

Department of Justice Pursues Sanctions in Antitrust Suit Against Google Over Deleted Texts



The United States Department of Justice (DOJ) has accused Alphabet Inc.'s Google of intentionally deleting employee chats and failing to preserve records needed for an antitrust lawsuit. The DOJ has requested the imposition of sanctions on the tech giant and a hearing before US District Judge Amit Mehta. The trial is scheduled for the fall.

According to a Feb. 10 court filing that was unsealed on Thursday, Google had urged its employees to discuss sensitive topics via chats that would be automatically deleted after 24 hours. However, the government said that Google employees used "off-the-record" chats to discuss business and the antitrust lawsuit in Google Hangouts. This chat platform lets users determine whether records are maintained or deleted.

The DOJ stated that Google employees intentionally steered conversations away from email and toward chats, sometimes explicitly requesting that the history remain off. The DOJ argued that by intentionally destroying employee chats and making repeated misleading disclosures, Google violated federal rules on litigation.

Google has disputed the DOJ's allegations, with spokesperson Julie Tarallo McAlister stating that the company refutes the claims. She added that Google teams had worked conscientiously to respond to inquiries and litigation for years. The company has produced over 4 million documents in this case alone and millions more to regulators worldwide.

In another federal antitrust case, Google has been accused of similar misconduct related to its dominance over Android apps downloaded through the Google Play Store. The plaintiffs, including state attorneys general and closely held Epic Games Inc., have sought sanctions against Google. US District Judge James Donato, overseeing the antitrust case in San Francisco, has yet to rule on the motion.

Earlier this year, Judge Donato said he was considering giving the jury an instruction that could adversely impact Google in the trial set for November.

The DOJ has requested that Judge Mehta impose sanctions on Google for failing to preserve records needed for the antitrust lawsuit. The government has asked for an evidentiary hearing on Google's chat deletion.

As Google faces increasing antitrust scrutiny, the company has emphasized its commitment to complying with laws and regulations. However, the DOJ's allegations of intentional chat deletion and failure to preserve records could further damage Google's reputation and legal standing.

REFERENCES:

DOJ Seeks Sanctions Over Deleted Google Texts in Antitrust Suit