

Dept. of Justice: AG Kaul joins multistate coalition in continuing fight to end Facebook's illegal monopoly

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MADISON, Wis. – Attorney General Kaul recently joined a bipartisan coalition of 48 attorneys general from around the nation in continuing to fight to end Facebook's illegal efforts to stifle competition and protect its monopoly power. The coalition filed an appeal brief arguing that the district court's ruling dismissing the states' case was in error. The coalition argues that the court was wrong to dismiss their case as time-barred, and made additional legal and factual errors. Over the last decade, Facebook, now known as Meta, illegally acquired competitors in a predatory manner and cut or conditioned services to smaller threats — depriving users of the benefits of competition and reducing privacy protections and services along the way — all in an effort to boost its bottom line through increased advertising revenue.

"Facebook cannot be allowed to keep exercising and misusing its monopoly power," said Attorney General Josh Kaul. "We are continuing to work with the overwhelming majority of states to seek to hold Facebook accountable."

In December 2020, the coalition filed a lawsuit in the U.S. District Court for the District of Columbia to stop Facebook's anticompetitive conduct. The company filed a motion to dismiss, which was granted by the court last summer. Today's appeal to the U.S. Court of Appeals for the D.C. Circuit asks the court to allow the coalition of attorneys general to move forward with their suit.

Separately, the Federal Trade Commission (FTC) also filed an amended complaint against Facebook in the U.S. District Court for the District of Columbia. In a ruling earlier this week, the court denied Facebook's motion to dismiss the FTC's complaint, allowing the FTC to proceed.

The appeal is being led by an executive committee comprised of the attorneys general of California, Colorado, Florida, Iowa, Nebraska, North Carolina, Ohio, Tennessee, and the District of Columbia. The executive committee is joined by the attorneys general of Alaska, Arizona, Arkansas, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the territory of Guam.