Rel: November 20, 2026

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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2026-2027

SC-2026-0255

Ex parte Meta Platforms, Inc.

PETITION FOR WRIT OF MANDAMUS

(In re: Steven Burns et al.

v.

Meta Platforms, Inc.)

(St. Clair Circuit Court: CV-23-900235)

STEWART, Chief Justice.

Meta Platforms, Inc. ("Meta"), petitions this Court for a writ of mandamus directing the St. Clair Circuit Court ("the circuit court") to dismiss the action commenced against it by Steven Burns, Charmaine Starnes, Sandra Garrison, David Wang, Monica Wang, Kristi Briggs-Holley, and Heather Weaver ("the plaintiffs"). Because the circuit court lacks personal jurisdiction over Meta, we grant the petition and issue the writ.

Facts and Procedural History

Meta operates the social-media platform known as Facebook. Meta, which was formerly known as "Facebook, Inc.," is a Delaware corporation with its principal place of business located in California. In 2018, a nationwide class action was commenced in the federal District Court for the Northern District of California alleging that Meta had improperly permitted Facebook users' private information to be shared with third parties ("the class action"). See In re Facebook, Inc. Consumer Priv. User Profile Litig., 655 F. Supp. 3d 899 (N.D. Cal. 2023). Following a proposed settlement of the class action, the plaintiffs were permitted to opt out of the class action.

On October 11, 2023, the plaintiffs commenced an action in the circuit court asserting various tort theories of recovery against Meta, including claims of fraud, breach of privacy, conversion, the tort of outrage, and wantonness. The factual allegations included in the plaintiffs' complaint were consistent with the facts alleged in the class action. The plaintiffs' generally allege that, notwithstanding Facebook's terms of service or Facebook users' privacy settings, Meta permitted third-party software developers to access users' personal data. The complaint included the following allegations:

> "[Meta] is a corporation organized under the laws of the State of Delaware and which conducts business in this County and throughout Alabama. Its principal office is located in Menlo Park, California. Its registered agent for service in Alabama is Corporation Service Company Inc. …
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> "The events giving rise to the claims made the basis of this lawsuit arise from each Plaintiff's personal use of their personal internet connected devices, including their cell phone devices. Each Plaintiff's use of their personal internet connected devices, including their cell phone devices, have regularly taken place in St. Clair County, Alabama.
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> "….
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> "Plaintiffs are each Facebook users that each have ownership of their mobile devices, internet-connected devices and/or other personal internet-connected hardware devices. Each Plaintiff maintains custody of their internet-connected device in Alabama. [Meta] relies on Plaintiffs to operate their

> Alabama-based mobile devices and hardware devices to 'download' or otherwise allow [Meta] to place its software onto the Plaintiff's device; i.e. an 'App'. Without Plaintiffs' hardware device, [Meta] would have no means of distributing its software product known as 'Facebook'. In order to convince the Plaintiffs and other users to download Facebook, Meta has made representations about the Plaintiff's property/data contained on their persona devices, and made representations that the Plaintiffs and other users have the ability to control access and distribution of property and data when using 'Facebook'. Meta has suppressed many facts related to the Plaintiffs and users' data. This Complaint contains allegations that show that Meta's privacy settings were a misrepresentation and a suppression of facts to the Plaintiffs."

The plaintiffs alleged that Meta improperly shared the personal information of approximately 87 million Facebook users, 1,385,169 of which were from Alabama.

On September 2, 2025, Meta moved to dismiss the plaintiffs' action, arguing, among other reasons, that the circuit court lacked personal jurisdiction over Meta. In its motion, Meta argued that the plaintiffs had not alleged any suit-related conduct by Meta in Alabama. Nor, Meta argued, had the plaintiffs alleged any facts that could support general personal jurisdiction in Alabama. In response to Meta's motion, each plaintiff submitted a similarly worded affidavit stating, in part:

> "I use Meta's Facebook platform usually on my personal cell phone which is primarily located within St. Clair County. My

> data and personal information in Facebook is held in the 'Facebook App' and that App is located on my cell phone here in Alabama. My data and personal information has been created by me through my use, and input here in Alabama on my personal device."

The plaintiffs also submitted documents regarding Meta's operation of a data center in Huntsville and its plans to construct a data center in Montgomery.

On February 27, 2026, the circuit court entered an order denying Meta's motion to dismiss, concluding that it had specific personal jurisdiction over the plaintiffs' claims against Meta. This petition followed.

Standard of Review

> "'"A writ of mandamus is an extraordinary remedy, and is appropriate when the petitioner can show (1) a clear legal right to the order sought; (2) an imperative duty upon the respondent to perform, accompanied by a refusal to do so; (3) the lack of another adequate remedy; and (4) the properly invoked jurisdiction of the court. Ex parte Inverness Constr. Co., 775 So. 2d 153, 156 (Ala. 2000)."'
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> "Ex parte Gulf Health Hosps., Inc., 321 So. 3d 629, 632 (Ala. 2020)(quoting Ex parte BOC Grp., Inc., 823 So. 2d 1270, 1272 (Ala. 2001)).
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> "'"[A] petition for a writ of mandamus is the proper device by which to

> challenge the denial of a motion to dismiss for lack of in personam jurisdiction. See Ex parte McInnis, 820 So. 2d 795 (Ala. 2001); Ex parte Paul Maclean Land Servs., Inc., 613 So. 2d 1284, 1286 (Ala. 1993). '"An appellate court considers de novo a trial court's judgment on a party's motion to dismiss for lack of personal jurisdiction."' Ex parte Lagrone, 839 So. 2d 620, 623 (Ala. 2002)(quoting Elliott v. Van Kleef, 830 So. 2d 726, 729 (Ala. 2002)). Moreover, '[t]he plaintiff bears the burden of proving the court's personal jurisdiction over the defendant.' Daynard v. Ness, Motley, Loadholt, Richardson & Poole, P.A., 290 F.3d 42, 50 (1st Cir. 2002)."

"'Ex parte Dill, Dill, Carr, Stonbraker & Hutchings, P.C., 866 So. 2d 519, 525 (Ala. 2003).

> "'"'In considering a Rule 12(b)(2), Ala. R. Civ. P., motion to dismiss for want of personal jurisdiction, a court must consider as true the allegations of the plaintiff's complaint not controverted by the defendant's affidavits, Robinson v. Giarmarco & Bill, P.C., 74 F.3d 253 (11th Cir. 1996), and Cable/Home Communication Corp. v. Network Productions, Inc., 902 F.2d 829 (11th Cir. 1990), and "where the plaintiff's complaint and the defendant's affidavits conflict, the ... court must construe all reasonable inferences in favor of the plaintiff." Robinson, 74 F.3d at 255 (quoting

> Madara v. Hall, 916 F.2d 1510, 1514 (11th Cir. 1990))."'
>
> "'Wenger Tree Serv. v. Royal Truck & Equip., Inc., 853 So. 2d 888, 894 (Ala. 2002)(quoting Ex parte McInnis, 820 So. 2d 795, 798 (Ala. 2001)). However, if the defendant makes a prima facie evidentiary showing that the Court has no personal jurisdiction, "the plaintiff is then required to substantiate the jurisdictional allegations in the complaint by affidavits or other competent proof, and he may not merely reiterate the factual allegations in the complaint." Mercantile Capital, LP v. Federal Transtel, Inc., 193 F. Supp. 2d 1243, 1247 (N.D. Ala. 2002)(citing Future Tech. Today, Inc. v. OSF Healthcare Sys., 218 F.3d 1247, 1249 (11th Cir. 2000)). See also Hansen v. Neumueller GmbH, 163 F.R.D. 471, 474-75 (D. Del. 1995)("When a defendant files a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(2), and supports that motion with affidavits, plaintiff is required to controvert those affidavits with his own affidavits or other competent evidence in order to survive the motion.")(citing Time Share Vacation Club v. Atlantic Resorts, Ltd., 735 F.2d 61, 63 (3d Cir. 1984)).'
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> "Ex parte Covington Pike Dodge, Inc., 904 So. 2d 226, 229-30 (Ala. 2004)."

Ex parte Kentucky Farm Bureau Mut. Ins. Co., 428 So. 3d 21, 24-25 (Ala. 2025). If the complaint does not allege a factual basis upon which personal jurisdiction could be based, then there is nothing to "controvert by affidavit," and the defendant need not make an initial evidentiary

showing. See Ex parte Northstar Battery Co., 99 So. 3d 1204, 1207-08 (Ala. 2012) (stating that, in order to shift the evidentiary burden as to personal jurisdiction to the defendant, the complaint must allege facts upon which personal jurisdiction could be based), and Ex parte McNeese Title, LLC, 82 So. 3d 670, 673-74 (Ala. 2011) (holding that the failure to specifically allege the factual basis for the assertion of personal jurisdiction in the complaint relieves the objecting defendant of the burden of producing evidence negating jurisdiction).

Analysis

Alabama's long-arm rule, Rule 4.2, Ala. R. Civ. P., "extends the personal jurisdiction of Alabama courts to the full extent permitted by the Due Process Clauses of the United States and Alabama Constitutions." Hiller Invs., Inc. v. Insultech Grp., Inc., 957 So. 2d 1111, 1115 (Ala. 2006). The Due Process Clause "permits a forum state to subject a nonresident defendant to its courts only when that defendant has established sufficient 'minimum contacts' with the forum state." Elliott v. Van Kleef, 830 So. 2d 726, 730 (Ala. 2002) (quoting International Shoe Co. v. Washington, 326 U.S. 310, 316 (1945)). "The critical question … is whether the contacts are such that the nonresident

defendant '"should reasonably anticipate being haled into court"' in the forum state." Id. (quoting Burger King Corp. v. Rudzewicz, 471 U.S. 462, 473 (1985), quoting in turn World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286, 295 (1980)). The United States Supreme Court has recognized two types of personal jurisdiction: general jurisdiction and specific jurisdiction.

> "Since our seminal decision in International Shoe, our decisions have recognized two types of personal jurisdiction: 'general' (sometimes called 'all-purpose') jurisdiction and 'specific' (sometimes called 'case-linked') jurisdiction. Goodyear[Dunlop Tires Operations, S.A. v. Brown], 564 U.S. [915,] 919 [(2011)]. 'For an individual, the paradigm forum for the exercise of general jurisdiction is the individual's domicile; for a corporation, it is an equivalent place, one in which the corporation is fairly regarded as at home.' Id., at 924. A court with general jurisdiction may hear any claim against that defendant, even if all the incidents underlying the claim occurred in a different State. Id., at 919. But 'only a limited set of affiliations with a forum will render a defendant amenable to' general jurisdiction in that State. Daimler [AG v. Bauman], 571 U.S. [117,] 137 [(2014)].
>
> "Specific jurisdiction is very different. In order for a state court to exercise specific jurisdiction, 'the suit' must 'aris[e] out of or relat[e] to the defendant's contacts with the forum.' Id., at 127 (internal quotation marks omitted; emphasis added); see Burger King Corp. v. Rudzewicz, 471 U.S. 462, 472-473 (1985); Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414 (1984). In other words, there must be 'an affiliation between the forum and underlying controversy, principally, [an] activity or occurrence that takes place in the forum State and is therefore

> subject to the State's regulation.' Goodyear, 564 U.S., at 919 (internal quotation marks and brackets omitted). For this reason, 'specific jurisdiction is confined to adjudication of issues deriving from, or connected with, the very controversy that establishes jurisdiction.' Ibid. (internal quotation marks omitted)."

Bristol-Myers Squibb Co. v. Superior Court of California, San Francisco Cnty., 582 U.S. 255, 262 (2017).

First, the plaintiffs have not alleged facts supporting the exercise of general personal jurisdiction over Meta in Alabama. This Court has recognized that "conducting business in a forum -- even a substantial amount of business -- does not necessarily subject a corporation to general personal jurisdiction within that forum." In BNSF Railway Co. v. Tyrrell, 581 U.S. 402 (2017), the United States Supreme Court held that a railway company, BNSF, was not "at home" in the forum state for the purposes of general jurisdiction despite having over 2,000 miles of railroad track and more than 2,000 employees working in the forum state. The Court explained:

> "Goodyear[Dunlop Tires Operations, S.A. v. Brown, 564 U.S. 915 (2011),] and Daimler[AG v. Bauman, 571 U.S. 117 (2014),] clarified that '[a] court may assert general jurisdiction over foreign (sister-state or foreign-country) corporations to hear any and all claims against them when their affiliations with the State are so "continuous and systematic" as to render them essentially at home in the forum State.' Daimler, 571

U.S., at 127 (quoting Goodyear, 564 U.S., at 919). The 'paradigm' forums in which a corporate defendant is 'at home,' we have explained, are the corporation's place of incorporation and its principal place of business. Daimler, 571 U.S., at 137; Goodyear, 564 U.S., at 924. The exercise of general jurisdiction is not limited to these forums; in an 'exceptional case,' a corporate defendant's operations in another forum 'may be so substantial and of such a nature as to render the corporation at home in that State.' Daimler, 571 U.S., at 139, n.19. We suggested that Perkins v. Benguet Consol. Mining Co., 342 U.S. 437 (1952), exemplified such a case. Daimler, 571 U.S., at 139, n.19. In Perkins, war had forced the defendant corporation's owner to temporarily relocate the enterprise from the Philippines to Ohio. 342 U.S., at 447-448. Because Ohio then became 'the center of the corporation's wartime activities,' Daimler, 571 U.S., at 130, n.8, suit was proper there, Perkins, 342 U.S., at 448.

"....

"BNSF, we repeat, is not incorporated in Montana and does not maintain its principal place of business there. Nor is BNSF so heavily engaged in activity in Montana 'as to render [it] essentially at home' in that State. See Daimler, 571 U.S., at 127 (internal quotation marks omitted). As earlier noted, BNSF has over 2,000 miles of railroad track and more than 2,000 employees in Montana. But, as we observed in Daimler, 'the general jurisdiction inquiry does not focus solely on the magnitude of the defendant's in-state contacts.' Id., at 139, n. 20 (internal quotation marks and alterations omitted). Rather, the inquiry 'calls for an appraisal of a corporation's activities in their entirety'; '[a] corporation that operates in many places can scarcely be deemed at home in all of them.' Id., at 140, n.20. In short, the business BNSF does in Montana is sufficient to subject the railroad to specific personal jurisdiction in that State on claims related to the business it does in Montana. But in-state business, we clarified in Daimler and Goodyear, does not suffice to permit

> the assertion of general jurisdiction over claims … that are unrelated to any activity occurring in Montana."

BNSF, 581 U.S. at 413-14.

In this case, the plaintiffs have alleged that Meta is a Delaware corporation with its principal place of business located in California. Although the plaintiffs allege that Meta "conducts business … throughout Alabama," and has 1.3 million Alabama-based users, their complaint further indicates that Meta is a social-media and social-networking service company with tens of millions of users around the world. The plaintiffs' allegations and evidentiary submissions do not indicate the "exceptional case" where Meta's Alabama operations are so substantial as to render it "at home" in an Alabama forum. Accordingly, the circuit court does not have general jurisdiction over Meta. See Facebook, Inc. v. K.G.S., 294 So. 3d 122, 134 (Ala. 2019) (holding that allegation that Facebook, Inc., was "doing business" in Alabama was insufficient to permit exercise of general jurisdiction over it).

Turning to specific jurisdiction, the plaintiffs allege that they downloaded the Facebook app onto their mobile devices located in Alabama and that they interacted with Facebook through their use of that app, during which Meta improperly accessed and shared their

personal data. The plaintiffs argue that those allegations are sufficient for the circuit court to exercise specific personal jurisdiction over Meta.

> "Specific jurisdiction is different [from general jurisdiction]: It covers defendants less intimately connected with a State, but only as to a narrower class of claims. The contacts needed for this kind of jurisdiction often go by the name 'purposeful availment.' Burger King Corp. v. Rudzewicz, 471 U.S. 462, 475 (1985). The defendant, we have said, must take 'some act by which [it] purposefully avails itself of the privilege of conducting activities within the forum State.' Hanson v. Denckla, 357 U.S. 235, 253 (1958). The contacts must be the defendant's own choice and not 'random, isolated, or fortuitous.' Keeton v. Hustler Magazine, Inc., 465 U.S. 770, 774 (1984). They must show that the defendant deliberately 'reached out beyond' its home -- by, for example, 'exploi[ting] a market' in the forum State or entering a contractual relationship centered there. Walden v. Fiore, 571 U.S. 277, 285 (2014) (internal quotation marks and alterations omitted). Yet even then -- because the defendant is not 'at home' -- the forum State may exercise jurisdiction in only certain cases. The plaintiff's claims, we have often stated, 'must arise out of or relate to the defendant's contacts' with the forum. Bristol-Myers[Squibb Co. v. Superior Court of Cal., San Francisco Cnty.], 582 U.S. [255,] 262 [(2017)] (quoting Daimler[AG v. Bauman], 571 U.S. [117,] 127 [(2014)]; alterations omitted); see, e.g., Burger King, 471 U.S., at 472; Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414 (1984); International Shoe[Co. v. State of Washington], 326 U.S. [310,] 319 [(1945)]. Or put just a bit differently, 'there must be "an affiliation between the forum and the underlying controversy, principally, [an] activity or an occurrence that takes place in the forum state and is therefore subject to the State's regulation."' Bristol-Myers, 582 U.S., at 262 (quoting Goodyear[Dunlop Tire Operations, S.A. v. Brown], 564 U.S. [915,] 919 [(2011]).

> "These rules derive from and reflect two sets of values -- treating defendants fairly and protecting 'interstate federalism.' World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286, 293 (1980); see id., at 297-298. Our decision in International Shoe founded specific jurisdiction on an idea of reciprocity between a defendant and a State: When (but only when) a company 'exercises the privilege of conducting activities within a state' -- thus 'enjoy[ing] the benefits and protection of [its] laws' -- the State may hold the company to account for related misconduct. 326 U.S., at 319; see Burger King, 471 U.S., at 475-476. Later decisions have added that our doctrine similarly provides defendants with 'fair warning' -- knowledge that 'a particular activity may subject [it] to the jurisdiction of a foreign sovereign.' Id., at 472 (internal quotation marks omitted); World-Wide Volkswagen, 444 U.S., at 297 (likewise referring to 'clear notice'). A defendant can thus 'structure [its] primary conduct' to lessen or avoid exposure to a given State's courts. Id., at 297. And this Court has considered alongside defendants' interests those of the States in relation to each other. One State's 'sovereign power to try' a suit, we have recognized, may prevent 'sister States' from exercising their like authority. Id., at 293. The law of specific jurisdiction thus seeks to ensure that States with 'little legitimate interest' in a suit do not encroach on States more affected by the controversy. Bristol-Myers, 582 U.S., at 263."

Ford Motor Co. v. Montana Eighth Jud. Dist., 592 U.S. 351, 359-60 (2021). Furthermore,

> "the plaintiff cannot be the only link between the defendant and the forum. Rather, it is the defendant's conduct that must form the necessary connection with the forum State that is the basis for its jurisdiction over him. See Burger King[Corp. v. Rudzewicz, 471 U.S.], at 478 [(1985)] ('If the question is whether an individual's contract with an out-of-state party alone can automatically establish sufficient minimum

> contacts in the other party's home forum, we believe the answer clearly is that it cannot.'); Kulko v. Superior Court of Cal., City and County of San Francisco, 436 U.S. 84, 93 (1978) (declining to 'find personal jurisdiction in a State … merely because [the plaintiff in a child support action] was residing there'). To be sure, a defendant's contact with the forum State may be intertwined with his transactions or interactions with the plaintiff or other parties. But a defendant's relationship with a plaintiff or third party, standing alone, is an insufficient basis for jurisdiction. See Rush[v. Savchuk, 444 U.S. 320, 332 (1980)] ('Naturally, the parties' relationships with each other may be significant in evaluating their ties to the forum. The requirements of International Shoe [Co. v. State of Washington, 326 U.S. 310 (1945)], however, must be met as to each defendant over whom a state court exercises jurisdiction'). Due process requires that a defendant be haled into court in a forum State based on his own affiliation with the State, not based on the 'random, fortuitous, or attenuated' contacts he makes by interacting with other persons affiliated with the State. Burger King, 471 U.S. at 475 (internal quotation marks omitted)."

Walden v. Fiore, 571 U.S. 277, 285-86 (2014).

Meta directs our attention to Facebook, Inc. v. K.G.S., 294 So. 3d 122 (Ala. 2019). In K.G.S., an adoptive parent sued Facebook, Inc., under various tort theories, including negligence, wantonness, and invasion of privacy, after Facebook, Inc., refused to remove certain "false" and "malicious" social-media posts made by the adopted child's birth mother following a contested adoption, even after communicating with the adoptive parent's attorney regarding the posts. Facebook, Inc., moved to

dismiss the action on lack-of-personal-jurisdiction grounds, noting that it was not incorporated or headquartered in Alabama and that its website and mobile application were available for users to access anywhere in the world with an available internet connection. This Court held that the suit-related conduct of Facebook, Inc., did not create a substantial connection with Alabama sufficient for the trial court to exercise jurisdiction over the adoptive parent's action. We reasoned:

> "[W]e cannot say that K.G.S. demonstrated that Facebook's suit-related conduct created a 'substantial connection' with Alabama. To the extent that K.G.S. relies on the contacts Facebook made with K.G.S. and her attorney in response to the complaints she and her attorney filed with Facebook and the Facebook page, those contacts are insufficient to establish minimum contacts with Alabama. As the Supreme Court stated in Walden[v. Fiore, 571 U.S. 277 (2014)]: '[I]t is the defendant, not the plaintiff or third parties, who must create contacts with the forum State.' 571 U.S. at 291, 134 S.Ct. 1115 (emphasis added). Facebook's contacts with Alabama that were made merely in response to K.G.S.'s or her attorney's contact with Facebook are 'precisely the sort of "unilateral activity" of a third party that "cannot satisfy the requirement of contact with the forum State."' Id. at 291, 134 S.Ct. 1115 (quoting Hanson[v. Denckla], 357 U.S. [235,] 253, 78 S.Ct. 1228 [(1958)]). Further, to the extent that Facebook's failure to act to remove the Facebook page can be analyzed separately from the responses it sent to K.G.S. and her attorney, we can only conclude that this intentional conduct was expressly aimed at K.G.S. herself, and not at Alabama as a forum. Under Walden, this 'contact' is insufficient to demonstrate that Facebook created a 'substantial connection' with Alabama when it failed to act to remove the Facebook

> page. See Walden, 571 U.S. at 289, 134 S.Ct. 1115 (holding that a defendant's intentional actions outside the forum did not create sufficient contacts with the forum 'simply because [the defendant] allegedly directed his conduct at plaintiffs whom he knew had … connections [to the forum]'). Focusing, as we must, on the suit-related contacts Facebook itself created with Alabama -- not Facebook's contacts with K.G.S. or K.G.S.'s contacts with Alabama -- we must conclude that there is an absence of suit-related conduct that creates a substantial connection with Alabama. Thus, we must conclude that the Fourteenth Amendment does not allow for the exercise of specific jurisdiction over Facebook under the particular facts of this case."

294 So. 3d at 140.

The plaintiffs argue that K.G.S. is distinguishable on its facts. They instead point us to Ford Motor Co. v. Montana Eight Jud. Dist. Ct., 592 U.S. 351 (2021). Ford involved two separate product-liability lawsuits against Ford Motor Company ("Ford") arising from auto accidents in the forum states. Ford moved to dismiss both actions, arguing that it had not designed, manufactured, or sold the automobiles in the forums. There was no dispute that Ford had purposefully availed itself of conducting business in the forums. Indeed, it had conducted extensive business in both forum states -- advertising, selling, and servicing the same model vehicles that the suits claimed had been defective. Rather, the question was whether those contacts were sufficiently related to the

claims at issue to permit the exercise of specific jurisdiction by the forums. The United State Supreme Court held that they did. The Court reasoned that Ford's forum activities had created a demand for Ford vehicles in the forum states and had fostered an active resale market for its older models.

> "In other words, Ford has systematically served a market in Montana and Minnesota for the very vehicles that the plaintiffs allege malfunctioned and injured them in those states. So there is a strong 'relationship among the defendant, the forum, and the litigation' -- the 'essential foundation' of specific jurisdiction. Helicopteros[Nacionales de Columbia, S.A. v. Hall], 466 U.S. [408,] 414 [(1984)] (internal quotation marks omitted)."

Ford, 592 U.S. at 365-66. Accordingly, the Court in Ford concluded that "the 'relationship among the defendant, the forum[s], and the litigation' … is close enough to support specific jurisdiction," Id. at 371 (quoting Walden, 571 U.S. at 284).

Similarly, in Sawyer v. Cooper Tire & Rubber Co., 412 So. 3d 603 (Ala. 2024), this Court held that a plaintiff's allegations that the defendant tire manufacturer had marketed, advertised, and distributed in Alabama the same model tire that had injured the plaintiff in Alabama was sufficient to defeat the tire manufacturer's motion to dismiss the plaintiff's product-defect claim for lack of specific personal jurisdiction.

In this case, the plaintiffs argue that the Facebook app that they downloaded to their personal devices is analogous to the defective vehicles in Ford or the tire in Sawyer. Further, they contend that the 1.3+ million affected Alabama users indicate that Meta has "served the [Alabama] market." Thus, they contend that, applying Ford and Sawyer, the jurisdictional allegations in this case, taken as true, are sufficient for the circuit court to exercise specific personal jurisdiction.

The facts in Ford and Sawyer, however, demonstrated a far stronger set of suit-related contacts with the forums. The defendants in those cases maintained in-state dealer networks and extensively marketed, sold, and/or serviced the allegedly defective products in the forum states for the purpose of generating demand for their products in the forum. The jurisdictional averments in this case do not allege similarly strong purposeful connections to Alabama -- for instance, there are no allegations that Meta marketed or promoted the Facebook app in Alabama or that it otherwise sought to specifically exploit the Alabama market. Indeed, there are no allegations in the complaint that Meta

directed any suit-related conduct specifically at Alabama.[1] Rather, as the plaintiffs' complaint indicates, Meta offered its software application for download to anyone in the country (or world),[2] and it interacted with those users, wherever they were, through that software. In other words, Meta's actions appear to have been aimed at its users, not at Alabama as a forum. See K.G.S., 294 So. 3d at 140 (holding that Facebook's intentional conduct aimed at individual defendant in Alabama, and not at Alabama as a forum, was insufficient to support specific jurisdiction); Walden, 571 U.S. at 285 (holding that "[t]he plaintiff cannot be the only link between the defendant and the forum"); and Fidrych v. Marriott Int'l, Inc., 952 F.3d 124 (4th Cir. 2020) ("[E]ven through Marriott's website is interactive, Marriott does not use it to target South Carolina residents in particular. The general availability of the website to South

[1]Meta's placement of data centers in Alabama appears to have occurred after the events alleged in the plaintiffs' complaint, and the plaintiffs have not offered any allegations or evidence tying those data centers to the improper-data-sharing claims.

[2]The complaint contained a chart providing a state-by-state count of Facebook users whose personal data was alleged to have been improperly shared with a third party. That chart indicated a substantial number of affected users in all 50 states and the District of Columbia. Another chart in the complaint listed the number of affected users by country.

Carolina residents thus does not create a substantial connection to South Carolina necessary to support the exercise of jurisdiction." (citation modified)). In short, the plaintiffs have not alleged a "strong 'relationship among the defendant, the forum, and the litigation' -- the 'essential foundation' of specific jurisdiction." Ford, 592 U.S. at 365. Accordingly, the plaintiffs' allegations do not support the circuit court's exercise of specific jurisdiction over Meta. See also Pete v. Facebook Data Breach, 1:25-CV-00245-MAC-CLS, Sept. 15, 2025 (E.D. Tex 2025) (not reported in Federal Supplement) (holding that Texas court did not have specific jurisdiction in case alleging private-data-sharing claims against Facebook because its "collection and monetization of its users' data … is not 'targeted specifically to Texas'" (citation modified)); Hasson v. FullStory, Inc., 114 F.4th 181 (3d Cir. 2024) (finding no specific jurisdiction over claims that defendant's website improperly mined user data when defendant did not expressly aim website at Pennsylvania); Rosenthal v. Bloomingdales.com, LLC, 101 F.4th 90, 97 (1st Cir. 2024) (finding no specific jurisdiction when plaintiff failed to provide proof that defendant purposefully targeted its data-tracking website toward users in Massachusetts); but see State of Vermont v. Meta Platforms, Inc., 221

Vt. 493, 346 A.3d 489 (2025) (finding specific personal jurisdiction existed in Vermont when state alleged that Meta purposefully cultivated the Vermont market for its Instagram social-media application, including conducting studies directed at the Vermont market, selling advertising to Vermont businesses intended to reach Vermont users, and tracking online engagement with Vermont users for purpose of selling advertising).

Conclusion

The plaintiffs' jurisdictional allegations in this case do not support the exercise of general or specific personal jurisdiction over Meta. Therefore, the plaintiffs' action against Meta is due to be dismissed. Because we conclude that the claims against Meta are due to be dismissed for lack of personal jurisdiction, we do not address Meta's alternative argument that dismissal was also warranted on the basis of an outbound forum-selection clause.

PETITION GRANTED; WRIT ISSUED.

Wise, Mendheim, McCool, and Parker, JJ., concur.

Shaw and Bryan, JJ., concur in the result.

Sellers, J., concurs in the result, with opinion.

Cook, J., recuses himself.

SELLERS, Justice (concurring in the result).

To the extent that the main opinion distinguishes the facts in the present case from those involved in Sawyer v. Cooper Tire & Rubber Company, 412 So. 3d 603 (Ala. 2024), I agree with that distinction. I do, however, maintain that Cooper Tire was wrongfully decided, and I adhere to my dissent in that case.

Ford Motor Co. v. Montana Eighth Judicial District Court, 592 U.S. 351 (2021), did not eliminate the condition, necessary for establishing specific personal jurisdiction, that a plaintiff's claim arise out of or relate to the defendant's purposeful contacts with the forum. Nor did it authorize the exercise of specific personal jurisdiction merely because a defendant conducts substantial business nationwide and its products or services are used by the forum's residents. The existence of historical or generalized commercial activity cannot serve as a substitute for a meaningful relationship between the defendant, the forum, and the litigation. The constitutional limitations recognized in the main opinion demonstrate why we must continue to give independent meaning to specific personal jurisdiction's relatedness requirement after Ford Motor. Otherwise, the distinction between general and specific jurisdiction

becomes increasingly difficult to discern. That is the principle to which I believe this Court failed to adhere in Cooper Tire.