

EXHIBIT 85

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

-----X
PEOPLE OF THE STATE OF CALIFORNIA, et al.

Plaintiffs,

-against-

META PLATFORMS, INC., Instagram, LLC,
Meta Payments, Inc., Meta Platforms
Technologies, LLC, et al.,
Defendants.

-----X

VIDEOTAPED DEPOSITION of ADAM ALTER, Ph.D.,
taken by the Defendant, pursuant to Notice, held at 450
Lexington Avenue, 10th Floor New York, NY 10163, on
December 12, 2025, at 8:41 a.m., before a Notary Public
of the State of New York.

1 influence analysis framework, and my expertise and my
2 experience examining such messages and how consumers
3 generally understand those messages to draw conclusions
4 about how the constellation of messages will have been
5 interpreted by consumers, and the messages shared.

6 And I'm very clear with each message about how
7 that would have happened.

8 Q. So is that a no, you did not undertake an
9 analysis of the comments or reactions, as a check on
10 your hypotheses as to how consumers would have
11 interpreted Mr. Zuckerberg's statement?

12 MR. SLOTHOUBER: Objection. Form.
13 Compound.

14 Q. It's a very simple question. Is that a piece
15 of work that you did, an analysis of the comments and
16 reactions?

17 MR. SLOTHOUBER: Objection. Compound.
18 Form.

19 A. That specific analysis with this specific post
20 was not an analysis I undertook. There were other
21 analyses that I believe gave me a sort of proxy for
22 consumer response to statements, including, for example,
23 my experience speaking to consumers across time, and
24 noticing a rise in skepticism, which I've already
25 described to you.

1 That evidence was certainly relevant to my
2 understanding of how consumer sentiment has shifted. So
3 in this case, I did not look at this specific post and
4 how consumers responded.

5 Q. Was there any company statement in this case,
6 for which you systematically reviewed contemporaneous
7 consumer reactions, such as in comments and online
8 reactions, as a check on your hypotheses on consumer
9 interpretations?

10 MR. SLOTHOUBER: Objection. Form.
11 Compound.

12 A. That was not an analysis I sought to undertake
13 and instead applied the social influence analysis
14 framework and my expertise, and many data points I had
15 collected over time to answer that question.

16 Q. At -- the last sentence of paragraph 388, says:
17 "Thousands of these views, reactions
18 and/or comments to Mr. Zuckerberg's posts
19 comprised Massachusetts users."

20 Do you see that?

21 A. Yes.

22 Q. You didn't undertake that state-specific
23 analysis with respect to any state other than
24 Massachusetts; is that right?

25 A. That's correct, in this particular instance.

1 But there are other places where I focus on what are
2 called prioritized markets, and at paragraph 391, for
3 example, I break out some of the states. But in this
4 particular paragraph, I focused only on Massachusetts.

5 Q. And in paragraph 391, you mention five states,
6 right, out of the 31 or 32 that are at issue in these
7 proceedings?

8 A. Yes, that's correct.

9 Q. But you didn't systematically assess exposure
10 to even the message gists with respect to specific
11 states in these proceedings?

12 MR. SLOTHOUBER: Objection. Form.
13 Compound.

14 A. My assignment, and also my intention was not to
15 examine exposure at the state level, but rather to look
16 at exposure broadly.

17 And since many of the media outlets that I
18 described here, and the word of mouth processes are
19 universal and apply across the entire country, and are
20 viewed by people across the entire company, I did not
21 perform a breakout analysis to capture exactly what
22 proportion of viewers was in each state.

23 Q. Well, if we look at paragraph 387, for
24 instance, one of the new sources you reference there as
25 transmitting the message or message gist, the last item

1 statement and as we discussed earlier, the implication
2 here is that there is -- first, she says they're not on
3 Instagram, and then by following up, she's implying that
4 they're not on Instagram because they're immediately
5 removed as soon as they're detected.

6 As I discuss elsewhere in the report and as you
7 see in testimony from various personnel at the company,
8 this process of removing people from the platform when
9 they're detected is slow, imperfect, and the ability to
10 detect them is an over-claim.

11 And so when you look at all of the evidence,
12 the underlying evidence, this is an inflation of the
13 true nature of the platform's ability to find and remove
14 those individuals.

15 And read in context, this entire statement here
16 from Ms. Davis reads to say either if you begin at the
17 beginning that there are, as a matter of fact, no people
18 on Instagram under the age of 13, but then later on
19 she's not saying there are lots of them, she's saying
20 because we have an effective mechanism for removing
21 them, they're not a lot of them on Instagram, indeed
22 there may be very few, that's how that reads to a
23 consumer.

24 Q. Have you spoken to a single consumer who
25 expressed that reading of this sentence, this series of

1 sentences?

2 Simple question, have you spoken to a single
3 consumer who told you they interpreted that statement in
4 this way?

5 A. I could point you to the same forms of evidence
6 and the same approach I used for understanding the other
7 statements in context. The same application of the same
8 expertise, background, principles that I used to
9 understand such statements in other contexts, internal
10 documents at Meta, the large gap between what was known
11 at Meta and what this statement implies and so on to
12 unpack what consumers would have understood and the gulf
13 between that and the true nature of the situation at the
14 company.

15 Q. So the answer is, no, you have not spoken to a
16 single consumer who has told you that they interpreted
17 Ms. Davis's statements in the way that you just posited?

18 A. I'll say again, you can see the approach that I
19 used in my report to unpacking these statements, what
20 they mean, explaining the relevance of the context, and
21 explaining the various models that I use and the
22 approach I use to understand how consumers would
23 understand those statements.

24 Q. Yep, I understand what you did do. I'm asking
25 a different question. You have not spoken to a single

1 consumer who told you they interpreted Ms. Davis's
2 statements at this hearing in the way that you posit,
3 correct?

4 MR. SLOTHOUBER: Objection. Form.

5 Asked and answered.

6 A. That's not the approach I took. As I said, I
7 had a different approach which was to examine using a
8 model, using lots of experience, having done similar
9 things in the past as an expert on such communications
10 in many contexts, including this one, that read in
11 context, this statement says to a consumer or audience
12 based on the principles of linguistic psychology and
13 otherwise, that either they're not on Instagram, or if
14 we find them, we very quickly remove them. And I've
15 explain how I arrive at that conclusion here and in the
16 report.

17 Q. Based on the principles of linguistics, et
18 cetera, as you said, but not one person has told you
19 that they interpreted this statement the way you posit,
20 correct?

21 MR. SLOTHOUBER: Objection. Form.

22 Asked and answered.

23 A. My assignment was not to interview people
24 directly. I did not feel that was the best way to go
25 about unpacking the interpretation of these statements,

1 and I'm very transparent about how I engage in the
2 process of translating how they would be received by and
3 understood by consumers.

4 Q. Right. And not only did you not interview
5 individual users to see whether any of them interpreted
6 the statements the way you posit, you also didn't
7 conduct a systematic survey to assess whether consumers
8 interpreted the statements the way you posit, correct?

9 A. As I said much earlier on today, we discussed
10 my methodological approach, and I explained that
11 whenever I begin work on a question like this, or a set
12 of assignment questions, or a set of assignment
13 statements, I examine the evidence, I examine the facts
14 and the context, and I determine, as I do in every case,
15 the most appropriate methodologies to use, and that's
16 what I did in this case as I do in all cases, and these
17 were the approaches that I used in this case.

18 Q. You're not changing your testimony from earlier
19 that you didn't do a survey in this case, right?

20 A. I'll say what I said, I believe, earlier, which
21 was that there was some survey evidence in this case and
22 I looked at the archival evidence that Meta itself had
23 collected and sometimes that evidence was relevant to
24 various questions. But I did not run a primary survey
25 myself, because as I said earlier, that was not my

A C K N O W L E D G M E N T

STATE OF NEW YORK)

:SS

COUNTY OF)

I, ADAM ALTER, hereby certify that I have read the transcript of my testimony taken under oath in my deposition of the 12th day of December, 2025; that the transcript is a true, complete and correct record of my testimony, and that the answers on the record as given by me are true and correct.

ADAM ALTER

Signed and subscribed to before
me, this day
of , 2025.

Notary Public, State of New York

C E R T I F I C A T E

STATE OF NEW YORK)

) ss.:

COUNTY OF QUEENS)

I, BROOKE E. PERRY, a Notary Public
within and for the State of New York, do hereby
certify:

That ADAM ALTER, the witness whose
deposition is hereinbefore set forth, was duly
sworn by me and that such deposition is a true
record of the testimony given by such witness.

I further certify that I am not related
to any of the parties to this action by blood
or marriage; and that I am in no way interested
in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 16th day of December, 2025.



BROOKE E. PERRY