

Judge Cites Jenner's Amicus Brief in Blocking California Internet Law

News

September 18, 2023

A federal judge repeatedly cited Jenner & Block's amicus brief in an order blocking California from enforcing a law that, among other measures, requires businesses to estimate the ages of online child users and configure privacy settings for them.

State legislators passed the California Age-Appropriate Design Code Act last year. Signed into law by Governor Gavin Newsom, the law was scheduled to take effect next July 1.

But NetChoice, a trade group whose members include Amazon, Google, Meta, and TikTok, sued last December to block the law. In *NetChoice v. Bonta*, the group argues that the act represents a "sweeping restriction that requires websites to try to determine their users' ages and to restrict access to constitutionally protected speech."

On behalf of Eric Goldman, a professor at Santa Clara University School of Law, our team submitted an amicus brief supporting NetChoice's motion for a preliminary injunction.

In granting that injunction on September 18, US District Judge Beth Labson Freeman noted from our brief that "the steps a business would need to take to sufficiently estimate the age of child users would likely prevent both children and adults from accessing certain content."

Judge Freeman went on to write: "Further, as noted in Professor Goldman's amicus brief, age estimation is in practice quite similar to age verification, and—unless a company relies on user self-reporting of age, which provides little reliability—generally requires either documentary evidence of age or automated estimation based on facial recognition."

Jenner's team producing the brief included Partners Jessie Amunson and Lindsay Harrison, Senior Paralegal Cheryl Olson, Manager of Docketing Services Tyler Edwards, and former associate Danny Li.

Related Attorneys



Jessica Ring Amunson

Partner

jamunson@jenner.com

+1 202 639 6023



Lindsay Harrison

Managing Partner, Washington, DC

lharrison@jenner.com

+1 202 639 6865

Related Capabilities

Data Privacy and Cybersecurity

Litigation

Related Locations

Washington, DC

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number

615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

