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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

BRUCE WOLF, as personal representative
of the ESTATE OF TYLER JOSEPH
SCHMIDT, a deceased individual;
MICHELLE STICKLEY, an individual; and
CHRISTIAN MICHAEL SCHMIDT, an
individual,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware
corporation; and
AMAZON.COM SERVICES, LLC, a
Delaware Limited Liability Company,

Defendants.

No.
COMPLAINT FOR DAMAGES

COME NOW Plaintiffs Bruce Wolf as the personal representative of the Estate of Tyler Schmidt, Michelle Stickley, and Christian Michael Schmidt, by and through their attorneys, Schroeter Goldmark & Bender, C.A. Goldberg, PLLC, and Corrie Yackulic Law Firm PLLC, and for causes of actions against Defendants Amazon.com, Inc. and Amazon.com Services, LLC, state:

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INTRODUCTION

Amazon.com, Inc. and Amazon.com Services, LLC (“Amazon”) profit from the sale of Sodium Nitrite—a suicide chemical with no ordinary household use—to vulnerable teenagers. One such product Amazon marketed is Loudwolf Sodium Nitrite that is 99.6% pure. Ingestion of only a trace amount causes unconsciousness within 20 minutes and death shortly thereafter.

At least since 2018, Amazon has been aware that individuals—including children—were buying high-purity Sodium Nitrite for suicide, because parents and others specifically notified Amazon of that fact. Despite Amazon’s knowledge of this use of Sodium Nitrite, and knowledge that there is no ordinary household use for the product, Amazon continued to supply Sodium Nitrite without restriction—including any attempt at age verification.

In November 2020, 15-year-old Tyler Schmidt ordered and received Loudwolf Sodium Nitrite from Amazon, delivered to his home in Camas, Washington. On December 14, 2020, Tyler took the Amazon-supplied Loudwolf Sodium Nitrite to a wooded area near his home, mixed it in his water bottle, drank it, and died. His frantic parents, siblings, friends, and neighbors searched for two days, finding his body on December 16, 2020. His family then learned that, despite Amazon’s knowledge of the use of high-purity Sodium Nitrite for suicide—specifically by minors—Amazon continued selling Sodium Nitrite, causing their son’s tragic death.

23

I. PARTIES & JURISDICTION

24 1.1. Plaintiff Bruce Wolf is a resident of King County and was appointed Personal
25 Representative of the Estate of Tyler Schmidt (“Decedent”) by King County Superior Court
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1 on September 13, 2023. He brings claims on behalf of the Estate and all statutory beneficiaries
2 under RCW 4.20.010-020, RCW 4.20.046, and RCW 4.20.060.

3 1.2. Plaintiff Michelle Stickley is Decedent’s mother and a resident of Camas,
4 Washington.

5 1.3. Plaintiff Christian Schmidt is Decedent’s father and a resident of California.

6 1.4. Amazon.com Inc. is incorporated under the law of Delaware and maintains its
7 principal place of business in King County, Washington.

8 1.5. Defendant Amazon.com Services LLC is a company registered in the State of
9 Delaware with its headquarters and principal place of business in Seattle, Washington.

10 1.6. Venue is proper in King County, Washington because the Defendants reside
11 here. RCW 4.12.020.
12

13 II. STATEMENT OF FACTS

14 Amazon’s Business

15 2.1. Amazon is a global online marketplace whose primary source of revenue is
16 selling a wide range of products and services.¹

17 2.2. To address issues impacting the profitability of Amazon’s business, Amazon
18 invests heavily in both time and resources to police the products sold on its platform. In 2022
19 alone, Amazon invested over \$1.2 billion and employed more than 15,000 people to safeguard
20 the Amazon brand and prosperity of its marketplace, and protect its stores from fraud and
21 abuse.
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¹ Amazon.com, Inc., Annual Report (Form 10-K) (Feb. 2, 2023).

1 2.3. Amazon has no method of age verification to set up an account and, even if it
2 did, does not hesitate to sell any product—regardless of dangerousness—to households or to
3 children.

4 2.4. Amazon’s online store is designed to sell hundreds of millions of unique
5 products, to be sold by Amazon and third parties across dozens of product categories.²
6

7 2.5. Amazon is the world’s most valuable retail company and has been for several
8 years.³

9 2.6. Amazon’s net income in 2020 was \$21.3 billion on net sales of \$386.06 billion.⁴

10 2.7. Amazon’s net income in 2021 was \$33.36 billion on net sales of \$469.82
11 billion.⁵

12 2.8. Amazon’s market capitalization currently exceeds \$1.3 trillion.⁶

13 2.9. A substantial and growing portion of Amazon’s revenues are derived from
14 “third-party sellers” who are sellers approved by Amazon to sell items through the Amazon
15 marketplace.
16

17 2.10. The net sales of “third-party sellers” on Amazon was \$80.46 billion, \$103.36
18 billion, and \$117.72 billion for the years 2020 through 2022 respectively.⁷

19 2.11. Third-party sellers presently account for more than 60% of Amazon sales.⁸
20

21 ² *Id.*

22 ³ See “Amazon is world’s most valuable retailer,” [https://www.retaildetail.eu/news/general/amazon-worlds-most-](https://www.retaildetail.eu/news/general/amazon-worlds-most-valuable-retailer/)
23 [valuable-retailer/](https://www.retaildetail.eu/news/general/amazon-worlds-most-valuable-retailer/); “Retail: Amazon named most valuable brand,”
24 [https://www.bizjournals.com/bizwomen/news/latest-news/2017/03/retail-amazon-named-most-valuable-](https://www.bizjournals.com/bizwomen/news/latest-news/2017/03/retail-amazon-named-most-valuable-brand.html?page=all)
25 [brand.html?page=all](https://www.bizjournals.com/bizwomen/news/latest-news/2017/03/retail-amazon-named-most-valuable-brand.html?page=all); “Amazon extends lead as top retail brand in Kantar/WPP survey,”
26 [https://www.fashionnetwork.com/news/Amazon-extends-lead-as-top-retail-brand-in-kantar-wpp-](https://www.fashionnetwork.com/news/Amazon-extends-lead-as-top-retail-brand-in-kantar-wpp-survey,1098547.html)
[survey,1098547.html](https://www.fashionnetwork.com/news/Amazon-extends-lead-as-top-retail-brand-in-kantar-wpp-survey,1098547.html).

⁴ Amazon.com, Inc., Annual Report (Form 10-K) (Feb. 2, 2021).

⁵ Amazon.com, Inc., Annual Report (Form 10-K) (Feb. 3, 2022).

⁶ <https://companiesmarketcap.com/amazon/marketcap/#:~:text=Market%20cap%3A%20%241.360%20Trillion,cap%20according%20to%20our%20data>.

⁷ Amazon.com, Inc., Annual Report (Form 10-K) (Feb. 2, 2023).

⁸ “Amazon Stats: Growth, Sales, and More,” <https://sell.amazon.com/blog/amazon-stats>.

1 packaged/processed food containing meat. Many of these products require approval from
2 Amazon through its “Seller Central.” To obtain approval, Amazon proclaims that its “approval
3 process may include document requests, performance checks, and other qualifications.”¹¹

4 2.17. Amazon offers Sellers a host of other services they can use in conjunction with
5 listing their product on Amazon’s website. For example, Amazon offers “Amazon Clicks,” an
6 advertising service in which Amazon highlights and promotes the vendor’s product to
7 customers.
8

9 2.18. Amazon controls how products are displayed in its store, stating “[w]hen
10 multiple sellers offer the same product, Amazon combines data from those various offers on a
11 single detail page. Sellers who offer the product can contribute detail page information—or
12 request detail page reviews if the information displayed is incorrect.”¹²

13 2.19. Amazon controls the price Sellers can list items in its store for. Through its
14 “Fair Pricing Policy,” Amazon monitors the prices Sellers charge and may take action such as
15 terminating selling privileges of Sellers that are charging a lower rate on other websites,
16 including their own website.¹³
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18 2.20. To manage customer concerns and complaints Amazon offers Amazon-
19 sponsored 24/7 customer service through Amazon’s Seller Messaging Assistant.¹⁴
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24 ¹¹ <https://sellercentral.amazon.com/help/hub/reference/external/200333160>

25 ¹² “How to Start Selling on Amazon,” <https://sell.amazon.com/sell>.

26 ¹³ <https://fingfx.thomsonreuters.com/gfx/legaldocs/zjvqjndgnpx/Frame-Wilson-opinion-2023-03-24.pdf>;
<https://fingfx.thomsonreuters.com/gfx/legaldocs/xmvjkbqxjpr/2022-04-11%20Frame-Wilson%20Second%20Amended.pdf>

¹⁴ “The Buyer-Seller Messaging Service,”

<https://www.amazon.com/gp/help/customer/display.html?nodeId=G3JQ9V9LQ8FFMR7W>.

1 2.21. Amazon is in charge of accepting payment and issuing refunds for the products
2 sold in the Amazon store. This is done through a “secure transaction” where the purchaser’s
3 credit card information will not be turned over to the Seller.

4 2.22. In the event of a product recall, Amazon sends out a notice to the purchaser of
5 a product, as Amazon is the only entity with knowledge of who bought and sold a product on
6 its platform.
7

8 **Amazon Touts its Accountability for Product Safety to Promote Sales**

9 2.23. Amazon is aware that customers rely upon Amazon for the assurance of safety
10 and security in product purchase-and-sale transactions through the Amazon platform:
11 “Customers trust that they can always buy with confidence on Amazon.”¹⁵

12 2.24. Amazon actively encourages customer reporting of dangerous products or
13 safety concerns, promising that Amazon “will investigate each report thoroughly and take
14 appropriate action.” Amazon further vows that it will respond to customer reports to prevent
15 “unsafe products from reaching our marketplace.” Amazon claims that “our product safety
16 team investigates and acts on reported safety complaints and incidents to protect customers
17 from risks of injury related to products sold on Amazon.com.”¹⁶

18 2.25. Amazon claims it also proactively “monitor[s] the products sold on our website
19 for product safety concerns,” and in “concerning situations” may discontinue product sales.
20

21 2.26. Amazon also provides for visibility of customer product reviews to promote
22 product sales. “Every day, millions of customers who shop in Amazon’s stores use customer
23 product reviews to assist with purchasing decisions. ... Customers rely on these reviews to
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26 ¹⁵ “Restricted Products,” <https://sellercentral.amazon.com/help/hub/reference/external/200164330>.

¹⁶ “Product Safety and Recalls,”
<https://www.amazon.com/gp/help/customer/display.html?nodeId=GLD7VXFV4AWU78X>.

1 make informed purchasing decisions. Customers trust that these reviews will be honest,
2 authentic, and unbiased.”¹⁷

3 2.27. Amazon boasts an “industry-leading safety and compliance program.”¹⁸ “Once
4 a product is available in our store, we continuously scan our product listings and updates to
5 find products that might present a concern. Every few minutes, our tools review the hundreds
6 of millions of products, scan the more than five billion attempted daily changes to product
7 detail pages, and analyze the tens of millions of customer reviews that are submitted weekly
8 for signs of a concern and investigate accordingly. Our tools use natural language processing
9 and machine learning, which means new information is fed into our tools daily so they can
10 learn and constantly get better at proactively blocking suspicious products.”

11 2.28. Amazon tells customers it “monitor[s] the products sold on [its] website for
12 product safety concerns.”¹⁹

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15 **Amazon Exercises Control Over Product Display and Warnings Visible to Customers**

16 2.29. Amazon has strict visual requirements for products sold on its site.²⁰ Amazon
17 says it takes a hardline when images do not comply with the policy. (“[I]f the images on your
18 Amazon product listings are found to be non-compliant with Amazon’s image content
19 requirements, the product listings will be removed from search until a compliant image is
20 provided.”).

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24 ¹⁷ Complaint, *Amazon.com, Inc. v. Does 1-5*, King County Sup. Ct. No. 23-2-10452-8 SEA.

25 ¹⁸ “Product Safety and Compliance in Our Store,” <https://www.aboutamazon.com/news/company-news/product-safety-and-compliance-in-our-store>.

26 ¹⁹ “Product Safety and Recalls,” https://www.amazon.com/gp/help/customer/display.html?ref_=help_search_1-8&nodeId=GLD7VXFKV4AWU78X&qid=1685985303648&sr=1-8.

²⁰ “Product Image Requirements,” https://sellercentral.amazon.com/gp/help/external/G1881?language=en_US&ref=efph_G1881_cont_16881 (last visited September 25, 2023).

1 2.30. Amazon has particularly strict requirements for industrial and scientific
2 products.²¹ Amazon requires there be adequate information, so purchasers fully understand the
3 product. “Sellers must submit product titles, bullets, and product descriptions that are clearly
4 written and assist the customer in understanding the product.”

5 2.31. Amazon does not rigorously enforce the visual requirements or the consumer
6 safety requirements for industrial and scientific product it sells. This non-enforcement is true
7 both for the industrial and scientific products it sells for manufacturers like Loudwolf, as well
8 as the brands where Amazon possesses the products wholesale, and is itself in charge of
9 describing and photographing the product.
10

11 **Amazon Cultivates Comprehensive Data About Customers to Maximize Sales**

12 2.32. Upon information and belief, Amazon’s state-of-the-art data collection and
13 analytics and marketing tactics are explicitly designed to empower Amazon to predict and
14 influence how people will shop and what they will buy. Amazon is in possession of vast
15 information about who its customers are and what drives their purchasing habits.²²
16

17 2.33. Amazon knew or should have known that minors, compared to their adult
18 counterparts, are particularly vulnerable to internet marketing tactics and are also more
19 susceptible to risk-taking behavior. Youth is a time of “immaturity, irresponsibility,
20 impetuosity and recklessness,” *Miller v. Alabama*, 567 U.S. 460 (2012)—a truth well-
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24 ²¹“Selling Industrial & Scientific Products,”

https://sellercentral.amazon.com/gp/help/external/G201847780?language=en_US&ref=efph_G201847780_content_200332540 (last visited September 25, 2023).

25 ²² See, e.g., “Improving complementary-product recommendations,”

26 <https://www.amazon.science/blog/improving-complementary-product-recommendations>; “The history of Amazon’s recommendation algorithm,” <https://www.amazon.science/the-history-of-amazons-recommendation-algorithm>.

1 established by juvenile psychology and neuroscience regarding adolescent brain development.

2 The Surgeon General recently summarized that:

3 Adolescents, ages 10 to 19, are undergoing a highly sensitive period of brain
4 development. This is a period when risk-taking behaviors reach their peak,
5 when well-being experiences the greatest fluctuations, and when mental health
6 challenges such as depression typically emerge. Furthermore, in early
7 adolescence, when identities and sense of self-worth are forming, brain
8 development is especially susceptible to social pressures, peer opinions, and
9 peer comparison. Frequent social media use may be associated with distinct
10 changes in the developing brain in the amygdala (important for emotional
learning and behavior) and the prefrontal cortex (important for impulse control,
emotional regulation, and moderating social behavior), and could increase
sensitivity to social rewards and punishments. As such, adolescents may
experience heightened emotional sensitivity to the communicative and
interactive nature of social media.²³

11 2.34. Amazon influences the mental states that compel people to purchase specific
12 goods. Amazon’s 2021 Consumer Behavior Report begins with: “To win in this era, especially
13 on Amazon and other e-marketplaces, brands and retailers will need to take a hard look at
14 factors that drive consumers to make a purchase, paying close attention to personalization,
15 convenience, value, and product assortment.”²⁴

17 2.35. During the coronavirus pandemic, the trust in Amazon—and its influence in
18 causing purchases—grew as more people, stuck in their homes quarantining, relied on Amazon
19 for safe home deliveries of the essentials of life.²⁵

21 2.36. Amazon strives to eliminate any friction in the creation of accounts and in sales
22 transactions to maximize sales through its store.

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25 ²³ U.S. Surgeon General’s Advisory, “Social Media and Youth Mental Health,” available at
<https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>.

26 ²⁴ *The 2021 Amazon Consumer Behavior Report: Based on a Survey of 2,000+ U.S. Shoppers*, Feedvisor (2021)
(emphasis added).

²⁵ *Id.* (“As consumer’s comfortability and reliance on e-marketplaces accelerates amid the pandemic, Amazon
has emerged as the biggest beneficiary from the growing trend of online shopping.”)

1 2.37. Although in possession of tremendous amounts of data regarding its users,
2 Amazon has no age verification requirement triggered at any point in the account creation
3 process.

4 2.38. This is despite the fact that Amazon sells products, the sale of which is restricted
5 by age under various state and federal laws.
6

7 **Amazon Sold Loudwolf Sodium Nitrite, Among Several Other Brands**

8 2.39. Loudwolf, Inc. was one of the high-purity Sodium Nitrite brands sold by
9 Amazon.

10 2.40. Upon information and belief, Loudwolf is a mom-and-pop store for hobbyists
11 run mainly from their modest home by Paul Fullwood and his two sons. At most, it had four
12 employees.
13

14 2.41. Loudwolf has sold a variety of chemical reagents for non-medical purposes
15 under the Loudwolf brand since 2011.²⁶

16 2.42. Upon information and belief, Amazon sold Loudwolf Sodium Nitrite starting
17 in June 2017.

18 2.43. Amazon sold Loudwolf Sodium Nitrite at 99.6% purity—a purity level for
19 which there is no non-institutional or household use.
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²⁶ Loudwolf, Reg. No. 5,584,496.



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2.44. Sodium Nitrite is a white to slightly yellowish crystalline powder.

2.45. Once Sodium Nitrite is administered intravenously, it takes about 12 minutes to generate about 40% methemoglobin. Methemoglobinemia impairs oxygen transport in blood, which causes hypoxia. As in this case, most people who use Sodium Nitrite for suicide consume it orally after mixing it with water. Sodium Nitrite is highly soluble when mixed with water.

2.46. Besides its legitimate uses in laboratories for research purposes and in medical facilities for highly specific treatments, Sodium Nitrite can be used as a meat preservative to prevent the growth of toxins. However, even in food preservation, Sodium Nitrite is not used in pure form. Instead, it is only one of many ingredients included in curing salts.

2.47. Curing salts are available for purchase by restaurant owners, meat distributors, home food preservers, and common consumers. Curing salts typically contain only about 6% Sodium Nitrite—compared to the 99.6% pure Loudwolf Sodium Nitrite.²⁷

²⁷ See, e.g., Ebay (UK) Limited Letter to JR Leslie, Hamilton, Jan. 8, 2021 (noting “[i]t is worth clarifying that sodium nitrite does occur as a legal ingredient in other products, such as meat curing salts. These were highlighted in recent press articles as being available on eBay. The amount of sodium nitrite in such products, at about 6%, is a small proportion of the overall product compared to the amount of sodium chloride, which is itself injurious to health if consumed in large quantities..”)

1 2.48. Typing “Sodium Nitrite” into Amazon’s search engine yields product results
2 for powders that range anywhere between 6% and 99.6% Sodium Nitrite concentration, risking
3 consumer confusion between the two vastly different products.

4 2.49. Upon information and belief, Amazon violated Food and Drug Administration
5 federal regulations by supplying Loudwolf Sodium Nitrite on its marketplace because Sodium
6 Nitrite was an unapproved “drug,” as defined by 21 U.S.C. § 321(g).²⁸

7
8 2.50. The Food and Drug Administration has a special category of regulation for
9 Sodium Nitrite (21 CFR 172.175) mandating its only intended use as a food preservative. All
10 retail packing requires labeling with “adequate instructions for use to provide a final food
11 product” and which complies with strict federal limits on the amount of the dangerous
12 compound used. Federal law requires labels provide safety warnings for kids: “[T]he label of
13 the additive, or of a mixture containing the additive, shall bear the statement ‘Keep out of the
14 reach of children.’”

15
16 2.51. There is no ordinary household or recreational use for pure Sodium Nitrite.

17 2.52. At all relevant times, Amazon supplied directly or indirectly Loudwolf Sodium
18 Nitrite in violation of federal regulations issued by the FDA for Sodium Nitrite. CFR
19 172.175(b)(3) provides Sodium Nitrite must, at minimum, bear a clear label stating: “KEEP
20 OUT OF REACH OF CHILDREN.” The actual label fails to include this language, yet falsely
21 boasts “hundreds of known uses” and that it is “suitable for most experimental and analytical
22 applications, as well as many technical and household purposes.”

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26 ²⁸ Compare Rhian B. Cope, *Acute Cyanide Toxicity and its Treatment: The Body is Dead and May Be Red but Does Not Stay Red for Long*, in Handbook of Toxicology of Chemical Warfare Agents, §25.8.4 (3d ed. 2014), <https://www.sciencedirect.com/topics/pharmacology-toxicology-and-pharmaceutical-science/sodium-nitrite>.

1 2.53. Starting in or before 2019, news articles and studies by medical researchers and
2 the National Poison Data System began reporting a spike in suicides caused by Sodium Nitrite.

3 2.54. In 2019, the California Poison Control System (CPCS) was consulted on five
4 patients who intentionally ingested Sodium Nitrite between May and November 2019. In all
5 cases, the patients acquired the product from online vendors.²⁹

6 2.55. Upon information and belief, Amazon’s own data demonstrates an increase in
7 private individual purchases of Sodium Nitrite starting in or about 2019, especially by those
8 who also viewed and/or purchased products like Tagamet acid reducer to prevent life-saving
9 vomiting, scales, and suicide instruction books.

10 2.56. Upon information and belief, Amazon received complaints about Loudwolf
11 Sodium Nitrite killing their loved ones prior to December 2020. Specifically, Amazon reflected
12 the following “top” product reviews of the Loudwolf Sodium Nitrite it sold:
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15 **My father committed suicide**
16 Reviewed in the United States on May 24, 2020

17 **Verified Purchase**

18 My father bought this from this seller and he is now dead from overdosing. This should not be
19 sold on Amazon.

20 Reviewed in the United States on July 12, 2020

21 **Verified Purchase**

22 What a shame. I just read someone saying that this product wasnt dangerous. It was one of the
23 main ingredients that my son used to end his battle with severe depression after 10 years. Just
24 wish i knew he placed the order. And Amazon knew this combination should've threw up a red
25 glag

26 2.57. On September 15, 2020, Amazon’s customer service department exchanged 56
messages with Meredith Mitchel, the mother of Ayden—a 16-year-old who died in August of

²⁹ Matin, Adiba M. “Survival after self-poisoning with sodium nitrite: a case report” J Am Coll Emerg
Physicians Open. 2022 Apr; 3(2): e12702.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8931305/#emp212702-bib-0005>

1 2020 following ingestion of Sodium Nitrite sold by Amazon. Meredith alerted Amazon to her
2 fear, later proven accurate, that others could purchase Sodium Nitrite for suicide and have it
3 delivered to their doorsteps. She showed Amazon the pro-suicide website that introduced
4 young people to Sodium Nitrite and directed them to purchase it from Amazon. “Shane”
5 responded not to “worry” and that he would immediately escalate her complaint and get the
6 product banned. Meredith replied that it wasn’t just a single product, but several brands. On
7 September 21, 2020, Amazon’s “Executive Customer Service” department responded assuring
8 Meredith they were undertaking a “product safety investigation.”

10 2.58. Amazon proceeded to sell several brands of high-purity Sodium Nitrite to
11 suicidal individuals for at least 25 months.

12 2.59. The pro-suicide website, sanctioned-suicide.net (“Sanctioned Suicide”),
13 directed individuals to Amazon to purchase Sodium Nitrite because it was “sold without
14 regulation” on Amazon.³⁰

16 2.60. Amazon was commonly referred to in online forums as an easy, quick, and
17 accessible option for the purchase of Sodium Nitrite.

18 2.61. Amazon had reason to know as of November 2020 that Sodium Nitrite supplied
19 directly or indirectly through its website was being used for suicide.

20 2.62. Amazon was legally required to control sales of Sodium Nitrite in other
21 countries because of its use for suicide. For instance, Sodium Nitrite is a “reportable substance”
22 in the UK. As such, Amazon must report “any suspicious transaction (business to consumer
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³⁰ The website Sanction Suicide used to be hosted at sanctioned-suicide.com.

1 and business to business) of Sodium Nitrite.”³¹ However, it does not provide the same care to
2 its customers outside those countries.

3 2.63. Similarly, other countries, such as The Netherlands, have organized actions to
4 try to stop sales of Sodium Nitrite to private individuals.³²

5 2.64. Indeed, Amazon Netherlands is a member of Thuiswinkel.org—a signatory of
6 Dutch national legislation that was enacted in 2019 in the wake of Sodium Nitrite suicides to
7 prohibit the sales of suicide chemicals to individuals.

8 2.65. Despite Amazon’s knowledge that Sodium Nitrite is considered too dangerous
9 to sell in other nations, Amazon continued to sell it to individuals in the United States—its
10 home country.

11 2.66. Amazon knew or should have known about the research and global trends
12 surrounding Sodium Nitrite because the Amazon Product Safety Investigation global
13 procedure Level II requires that investigators research marketplace research, external trends,
14 and open-source information about products where, as with Loudwolf Sodium Nitrite, they
15 receive complaints of customer injuries.

16 **Suicide by Sodium Nitrite**

17 2.67. While Sodium Nitrite is not a new chemical compound, it has become a highly
18 recommended suicide method on websites.

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25 ³¹ *Guidance: Supplying Explosives Precursors and Poisons*, Gov.uk Guidance (June 25, 2021),
<https://www.gov.uk/government/publications/supplying-explosives-precursors/supplying-explosives-precursors-and-poison>.

26 ³² *Suppliers of Suicidal Drug: No Sale to Private Individuals*, Algemeen Dagblad,
https://www.ad.nl/politiek/leveranciers-zelfmoordmiddel-geen-verkoop-aan-particulier~a70b9e15/?referrer=https%3A%2F%2Fsuicide.wiki%2Fw%2FSodium_Nitrite.

1 attempt (1.7%) was much higher than the percentage who died from suicide: .011%.³⁴
2 Clinicians and researchers have found that people are much more likely to attempt suicide if
3 they learn about methods, have the means, and the ability to readily acquire the necessary
4 product.

5 2.73. It is well recognized among suicide experts that having access to lethal means
6 (e.g., a readily available, highly effective method like Sodium Nitrite) significantly increases
7 the risk of death by suicide. If a suicidal person obtains the means to effectuate their suicide,
8 it can change their mental state and cause them to hone in on the method they possess and to
9 stop considering alternatives to suicide such as therapy, confiding in a trusted person, or
10 developing other coping strategies. Having access to lethal means is often the difference
11 between surviving a suicide attempt, and death.
12

13 2.74. Amazon provides the lethal means. Sanctioned Suicide provides instructions
14 about the method (including direction to Amazon for purchasing Sodium Nitrite) and a
15 community that encourages and normalizes suicide.
16

17 2.75. With Amazon's fast and unrestricted delivery feature, individuals can obtain
18 Sodium Nitrite (and the additional products it recommends—Tagamet acid reducer to prevent
19 life-saving vomiting, a scale, and an "Amazon edition" how-to manual with a chapter on death
20 via Sodium Nitrite) within days of learning about it.
21

22 2.76. Through its recommendation features, Amazon creates veritable suicide kits.

23 2.77. Upon information and belief, Amazon was the number one vendor of Sodium
24 Nitrite used for suicides prior to December 14, 2020.
25

26 ³⁴ According to the CDC's searchable database, WISQARS, in 2020 (the most recent year available) there were 12,287,244 girls in the US age 13-18 and 12,807,579 boys. In that year, 546 girls and 1,451 boys died from suicide.

1 c. Supplied directly or indirectly a product Amazon knew was being used
2 by recipients to attempt and to die by suicide.

3 d. Failed to protect a person from the foreseeable harms of the product it
4 supplied directly or indirectly.

5 e. Violated state and federal law by supplying an unapproved euthanasia
6 “drug” to consumers and without meeting minimum labeling requirements for Sodium Nitrite.
7

8 f. Promoted suicide by minors in contravention of state policy reflected in
9 RCW 9A.36.06; RCW 70.245.010(1), 70.245.020 (Death with Dignity Act, request for life-
10 ending medication available only to adults, defined as over the age of 18).

11 **PRODUCT LIABILITY: RCW 7.72**

12
13 3.2 In the alternative, Amazon is liable under the Washington Product Liability Act
14 (WPLA), Chapter 7.72 RCW, for harm caused by the sale of Sodium Nitrite.

15 3.3 Amazon, at all relevant times, was engaged in the business of selling Sodium
16 Nitrite products, and was a seller, wholesaler, distributor, or retailer of Loudwolf Sodium
17 Nitrite.
18

19 3.4 Plaintiffs assert product liability claims against Amazon pursuant to WPLA,
20 including but not limited to: claims pursuant to RCW 7.72.040 for harm caused by Amazon’s
21 negligence in selling Sodium Nitrite and for Amazon’s intentional misrepresentation of facts
22 and/or intentional concealment of information about Loudwolf Sodium Nitrite; and any other
23 applicable theories of liability available under WPLA.
24
25
26

1 **OUTRAGE**

2 3.5 Amazon engaged in outrageous conduct by selling a known suicide chemical to
3 a minor at his residential address.

4 3.6 Amazon, by its outrageous conduct, intentionally and/or recklessly caused
5 Tyler severe emotional distress, excruciating physical pain, and death by suicide.
6

7 3.7 Amazon, by its outrageous conduct, intentionally and/or recklessly caused
8 Plaintiffs Michelle Stickley and Christian Schmidt severe emotional distress.

9 **VIOLATION OF THE CONSUMER PROTECTION ACT**

10 3.8 Amazon is liable for its unfair or deceptive acts or practices in the conduct of
11 trade or commerce, in violation of the Consumer Protection Act, RCW 19.86.
12

13 3.9 Amazon's marketing of Sodium Nitrite and other recommended products to
14 complete suicide, as well as its concealment of information around Sodium Nitrite-caused
15 suicide deaths from purchasers and third-party sellers, constitutes unfair and deceptive conduct
16 under the Consumer Protection Act, in that:

- 17 a. Amazon knew Sodium Nitrite it sold to non-commercial, child consumers was
18 frequently purchased for use in attempting suicide;
19
- 20 b. Amazon withheld from consumers and third-party sellers information
21 confirming Sodium Nitrite was being purchased for suicide;
- 22 c. Amazon's unfair and deceptive acts and practices in concealing and
23 withholding information about Sodium Nitrite occurred in the conduct of
24 Amazon's trade or commerce;
25
26

- 1 d. Under RCW 9A.36.060, promoting a suicide attempt is a class C felony. A
2 person is guilty of promoting a suicide attempt when he or she knowingly
3 causes or aids another person to attempt suicide.
- 4 e. Amazon's unfair and deceptive acts and practices in concealing and
5 withholding information about Sodium Nitrite affects the public interest and
6 violates Washington public policy reflected in RCW 9A.36.060, criminalizing
7 the promotion of suicide;
- 8 f. Plaintiffs were injured as result of Amazon's unfair or deceptive acts or
9 practices with respect to Sodium Nitrite;
- 10 g. Amazon's unfair or deceptive acts or practices were a proximate cause of
11 Plaintiffs' injuries;
- 12 h. Amazon's unfair or deceptive acts or practices injured other persons by causing
13 their death and had the capacity to injure other persons.

14
15
16 3.10 Plaintiffs seek actual damages, treble damages up to the maximum extent allowed by
17 law, declaratory and injunctive relief, attorney fees, and any other equitable relief that the Court
18 deems appropriate as allowed by the Consumer Protection Act. RCW 19.86.090.

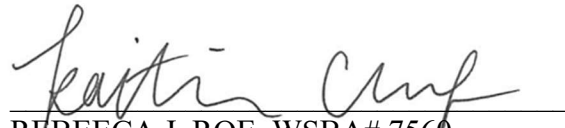
19 IV. DAMAGES

20 4.1. As a direct and proximate result of the aforesaid liability of Amazon, the Estate
21 of Tyler Schmidt suffered economic and non-economic damages, including all damages
22 allowed pursuant to RCW 4.20.010-20, RCW 4.20.046 and RCW 4.20.060, in amounts to be
23 proven at the time of trial. These damages include, but are not limited to, health care and funeral
24 expenses; net accumulations lost to the Estate; and the pain, suffering, anxiety, emotional
25 distress, humiliation, and fear experienced by Tyler Schmidt prior to death.
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DATED this 25th day of September, 2023.

SCHROETER GOLDMARK & BENDER



REBEECA J. ROE, WSBA# 7560
KAITLIN T. CHERF, WSBA# 45241
COLIN MIELING, WSBA# 46328
401 Union Street, Suite 3400
Seattle, WA 98101
Phone: (206) 622-8000
Email: roe@sgb-law.com;
cherf@sgb-law.com;
mieling@sgb-law.com

CORRIE YACKULIC | LAW FIRM PLLC

s/ Corrie Yackulic
CORRIE YACKULIC, WSBA # 16063
110 Prefontaine Place South, Ste. 304
Seattle, WA 98104
Phone: (206) 787-1915
Email: corrie@cjylaw.com

C.A. GOLDBERG, PLLC

s/ Carrie Goldberg
Carrie Goldberg (pro hac vice pending)
Naomi Leeds (pro hac vice pending)
16 Court Street, 33rd Floor
Brooklyn, New York 11241
Tel. (646) 666-8908
Email: carrie@cagoldberglaw.com
naomi@cagoldberglaw.com

Counsel for Plaintiffs