims were barred by § 230 of the Communications Decency Act and plaintiffs otherwise failed to state a claim. The panel issued its opinion at 2 F.4th 871 (9th Cir. 2021). Plaintiffs petitioned for rehearing and rehearing en banc, which this order denies.

DISPOSITION

other

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