

EXHIBIT 5

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No.
IN RE: SOCIAL MEDIA ADOLESCENT 4:22-MD-03047-YGR
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

MDL No. 3047

This Document Relates To:

ALL ACTIONS

CONFIDENTIAL - ATTORNEYS' EYES ONLY
PURSUANT TO PROTECTIVE ORDER

CONTINUED VIDEOTAPED DEPOSITION OF
ALLISON L. HARTNETT

Held At: Covington & Burling LLP
Salesforce Tower
4415 Mission Street
San Francisco, California

June 17th, 2025
10:03 a.m.

Reported By:
MAUREEN O. POLLARD, CSR #14449, RDR

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1 disable state, and then there's deletion, right?

2 A. Yes.

3 One, I do think it's a little bit
4 weirdly worded. Like, the checkpoint is a thing
5 that happens that causes you to be in a disabled
6 state, so when you are checkpointed the account is
7 also disabled.

8 Q. Okay. So the account is checkpointed,
9 right, for being under 13?

10 A. Yes.

11 Q. There's a period of time in which the
12 user has to appeal the decision that they are likely
13 under 13, right?

14 A. That's right.

15 Q. And that period has been 30 days?

16 A. That's correct.

17 Q. Since 2012, since this system has
18 existed, the period has been 30 days to appeal,
19 right?

20 A. No. It looks like in --

21 Q. Let me -- maybe I can ask it again.

22 At some point maybe it was a shorter
23 period of time, but since at least, let's say, 2022
24 it's been a 30-day period, right?

25 A. Since at least 2022, yes.

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1 Q. Yeah.

2 A. Yeah.

3 Q. Okay. And then at the end of that
4 30 days if the account -- if the person who belongs
5 to the account has not successfully appealed a
6 decision, then Meta keeps the account in a disabled
7 state for a period of time, right?

8 A. That is correct.

9 Q. And it keeps the account and the data
10 associated with the account in a disabled state for
11 a period of time before it starts deleting that
12 data, right?

13 A. Yes, that's right.

14 Q. And the period of time in which Meta
15 maintained that data belonging to users who it
16 determined were likely under 13 in that disabled
17 state varied over the years?

18 MR. CHAPUT: Object to the form.

19 THE WITNESS: Yes, that is right, it
20 varied over the years.

21 BY MR. OLSZEWSKI-JUBELIRER:

22 Q. Okay. And the -- so, for example, in
23 2022 and 2023 that period was six months, right?

24 A. Yes.

25 Q. So in 2022 and 2023, after Meta

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1 determined a user was likely under 13 and the user
2 failed to successfully appeal that determination,
3 Meta kept that user's data for six months before
4 beginning to delete it, right?

5 MR. CHAPUT: Object to form.

6 Characterization.

7 THE WITNESS: Meta kept the user's data
8 in a disabled state before beginning to
9 delete it. The reason Meta does that is
10 for the possibility of needing to do legal
11 discovery that would involve sharing the
12 data on those disabled accounts. That's
13 why the disablement period exists.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. Okay. The disablement -- that's the
16 reason the disablement period exists?

17 MR. CHAPUT: Object to form.

18 THE WITNESS: That is my understanding,
19 yeah.

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. Okay. In April 2023 Meta extended that
22 period that it keeps the data of accounts it has
23 determined likely belong to children under 13 before
24 beginning to delete them to one year, right?

25 A. Yeah.

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1 MR. CHAPUT: Object to the form.

2 Characterization.

3 THE WITNESS: In April 2023, the
4 disablement period was one year, yes.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. Okay. And then in April 2024, at least
7 for US accounts that Meta determined likely belonged
8 to children under 13, Meta shortened that period
9 that it keeps their data before beginning to delete
10 it to 45 days, right?

11 MR. CHAPUT: Object to form.

12 Characterization.

13 THE WITNESS: Yes.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. Okay. And then once Meta begins to
16 delete the data of these accounts that it has
17 determined likely belong to children under 13, it
18 deletes that data over a period of 90 days, right?

19 A. Yes.

20 MR. CHAPUT: Object to the form.

21 Characterization.

22 THE WITNESS: Yes.

23 MR. OLSZEWSKI-JUBELIRER: Okay. Let's
24 go off the record, please.

25 THE VIDEOGRAPHER: The time is 10:15.

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1 We're off the record.

2 (Whereupon, a recess was taken.)

3 THE VIDEOGRAPHER: The time is 10:28.

4 We're back on the record.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. I'd like to talk about age modeling.

7 A. Okay.

8 Q. Meta has been developing age models
9 since before 2018, right? I'm on page 27 of your
10 notes.

11 A. Yes, that is correct.

12 Q. Age models are models or algorithms
13 that Meta uses to predict a user's age, right?

14 A. Yeah, that's right.

15 Q. Okay. And in 2018 Meta consolidated
16 its age modeling work into a team called core
17 dimensions, right?

18 A. Yes, that's right.

19 Q. And you talked yesterday -- you
20 testified yesterday about how Meta uses happy
21 birthday posts as a source of ground truth for its
22 age models, is that right?

23 A. Yes, that's right.

24 Q. And happy birthday posts in this
25 context are posts where a user wishes another user

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1 delete the data. So if a user is disabled and
2 deleted for being under 13, we don't have any data
3 to then match them creating a new account because
4 it's deleted.

5 Q. This morning counsel has asked you some
6 questions about the deletion framework.

7 Do you recall generally that testimony?

8 A. Yes.

9 Q. Counsel walked you through a number of
10 time frames to deletion that are described in your
11 notes. Are those deletion time frames specific to
12 under 13 reports?

13 MR. OLSZEWSKI-JUBELIRER: Objection.
14 Foundation, characterization.

15 THE WITNESS: Just to share, so we
16 talked about deletion time frames, they've
17 changed over time. When we were talking
18 about the time frames that have changed
19 over time, those referred to deletion
20 timelines for any enforcement, not specific
21 to 13.

22 The u13 enforcement is now deleted at
23 45 days, and that began -- I think I can
24 get that date, but it's in the notes. That
25 is specific to u13, but the other ones were

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1 not specific to u13 that we discussed.

2 BY MR. CHAPUT:

3 Q. During your education on the deletion
4 framework, did you learn information about the
5 impact of the disabled state on Meta's processing of
6 data associated with those accounts?

7 MR. OLSZEWSKI-JUBELIRER: Objection.
8 Scope.

9 THE WITNESS: So when the account is
10 disabled, what that means is that any
11 systems that would be processing the
12 accounts data ignore that account.
13 Basically the account has a flag on it that
14 says disabled, and therefore the data is
15 not processed.

16 BY MR. CHAPUT:

17 Q. Yesterday counsel asked you some
18 questions about Meta's collection of logged-out user
19 data.

20 Do you recall that line of questioning?

21 A. Yes.

22 Q. Are you able to describe what portions
23 of Facebook and Instagram an individual is able to
24 access without having logged into those services?

25 A. Yes. A user can access the

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1 registration page, which we spoke about, as well as
2 public -- select public pages. Like, if a profile
3 is public, that can be visited.

4 Q. Are there any limitations on the volume
5 of public pages apart from the registration page
6 that individuals are able to access on Facebook and
7 Instagram without logging in?

8 MR. OLSZEWSKI-JUBELIRER: Objection.
9 Scope.

10 THE WITNESS: Yes, there are
11 limitations. Users today -- the exact
12 limitation depends on -- I do not have the
13 exact limitation, but it's something in the
14 range of three to five pages that a user
15 can visit before they're prompted to
16 register.

17 BY MR. CHAPUT:

18 Q. How have those access limitations
19 changed over time, if at all?

20 MR. OLSZEWSKI-JUBELIRER: Same
21 objection.

22 THE WITNESS: That access limitation
23 which I refer to as rate limiting has -- it
24 has not always existed. It has existed --
25 I believe it started to exist around 2020.

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CERTIFICATE OF COURT REPORTER

I, MAUREEN O'CONNOR POLLARD, Registered
Diplomate Reporter, CSR No. 14449 for the State of
California, the officer before whom the foregoing
deposition was taken, do hereby certify that the
foregoing transcript is a true and correct record of
the testimony given; that said testimony was taken
by me stenographically and thereafter reduced to
typewriting under my direction; and that I am
neither counsel for, related to, nor employed by any
of the parties to this case and have no interest,
financial or otherwise, in its outcome.

Dated this 17th day of June, 2025.

Maureen O. Pollard

MAUREEN O'CONNOR POLLARD

CSR No. 14449