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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Privacy Suit Rips Tesla's 'Invasive' Camera Recordings

By **Linda Chiem**

Law360 (April 10, 2023, 6:46 PM EDT) -- Tesla was hit with a proposed class action alleging its vehicles surreptitiously recorded videos and images of customers' homes and personal activities that Tesla employees then shared as gossip fodder in internal messages, in violation of consumer privacy laws.

San Francisco resident Henry Yeh filed a **proposed class action** in Northern California federal court Friday alleging the cameras on Tesla Inc. vehicles outfitted with advanced driver-assistance systems, such as Autopilot, captured "highly invasive" videos and images of vehicle owners, their homes and private activities.

Tesla's Autopilot system, which relies on cameras and sensors, can be activated to perform certain functions like steering, navigating, turning, changing lanes, accelerating and braking, but a human driver still has to be behind the wheel.

Some recordings appeared to have been made when cars were parked and turned off, and showed customers doing laundry or other "intimate things," the complaint alleges. And from 2019 to 2022, Tesla employees viewed and shared the sensitive videos and images collected from the cameras on customers' cars for their own "tasteless and tortious entertainment" rather than for legitimate business purposes, the complaint alleges.

Yeh, who owns a 2022 Tesla Model Y, accuses Tesla of egregiously violating California consumer protection laws and its own privacy policy. For example, Tesla has repeatedly assured its customers that their "privacy is and will always be enormously important to us," that the cameras in its vehicles are "designed from the ground up to protect your privacy" and that "camera recordings remain anonymous" and aren't linked to a customer or customer's vehicle, according to the complaint.

"Tesla's conduct in violating privacy rights and reasonable expectations of privacy of plaintiff and class members is particularly egregious," Yeh alleged in the complaint. "Tesla captures recordings of people vulnerable on their own property, in their own garages, and even in their own homes, including at least one instance where Tesla cameras captured video of a man naked in his home."

"By virtue of this defective system, Tesla employees accessed and circulated recordings of Tesla customers in private and embarrassing situations, without their consent including, for example, video of a man approaching a Tesla vehicle completely naked, and video of vehicle crashes and road-rage incidents," Yeh alleged in the complaint.

"Tesla employees also shared pictures of family pets, which were made into memes by embellishing them with captions or commentary before posting them in group chats. While some postings were only shared between a few employees, others could be seen by 'scores' of Tesla employees. And as is common with internet culture, many of these videos and images were very likely shared with persons outside the company."

Tesla could not be immediately reached for comment Monday.

Yeh is represented by Jack Fitzgerald, Paul K. Joseph, Melanie Persinger, Trevor M. Flynn and Caroline S. Emhardt of Fitzgerald Joseph LLP and Timothy G. Blood, Thomas J. O'Reardon and James M. Davis of Blood Hurst & O'Reardon LLP.

Counsel information for Tesla was not immediately available Monday.

The case is Henry Yeh v. Tesla Inc., case number 3:23-cv-01704, in the U.S. District Court for the Northern District of California.

--Editing by Dave Trumbore.

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