

# Website investigation

## Synthetic sample

**Example subject:** Example Store | example.invalid

**Entirely fictional.** This is an illustration of a research format, not a redacted actual report. No site was scanned for this sample. No observations here establish conduct by a real business, a legal violation or a purchasable claim.

### 01 / Evidence inventory

| Field                                 | Status                             |
|---------------------------------------|------------------------------------|
| Scan identifier                       | SAMPLE-ONLY; no production scan    |
| Collection date / browser / geography | Not captured                       |
| HAR, screenshots, DOM and event log   | Not supplied                       |
| Request payload / consent state       | Not captured                       |
| Artifact hashes / chain of custody    | Not established                    |
| Legal review                          | Illustrative research prompts only |
| Sale availability                     | Not available for purchase         |

### 02 / Example research lead

Suppose a browser records a request to a metrics endpoint. Preserve the exact URL, timestamp, method, initiator and payload before describing what information was sent. A script signature alone does not prove interception of contents. Vendor capabilities do not establish a site-specific deployment.

Review the consent interface and policy version. Preserve the selected choice and storage state across any reload. Continuing requests require payload analysis; deleting the consent cookie can invalidate an opt-out comparison.

For a real package, list each available file and limitation, identify the selected scan, and confirm delivery before purchase. No class size, damages estimate or legal viability score is generated.

# Legal research questions

Reference date: October 5, 2026  
Rule version: discover-2026-10-05

## 03 / California law after SB 690

SB 690, Chapter 976, was signed September 30, 2026 and takes effect January 1, 2027. It reserves actions under Penal Code section 637.2 against private actors for section 638.51 violations arising from websites, online services or mobile apps to the California Attorney General. It also applies to pending claims in actions commenced within two years before its operative date. The restriction does not depend on CCPA compliance.

Sections 631 and 632 were not amended. Neither becomes an automatic replacement claim: examine actual contents, interception, party roles, consent, confidentiality and territorial facts.

## 04 / Injury, consent and federal theories

**Adverse authority:** *Popa v. Microsoft*, 153 F.4th 784 (9th Cir. 2025), rejects automatic federal standing from ordinary session-replay shopping data. *Fons v. Grocery Outlet*, No. 5:26-cv-00964, Dkt. 47 (N.D. Cal. Sept. 24, 2026), found an allegedly ignored Reject All choice insufficient on the ordinary-data facts there.

Sensitive cross-site profiling requires factual proof; an industry label is insufficient. *Semien v. PubMatic* allowed specified claims to proceed at the pleading stage, without establishing liability or certifying a class.

The Federal Wiretap Act has a party-consent exception. An independent criminal or tortious purpose must support a crime-tort argument; a CIPA allegation or advertising revenue alone does not automatically overcome consent. See *Planned Parenthood v. Newman*, 51 F.4th 1125 (9th Cir. 2022).

## 05 / Remedies and attorney assessment

CIPA section 637.2 states the greater of \$5,000 per violation or three times actual damages, subject to the SB 690 restriction. It does not itself award fees or punitive damages. Under ordinary section 2520(c)(2) federal claims, the court may assess the greater of actual damages plus profits or statutory damages of the greater of \$100 per day or \$10,000. Neither provision creates a recovery for each detected tracker or request by default.

Counsel must independently verify plaintiff facts, standing, jurisdiction, limitations, arbitration, claim elements, class requirements, evidence admissibility and any remedy. This sample is not a complaint or demand and creates no attorney-client relationship.

# Sources and next steps

## 06 / Verify primary material

### **SB 690 chaptered text**

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202520260SB690](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202520260SB690)

### **Popa opinion**

<https://cdn.ca9.uscourts.gov/datastore/opinions/2025/08/26/24-14.pdf>

### **Fons order**

[https://www.govinfo.gov/content/pkg/USCOURTS-cand-5\\_26-cv-00964/pdf/USCOURTS-cand-5\\_26-cv-00964-0.pdf](https://www.govinfo.gov/content/pkg/USCOURTS-cand-5_26-cv-00964/pdf/USCOURTS-cand-5_26-cv-00964-0.pdf)

### **Planned Parenthood opinion**

<https://cdn.ca9.uscourts.gov/datastore/opinions/2022/10/21/20-16068.pdf>

### **Semien order**

<https://law.justia.com/cases/federal/district-courts/california/candce/3%3A2025cv03164/447723/47/>

### **CIPA civil remedy**

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PEN&sectionNum=637.2](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=637.2)

### **Federal civil remedy**

<https://www.law.cornell.edu/uscode/text/18/2520>

## 07 / Reviewed package pilot

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