

EXHIBIT 92

1 [Submitting Counsel on Signature Page]

2
3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

5
6 People of the State of California, et al.

7 v.

8 Meta Platforms, Inc., Instagram, LLC, Meta
9 Payments, Inc., Meta Platforms Technologies, LLC

10 -----
11 Office of the Attorney General, State of
12 Florida, Department of Legal Affairs

13 v.

14 Meta Platforms, Inc., Instagram, LLC, Meta
15 Payments, Inc.

16 -----
17 State of Montana, ex rel. Austin Knudsen,
Attorney General

18 v.

19 Meta Platforms, Inc., Instagram, LLC, Facebook
20 Holdings, LLC, Facebook Operations, LLC,
21 Meta Payments, Inc., Meta Platforms
Technologies, LLC, Siculus, Inc.

22 -----
23 **IN RE: SOCIAL MEDIA ADOLESCENT**
24 **ADDICTION/PERSONAL INJURY**
PRODUCTS LIABILITY LITIGATION

25 **THIS DOCUMENT RELATES TO:**

26 4:23-cv-05448, 4:23-cv-05885.
27
28

MDL No. 3047

Case Nos.: 4:23-cv-05448-YGR
4:23-cv-05885-YGR

**STATE ATTORNEYS GENERAL'S
RESPONSE TO META DEFENDANTS'
FIRST SET OF INTERROGATORIES**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

1 leaked by a whistleblower) reveal that Meta has known for years about the serious harms
2 associated with young users' time spent on its Platforms. These physical and mental harms are
3 particularly acute for young users, who are less able than adults to self-regulate the time they
4 spend on Meta's Platforms.

5 State AGs reserve the right to supplement their response to this Interrogatory.

6
7 **Interrogatory No. 5:**

8 State the number of violations of the Consumer Protection Act Plaintiff alleges Defendants
9 committed and explain how this number was determined.

10 **Response:**

11 State AGs object to Interrogatory No. 5 as premature, as it purports to require Plaintiffs to
12 marshal all proof Plaintiffs intend to offer at trial well before the parties' discovery cutoff in this
13 case. *See, e.g., Loeber, 2023 WL 4703329, at *2.* State AGs further object to the extent
14 Interrogatory No. 5 would require State AGs to provide information relating to expert opinion or
15 testimony that is not due to be disclosed until the parties' exchange of expert disclosures.

16
17 Subject to and without waiving their general and specific objections to this Interrogatory,
18 State AGs will not agree to provide a further response to this Interrogatory at this time. Potentially
19 responsive information is the subject of ongoing fact and testimonial discovery, research, and/or
20 expert analysis. State AGs reserve the right to supplement their response to this Interrogatory.

21
22 **Interrogatory No. 6:**

23 Specify each category of cost, expenditure, damage, loss, harm, penalty, or relief for which Plaintiff
24 seeks equitable or monetary relief. For each category, identify and fully describe the dollar amount
25 and how it was calculated and all Persons with knowledge about the cost, expenditure, damage,
26 loss, penalty, or harm and/or its computation.

27 **Response:**
28

1 State AGs object to Interrogatory No. 6 as premature, as it purports to require Plaintiffs to
2 marshal all proof Plaintiffs intend to offer at trial well before the parties' discovery cutoff in this
3 case. *See, e.g., Loeber*, 2023 WL 4703329, at *2. State AGs further object to the extent
4 Interrogatory No. 6 would require State AGs to provide information relating to expert opinion or
5 testimony that is not due to be disclosed until the parties' exchange of expert disclosures.
6

7 Subject to and without waiving their general and specific objections to this Interrogatory,
8 State AGs respond as follows.

9 The categories of relief that State AGs seek as remedies for violations of COPPA and the
10 individual state consumer protection laws are expected to include, but are not limited to:
11 disgorgement of any ill-gotten financial gains that Meta derived from the use or employment of
12 any practices that violate COPPA or the state consumer protection laws under which State AGs
13 assert claims in the Complaint; relief as provided under COPPA, including, for example, injunctive
14 relief and disgorgement, *see* 15 U.S.C. § 6504(a)(1); civil penalties as provided for by individual
15 States' laws, as identified in the Complaint⁵; permanent injunctive relief to restrain Meta's unlawful
16 acts and practices, as further detailed in the Complaint⁶; reasonable attorneys' fees and costs from
17 investigating and litigating this enforcement action; pre- and post-judgment interest; and other
18 forms of equitable relief as the Court deems just and proper. The applicable categories of relief may
19 vary by State.
20
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22 For example, State AGs seek disgorgement of the gains that Meta derived from its unlawful
23 acts, including but not limited to Meta's practice of collecting the data of users under 13 without
24 first obtaining verifiable parental consent; targeting its Platforms to young users; misrepresenting
25 the design, safety, and harmful impact of its Platforms; and designing its Platforms to include
26

27 ⁵ Montana also identifies civil penalties in its separate Complaint.

28 ⁶ Montana also details permanent injunctive relief in its separate Complaint.

1 psychologically and physically harmful features, including features that promote compulsive and
 2 excessive use among young users, as alleged in the Complaint⁷ and detailed in our responses to
 3 Interrogatories 3 and 4 above. These gains may take the form of money, such as revenue obtained
 4 from advertisements and consumers; property, including intellectual property; and data, including
 5 the data of young users. Where applicable, State AGs may provide expert analysis regarding the
 6 monetary value of such ill-gotten gains, as well as potential penalties. At this time, State AGs assert
 7 that Meta and/or its employees are likely to be knowledgeable about information or data relevant
 8 to this Interrogatory.
 9

10 State AGs reserve the right to supplement their response to this Interrogatory.

11 **Interrogatory No. 7:**

12 Identify each State Consumer who experienced the harms alleged in the Complaint (including
 13 depression, anxiety, suicide, self-harm, loss of sleep, compulsive use, and addiction) that Plaintiff
 14 alleges were caused by use of Defendants' Platforms. For each, identify all communications
 15 between Plaintiff and the Consumer regarding their use of Defendants' Platforms, all evidence that
 16 those individuals heard or read alleged misstatements from Defendants, and all evidence those
 17 individuals considered such statements material and relied on those statements in deciding to use
 18 Defendants' Platforms.
 19

20 **Response:**

21 State AGs object to this Interrogatory as overly broad, unduly burdensome, and not
 22 proportional to the needs of the case. State AGs are not required to prove harm to individual
 23 consumers as part of their respective cases, and therefore the identities of each individual consumer
 24 across each State who has experienced harms resulting from Defendants' Platforms is not
 25 proportional to the issues being litigated. State AGs further object to the extent that State AGs do
 26
 27

28 _____
⁷ Montana also alleges such unlawful acts in its separate Complaint.

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