

EXHIBIT 4

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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

VIDEOTAPED DEPOSITION OF
ALLISON L. HARTNETT

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

June 16th, 2025
9:59 a.m.

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

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1 Q. The defendants listed in each are Meta
2 Platforms, Inc.; Instagram, LLC; Meta Payments,
3 Inc.; and Meta Platforms Technologies, LLC.

4 Do you see that?

5 A. Yeah.

6 Q. We'll just look at the one for Meta
7 Platforms, which is Exhibit 1.

8 A. Okay.

9 Q. And I'll represent that all of these
10 are the same except for the name of the defendant.

11 A. Okay.

12 Q. Have you seen this deposition notice
13 before?

14 A. Yes, I have.

15 Q. And you're designated to testify as to
16 certain topics on this notice today, right?

17 A. Yes, that's right.

18 Q. And you're designated to testify as to
19 Topics 2 through 6 except for Topic 4(h), is that
20 right?

21 A. That's correct.

22 Q. And you're designated to testify on
23 those topics on behalf of all four companies, right?

24 A. That's right.

25 MR. OLSZEWSKI-JUBELIRER: Okay. And

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1 just to state on the record, Meta and the
2 state AGs have agreed that we would not
3 take the company's corporate testimony on
4 Topic 4(h) today, and I will reschedule
5 that testimony for a different date.

6 MR. CHAPUT: And there will be a
7 separate witness, just for clarity.

8 MR. OLSZEWSKI-JUBELIRER: Right. Thank
9 you.

10 BY MR. OLSZEWSKI-JUBELIRER:

11 Q. Are you qualified to testify on the
12 topics for which you're designated?

13 A. Yes, I am.

14 Q. What qualifies you to testify on those
15 topics?

16 A. I'd say two things. One, they're
17 relevant to my work at Meta, and then, two, I have
18 prepared with subject matter experts internally
19 where I need more detail.

20 Q. We'll get into that in just a sec.

21 So without disclosing the substance of
22 your conversations with counsel, did you also meet
23 with counsel to prepare for today's deposition?

24 A. Yes, I did.

25 Q. How long have you met with counsel to

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1 prepare for the deposition?

2 A. I think -- this is an estimate --
3 overall probably like 20 to 30 hours over the last
4 month or so.

5 Q. And about how many times did you meet
6 with counsel?

7 A. We met at least as many times as
8 subject matter experts that are in my notes, so, I
9 mean, I think it's at least 20 times.

10 Q. Did you meet with each of those subject
11 matter experts listed in your notes?

12 A. Yes, I did.

13 Q. Okay. Did you meet with anyone else
14 other than the subject matter experts who are listed
15 in your notes to prepare for the deposition?

16 A. Just counsel.

17 Q. Okay. Did you review any documents to
18 prepare for today's deposition?

19 A. Yes, we did.

20 Q. Which documents did you review?

21 A. They're in this binder. Do you want me
22 to go through and look at these, or...

23 Q. So you're referring to a binder that
24 you brought here with you today?

25 A. Yes.

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1 MR. OLSZEWSKI-JUBELIRER: Okay. I'll
2 represent that we were given a copy of this
3 binder less than 30 minutes before the
4 scheduled start of this deposition, and
5 then the binder was briefly taken away to
6 check whether there were documents
7 inadvertently included, and the binder was
8 returned to us about 20 minutes ago now.

9 Q. Okay. So the documents that you
10 reviewed are only the documents that are contained
11 in that binder that you brought with you today?

12 A. These are ones I reviewed in
13 preparation for deposition, yes.

14 Q. Did you review any other documents in
15 preparation for the deposition?

16 A. No.

17 Q. How many documents are in the binder?

18 A. Sorry, I don't know. Do you want me to
19 count them?

20 Q. I think they have tabs. There's nine
21 tabs.

22 A. Okay.

23 THE WITNESS: Sorry, I don't know, is
24 it one document per tab?

25 MR. CHAPUT: Yes.

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1 front of you?

2 A. Yes.

3 MR. OLSZEWSKI-JUBELIRER: Can we mark
4 that as -- that will be Exhibit 6.

5 (Whereupon, Meta-Hartnett-6 was
6 marked for identification.)

7 THE WITNESS: There's an index of the
8 notes, and there are two different --

9 MR. OLSZEWSKI-JUBELIRER: There are two
10 different documents?

11 THE WITNESS: This is just an index of
12 the notes.

13 MR. OLSZEWSKI-JUBELIRER: Okay.

14 THE WITNESS: But they are meant there
15 in two piles.

16 MR. OLSZEWSKI-JUBELIRER: We can mark
17 the index as Exhibit 7, then.

18 (Whereupon, Meta-Hartnett-7 was
19 marked for identification.)

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. Who wrote your notes?

22 A. I wrote my notes.

23 Q. How did you decide what to include in
24 your notes?

25 A. I decided -- let me -- I was taking

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1 down as, like, relatively verbatim as I could what
2 subject matter experts were telling me when I was
3 speaking to them. And then I did review the notes
4 with counsel to determine -- like to check that they
5 were accurate.

6 Q. So you asked your counsel whether your
7 notes were accurate as a representation of your
8 conversations with --

9 A. The counsel sat in the conversations.
10 And there were some mistakes I made in the notes,
11 like sometimes I would type something down wrong,
12 yeah, and we all listened to it.

13 Q. Okay. And the notes -- you intend to
14 rely on the notes to testify on behalf of the
15 company, right?

16 A. I do.

17 Q. And everything in the notes is accurate
18 as to the company's knowledge?

19 A. Yes, to the best of my knowledge
20 speaking with the subject matter experts.

21 Q. All right. Let's talk about how Meta
22 collects and uses data from people.

23 A. Okay.

24 Q. It's my understanding Meta can collect
25 lots of different kinds of data. Unless I tell you

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1 otherwise, right now we're going to be focusing on
2 something I'll talk about as personal information,
3 and for these discussions we'll talk about personal
4 information as these categories: An e-mail address,
5 an image of a person's face, sound of a person's
6 voice, a cookie ID, an internet protocol address or
7 an IP address, a process or a device serial number
8 or other unique personal identifier that can be used
9 to recognize a user over time and across different
10 online services, information concerning a user
11 combined with that persistent identifier, or precise
12 geolocation information.

13 A. Okay.

14 Q. Do you understand those topics?

15 A. Yes, I do. I might need you to repeat
16 them for me from time to time.

17 Q. Okay. Does Meta collect personal
18 information from people who have accounts on its
19 platforms?

20 A. Yes, it does. It collects some of the
21 pieces of information you have listed, yeah.

22 Q. Okay. From people who have accounts on
23 Facebook and Instagram, right?

24 A. Sorry.

25 So, yes, Meta collects personal

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1 to say.

2 BY MR. OLSZEWSKI-JUBELIRER:

3 Q. And all else being equal, users who see
4 more relevant content are more likely to come back
5 for more, is that right?

6 MR. CHAPUT: Objection. Form, scope.

7 THE WITNESS: Is it fair to say users
8 who see more relevant content come back for
9 more? Again, I think it's like a very high
10 level statement, but I'm not speaking on,
11 like, any -- I'm not speaking on any
12 precise data on, like, increase in
13 personalization and retention, but just as
14 a general statement, yes, I think that's
15 fair to say.

16 BY MR. OLSZEWSKI-JUBELIRER:

17 Q. And if users come back for more
18 content, that also presents Meta with more
19 opportunities to show the user ads, is that right?

20 MR. CHAPUT: Objection. Form, scope.

21 THE WITNESS: That is correct.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Okay. So we'll get into the
24 differences between -- you said the differences in
25 ways ads are targeted at various times based on the

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1 age of the users in a moment, but let's just talk
2 about how Meta knows what age its users are.

3 So prior to December of 2019, Meta did
4 not require new users of Instagram to enter their
5 age to create an account, correct?

6 A. That's correct.

7 Q. Okay. And prior to the time in
8 December 2019 when Meta required new users of
9 Instagram to enter their age to create an account,
10 did Meta ask those users what their age was at all?

11 MR. CHAPUT: Object to the form.

12 THE WITNESS: Sorry, can you repeat the
13 question? I was just reviewing my notes.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. Prior to when Meta started collecting
16 users' age on signup in December 2019 on Instagram,
17 did Meta ask new users of Instagram to say what
18 their age was at all?

19 MR. CHAPUT: Object to the form.

20 THE WITNESS: Not that I'm aware of.

21 BY MR. OLSZEWSKI-JUBELIRER:

22 Q. Did it ask -- did Meta ask those users
23 in this period prior to December 2019, new users of
24 Instagram, to state that they were over 13?

25 MR. CHAPUT: Object to the form.

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1 THE WITNESS: Meta did ask all users of
2 Instagram to follow the terms of service,
3 and the terms of service required that
4 users be over 13.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. How did users, new users, agree to the
7 terms of service?

8 MR. CHAPUT: Object to the form.
9 Scope.

10 THE WITNESS: Yes. I don't have the
11 precise notes on exactly what the flow
12 looked like, but my understanding is that
13 users agreed to the terms of service within
14 their signup for an account.

15 BY MR. OLSZEWSKI-JUBELIRER:

16 Q. Was there -- do you know what the text
17 was that was displayed to new users to ask for their
18 agreement to the terms of service in this period
19 before December 2019?

20 MR. CHAPUT: Object to form. Scope.

21 THE WITNESS: I do not have that.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Were users required to read the terms
24 of service before they checked a box agreeing to the
25 terms of service?

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1 MR. CHAPUT: Object to form. Scope.

2 THE WITNESS: I don't know.

3 BY MR. OLSZEWSKI-JUBELIRER:

4 Q. Do you know how -- if users were even
5 displayed the terms of service in this period --

6 MR. CHAPUT: Object --

7 BY MR. OLSZEWSKI-JUBELIRER:

8 Q. -- before they agreed to them?

9 MR. CHAPUT: Object to form. Scope.

10 THE WITNESS: I don't know. I don't
11 know.

12 BY MR. OLSZEWSKI-JUBELIRER:

13 Q. There was a period of time in which
14 Meta started requiring existing users of Instagram
15 to enter their age, is that right?

16 A. That is right.

17 Q. And when did that happen?

18 A. Beginning in May 2022, Meta -- yes,
19 May 2022 Instagram users started to be asked to give
20 their age, if they were preexisting users.

21 Q. Okay. And when users give their age to
22 Meta on account signup, or in this flow when Meta
23 asked users to indicate their age, Meta calls that
24 the stated age?

25 A. Yes.

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1 stated age from users, for Facebook there was a
2 period where when new users would create accounts on
3 Facebook, Meta's system defaulted to a birth date
4 that would make the user 25 years old, is that
5 right?

6 A. Yes, that's right.

7 Q. And what period -- during what period
8 of time did Meta default to an age that would make
9 the user 25 years old when they signed up for
10 Facebook?

11 A. I think it was 2017 to 2019.

12 Q. And prior to the default of 25 years
13 old for new users on Facebook, did Meta default to a
14 different age for new users who signed up for
15 Facebook?

16 A. So that is -- it's not straightforward
17 to answer simply because there were prior to 2017
18 multiple different versions of the age collection
19 flow that were tested on Facebook that varied
20 depending on the exact interface the user was using.
21 So there's Facebook app, Facebook desktop, there's a
22 version of Facebook that's a light version for low
23 data use internet, and those had different age
24 collection flows.

25 So each of those data collected age

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1 differently.

2 Q. Did any of those age collection flows
3 default to a particular age?

4 A. I do not know.

5 Q. Okay. And you prepared to testify on
6 behalf of the company -- you prepared to testify on
7 behalf of the company with respect to how Meta has
8 collected stated age from its users, right?

9 A. Yes.

10 Q. For Facebook and Instagram?

11 A. Yes.

12 Q. Going back to 2012?

13 A. Yes.

14 Q. So just going back to -- well, let's
15 talk about Instagram users.

16 A. Okay.

17 Q. Instagram users started being required
18 to state their age when signing up in December 2019,
19 right?

20 A. Sorry, can you say that again?

21 Q. Instagram users started being required
22 to state their age when signing up in December 2019,
23 right?

24 A. That's correct.

25 Q. At that time did Meta default to a

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1 particular age when collecting those users' stated
2 age?

3 A. Starting in December 2019 the
4 Instagram -- when it began, Instagram age collection
5 always defaulted to today's date, the date the user
6 was looking at the form. So I wouldn't characterize
7 that as defaulting to a certain age.

8 Q. Was that different than how Facebook
9 was collecting stated age at that time?

10 A. At the -- I can't speak to, like, the
11 absolute precise moment of Facebook December 2019,
12 but Facebook -- very close in time to that, Facebook
13 signup also looked at today's date. Both Instagram
14 and Facebook were populated with today's date at
15 some point in 2019.

16 Q. Let's look at document F3, please.

17 (Whereupon, Meta-Hartnett-8 was
18 marked for identification.)

19 MR. CHAPUT: What exhibit is this,
20 Counsel?

21 THE STENOGRAPHER: 8.

22 MR. OLSZEWSKI-JUBELIRER: I think it's

23 8. Thank you, Madam Court Reporter.

24 BY MR. OLSZEWSKI-JUBELIRER:

25 Q. Do you recognize this document,

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1 Ms. Hartnett?

2 A. I have not seen this before.

3 Q. Okay. This is an e-mail thread, is
4 that right?

5 A. Yeah.

6 Q. Between Meta employees?

7 A. Yes.

8 Q. Okay. And this is a document with
9 Bates number META3047MDL-072-00434143, is that
10 right?

11 A. Yes, that's right.

12 Q. Okay. And this is an e-mail from
13 December 11, 2019, right?

14 A. Correct.

15 Q. And the subject line is, "Re:
16 Acquisition age management launch proposal"?

17 A. Yes.

18 Q. This is the time period when Meta was
19 changing how it collected stated age from new users,
20 right?

21 A. Yes.

22 Q. Do you see -- can you turn to the page
23 that ends Bates number 434147? It should be the
24 fifth page of the document.

25 Do you see that?

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1 THE WITNESS: It's accurate for 2023 to
2 the present -- or, sorry, before 2020- --
3 yeah, 2023 to the present. The only data
4 that Meta uses to show teens an ad is age
5 and city level or higher location.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Okay. Meta does not use -- you
8 testified before about that Meta uses users'
9 activity on the app to decide which ads to show
10 users, is that right?

11 MR. CHAPUT: Object to the form.

12 THE WITNESS: For under 18 users Meta
13 uses age and city level or higher location.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. Meta does not do anything to decide
16 which ads are more likely to be shown to those users
17 beyond just random assignment based on ads that
18 are targeted to users of that age and that city?

19 A. That's right.

20 MR. CHAPUT: Object to the form.

21 THE WITNESS: That is right. The ads
22 are far less relevant to teens because we
23 only use those pieces of data.

24 BY MR. OLSZEWSKI-JUBELIRER:

25 Q. All right. Let's see. People can

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1 visit public Facebook and Instagram pages without
2 having a Facebook or Instagram account, right?

3 A. I believe it's accurate to say that
4 people can do that. It's not -- you can't visit all
5 pages on Facebook or Instagram, but there are
6 specific public Facebook or Instagram pages people
7 can visit.

8 Q. Public pages that are posted by
9 accounts on Facebook and Instagram, right?

10 MR. CHAPUT: Object to form. Scope.

11 THE WITNESS: Yes, that's right.

12 BY MR. OLSZEWSKI-JUBELIRER:

13 Q. Does Meta collect personal information
14 from people who visit public Facebook and Instagram
15 pages without being logged into a Facebook or
16 Instagram account?

17 MR. CHAPUT: Object to form.

18 THE WITNESS: So I know you gave me the
19 list of personal -- how you're defining
20 "personal information." Meta would not --
21 we do not call that list personal
22 information. So my answer would be, no, we
23 don't, but let me give you precisely what
24 we do collect.

25 We consider this data activity data

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1 that only gives us information on how did
2 the user use that logged-out page. We
3 collect IP address, device ID, cookie data,
4 and then clicks. Yeah, we don't consider
5 that personal data.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Okay. So you mentioned things like IP
8 address, cookie data, device ID, is that right?

9 A. That's right.

10 Q. And Meta collects those things from
11 users who visit public Facebook and Instagram pages
12 without being logged in, right?

13 A. Yes, that's right. I'm speaking
14 specifically about the registration pages, which is
15 the -- which is the most common logged-out page that
16 a user would visit. I think we should follow up if
17 it's exact same data collection on like a public
18 profile. Yeah.

19 Q. You don't know what data Meta collects
20 from people who visit a public Facebook profile, for
21 example, without being logged in?

22 MR. CHAPUT: Object to form.
23 Characterization, scope.

24 THE WITNESS: I don't -- I just don't
25 have the precise distinction in my notes on

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1 registration page versus an other
2 non-registration page, so we can follow up
3 on that. That's information we will have.
4 I just don't have that personalized
5 distinction.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Okay. Same question for a public
8 Instagram page, you don't know what data Meta
9 collects from users who visit a public Instagram
10 page without being logged in?

11 MR. CHAPUT: Same objections.

12 THE WITNESS: I know what data we
13 collect on the public Instagram
14 registration page. I think we can just get
15 the answer to this question if it is
16 exactly the same on a non-registration
17 page.

18 BY MR. OLSZEWSKI-JUBELIRER:

19 Q. Okay. But you don't have that
20 answer --

21 A. I just don't have it, yeah.

22 Q. -- today?

23 A. I don't have it today.

24 Q. Okay. The data that you do know that
25 Meta collects from people who visit public Facebook

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1 and Instagram pages, how does Meta use that data?

2 A. There's really two use cases. The
3 first is to optimize the page, make it usable, so
4 we -- for example, the log-in screen, we are looking
5 at how does someone use -- like are they clicking.
6 We're using that to make sure that the screen is
7 usable.

8 And then the second use case is for
9 security purposes. We're using data to look at if
10 there's, like, malicious attacks trying to get into
11 the registration pages.

12 Q. So your notes refer to a use case
13 called "growth analysis," is that right?

14 A. Yes, that's right.

15 Q. Okay. And your notes say, We want to
16 build our logged-out pages in a way that helps the
17 product grow?

18 A. Yes. That's the first use case that I
19 was describing, yeah.

20 Q. So changing the design of Meta's
21 products so that more users will sign up, is that
22 right?

23 MR. CHAPUT: Object to the form.

24 Scope.

25 THE WITNESS: I think that -- I think

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1 that is fair to say.

2 BY MR. OLSZEWSKI-JUBELIRER:

3 Q. And your notes also say before 2020 it
4 was possible for other teams in the company to use
5 logged-out data?

6 A. Yeah. What this is referring to is the
7 specific controls that were on the data, internal
8 controls, so before -- the subject matter expert I
9 was speaking to described this. For any dataset at
10 Meta there are, like, access controls, certain teams
11 at the company can access or not access.

12 Before 2020 there were not access
13 controls that exist today. We are -- the only teams
14 at the company that can access this data are
15 security and growth. It doesn't mean the subject
16 matter expert didn't know, like he did not know that
17 the data was actually accessed or used, and it
18 has -- and it was not used for advertising, but just
19 referring to that there were not the same controls
20 before 2020.

21 Q. The subject matter expert you're
22 talking about is [REDACTED] is that right?

23 A. Yes, that's right.

24 Q. Who is [REDACTED]

25 A. He is an engineer -- he's an engineer

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1 A. Okay.

2 Q. But, okay, so for Facebook and
3 Instagram, from 2019 through April 1, 2024, Meta had
4 several different ways that it found and removed
5 under 13 users on Facebook and Instagram, right?

6 A. Yes, that's right.

7 Q. Okay. One of those ways is online
8 reporting, right?

9 A. That's right.

10 Q. So people -- users on Facebook and
11 Instagram or people who don't have accounts on
12 Facebook and Instagram can report a child under 13
13 on the platform to Meta?

14 A. Yes, that's right.

15 Q. Okay. Another -- and Meta has
16 processes to review the reports and decide what to
17 do with them, right?

18 A. That's right.

19 Q. Okay. We'll talk about that in a
20 little bit.

21 Another process that Meta has used in
22 that period for identifying users who may be
23 children on Facebook and Instagram is internal
24 reviews?

25 A. Internal -- I don't think that's the

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1 precise term. You might mean internal escalation,
2 is the --

3 Q. That's the term here that's used, yeah,
4 sure. Internal escalation, right?

5 A. Yep.

6 Q. And that is referring to Meta has human
7 reviewers who review accounts or content that are
8 reported for other reasons other than for belonging
9 to an underage user, right?

10 A. That's right.

11 Q. And in the process of that review if
12 they notice some strong indication that the account
13 belongs to a child under 13, they can escalate that
14 into the underage review?

15 MR. CHAPUT: Object to the form.

16 THE WITNESS: That is accurate.

17 BY MR. OLSZEWSKI-JUBELIRER:

18 Q. Okay. And that policy allowing
19 escalations, internal escalations, when did that
20 begin on Facebook and Instagram?

21 MR. CHAPUT: Object to the form.

22 (Witness reviewing document.)

23 BY MR. OLSZEWSKI-JUBELIRER:

24 Q. You're looking at your notes, right?

25 A. Yeah. Looking at my notes, I don't

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1 have the date that that policy or that process
2 began. Checking.

3 (Witness reviewing document.)

4 A. Yeah, I don't have that date.

5 Q. Okay. Another way that Meta detects
6 underage users is user self-reports, is that right?

7 A. User self-reports, yes.

8 Q. So that refers to when users edit their
9 date of birth, their stated age, right?

10 A. That's correct.

11 Q. And if they edit their date of birth to
12 stated age as under 13, Meta places those users'
13 accounts in an age checkpoint, right?

14 A. That's correct.

15 Q. The age checkpoint is where a user is
16 prohibited from accessing the account, right?

17 A. Yes. If you're in an age checkpoint,
18 you can't access your account.

19 Q. And Meta places users in an age
20 checkpoint when it determines that the user is under
21 13, right?

22 MR. CHAPUT: Object to the
23 characterization.

24 THE WITNESS: No. That's not accurate.
25 Meta places users in an age checkpoint when

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1 a human reviewer has reviewed the account
2 after there's -- you know, the account has
3 come in for human review from the sources
4 you described, and then a human reviewer
5 reviews the account and determines if
6 there -- either if they -- if they think
7 the account may be under 13, and we
8 instruct the human reviewers to err on the
9 side of if you were uncertain, mark it as
10 possible. And so the user is then
11 checkpointed, so there's uncertainty in the
12 checkpoint.

13 Then the user has the opportunity to
14 appeal the checkpoint with -- by providing
15 ID, by certifying, yeah, identifying
16 themselves.

17 BY MR. OLSZEWSKI-JUBELIRER:

18 Q. You just testified that when users
19 self-report that they're under 13, Meta checkpoints
20 those accounts, right?

21 A. That's right.

22 Q. And that process does not involve human
23 review, right?

24 A. That's -- it is reviewed after -- the
25 appeal involves human review, yeah.

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1 Q. Okay. But there's no human review
2 between a user stating their age as under 13 and
3 being sent to the checkpoint, right?

4 A. That's right.

5 Q. Okay. You talked about appeals, right?

6 A. (Nodding in the affirmative.)

7 Q. So after a user is placed in the
8 checkpoint, the user can appeal Meta's decision to
9 place them in the checkpoint?

10 A. That's accurate.

11 Q. And the decision to place them in the
12 checkpoint is based on Meta's determination that
13 they're likely under 13, right?

14 MR. CHAPUT: Object to the
15 characterization.

16 THE WITNESS: Yeah, it is not precisely
17 that they're likely under 13, it is if they
18 could be under 13 or if you have doubt.
19 That's the instructions for the reviewer,
20 is you err on the side of your doubt -- err
21 on the side of young if you're unsure.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Okay. Just based on talking about the
24 review proc- -- appeal process, the appeal process
25 involves users being able to submit their ID to Meta

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1 to verify that they are over 13, right?

2 A. That's correct.

3 Q. Okay. And there's a time limit on how
4 long the user has to submit their ID?

5 A. Yes. The user has 30 days. If they
6 don't, then the appeal is considered failed and the
7 account is deleted.

8 Q. Okay. The account -- we'll talk about
9 it later, but there's some time period after the
10 30 days when Meta schedules the account for
11 deletion, right?

12 A. That's right.

13 Q. It's not immediately deleted after
14 30 days?

15 A. Yes. Deletion is -- when I'm using the
16 term "deleted," it is a process. Deletion is a
17 process, yeah.

18 Q. Okay. But the deletion process -- we
19 can talk about that later.

20 Okay. When a user changes their age
21 from under 18 to over 18, Meta requires them to
22 verify their age, right?

23 A. That's right.

24 MR. CHAPUT: Sorry, just object to the
25 form. I'm not sure if there's an issue

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1 with how the court reporter has transcribed
2 it.

3 Counsel, would you mind just reasking
4 the question?

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. If a user on Meta's platform changes
7 their age from under 18 to over 18, Meta requires
8 those users to verify their age, right?

9 A. Under 18 to over 18, yes, that requires
10 a verification.

11 Q. And Meta presents different options to
12 those users of how they can verify their age, right?

13 A. Yes, that's right.

14 Q. One of those options is submitting a
15 video selfie to a company called Yoti?

16 A. Yeah. Just a slight nuance. The user
17 submits a video selfie to Meta and Meta shares it
18 with Yoti.

19 Q. Okay. And Yoti is a company that has a
20 model that estimates the age of users, right?

21 A. That's correct.

22 Q. It analyzes those video selfie and
23 estimates their age, right?

24 A. Yes, that is right.

25 Q. And in that process when Yoti estimates

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1 the user as under 13 and provides that estimate to
2 Meta, Meta puts the user in an age checkpoint,
3 right?

4 A. Yes, that's accurate.

5 Q. So Meta relies on Yoti's determination
6 that a user is under 13 in order to enforce its
7 policy against users under 13 being on its
8 platforms, right?

9 MR. CHAPUT: Object to the
10 characterization.

11 THE WITNESS: So, no, I don't -- I
12 don't think that's accurate. It's just in
13 the specific instance when a user is using
14 Yoti to verify their age, then Meta will
15 interpret the signal from Yoti, but that's
16 not how Meta generally -- like Meta does
17 not generally rely on Yoti to enforce that
18 policy. It's just in that specific
19 instance we'll use the data from Yoti.

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. Okay. Meta uses the data from Yoti in
22 order to enforce its policy that those users may not
23 be on the platform, right?

24 MR. CHAPUT: Object to form.

25 THE WITNESS: That the user -- those

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1 specific users, yes.

2 BY MR. OLSZEWSKI-JUBELIRER:

3 Q. Okay. So Meta relies on Yoti's
4 determination that the user is under 13 in order to
5 checkpoint those users, right?

6 A. Yeah.

7 MR. CHAPUT: Object to the
8 characterization. Asked and answered.

9 THE WITNESS: Meta relies on data from
10 Yoti to checkpoint users where Yoti passes
11 us a signal that the user may be under 13.

12 BY MR. OLSZEWSKI-JUBELIRER:

13 Q. Another way that Meta -- just stepping
14 back, another way that Meta detects and removes
15 under 13 users is something that's sometimes called
16 cross-platform checks?

17 A. Yes.

18 Q. And that refers to -- I'll just --
19 let's step into it.

20 Users commonly have multiple accounts
21 on Meta's platforms, right?

22 A. That's right.

23 Q. So a user could have both an Instagram
24 account and a Facebook account?

25 A. That's right.

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1 Q. Or two Instagram accounts?

2 A. Yes.

3 Q. Two Facebook accounts?

4 A. Yes.

5 Q. Or more accounts on any number of
6 platforms, right?

7 A. Yes, that's right.

8 Q. Okay. And Meta provides a feature
9 called Accounts Center, right?

10 A. Yes, that's right.

11 Q. Accounts Center allows users to connect
12 their accounts in Meta's systems?

13 A. Yes.

14 Q. Okay. And the purpose is so that users
15 can centrally manage their Facebook, Instagram, and
16 other Meta accounts, right?

17 A. Yes, that's right.

18 Q. Okay. And in terms of cross-platform
19 checks for enforcing Meta's policy against users
20 being under the age of 13, Meta uses those links
21 from Accounts Center in order to enforce its policy,
22 right?

23 A. Yes, that's right.

24 Q. So if a user has an account that is
25 linked through Accounts Center to another account

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1 and one of those accounts is placed in the age
2 checkpoint, as of a certain time Meta started also
3 placing the other accounts that are linked through
4 Accounts Center into the same age checkpoint, right?

5 A. Yeah, tiny technical nuance. The
6 checkpoint only refers to the account where the
7 original review originated. The other accounts are
8 just inaccessible, but they're not considered, like,
9 in the checkpoint.

10 The checkpoint is the user experience,
11 but they're inaccessible, and a user would just be
12 directed if they tried to access those accounts to
13 check out the checkpoint.

14 Q. So from 2012 through April 2024, are
15 there any other processes that Meta used to identify
16 users who were under 13 on Facebook?

17 A. Can you specify like just what are the
18 ones that you are counting as having been done in
19 that time period?

20 Q. So I think we've talked about user
21 reporting.

22 A. Yep.

23 Q. Internal escalation?

24 A. Mm-hmm.

25 Q. And you testified before you don't know

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1 when that started, right?

2 A. I do not.

3 Q. Signals from Yoti?

4 A. The date that Yoti was implemented is
5 in that time period, yeah.

6 Q. User self-reporting?

7 A. Yeah.

8 Q. And cross-platform checks?

9 A. Yes. That is the right list, yes.

10 Q. Okay. But beyond that, Meta has not
11 used any other method to identify users under 13 in
12 the period from 2012 to April 2024?

13 A. No.

14 Q. Okay. And the same question for
15 Instagram. Beyond those categories, Meta has not
16 used any other process to identify users on
17 Instagram from 2012 to April 2024?

18 A. Instagram has the same -- has had the
19 same general processes as Facebook. There is a
20 nuance with the user interface. Instagram -- in the
21 user reports Instagram experimented with
22 off-platform and in-app user reporting, but it's all
23 user reporting.

24 Q. Okay. And just to go back to user
25 self-reporting, before December 2019 Meta didn't

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1 least prior to 2020.

2 BY MR. OLSZEWSKI-JUBELIRER:

3 Q. Okay. And to prepare on this topic --
4 you're prepared to testify as to Meta's practices
5 for finding and removing underage users on Facebook
6 and Instagram from 2012 to --

7 A. Yes.

8 Q. -- April 2024?

9 MR. CHAPUT: Object to the form, and to
10 the characterization.

11 BY MR. OLSZEWSKI-JUBELIRER:

12 Q. And you don't know the answer to that
13 question, right, when Meta started using hard links
14 through Accounts Center to propagate underage
15 enforcements from Facebook to Instagram?

16 A. I only know that it was prior to 2020.

17 Q. Okay. Who would know when Meta started
18 using hard link signals from Accounts Center to
19 propagate underage enforcements from Facebook to
20 Instagram?

21 A. The person that I spoke to who have the
22 information, it was prior to 2020 from, you can see
23 in my notes, [REDACTED]. He might be able to
24 tell us who would know. Yeah, he didn't -- it looks
25 from my notes that he did not know the precise date,

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1 but he might know who he inherited it from.

2 Q. Okay. Who is [REDACTED]?

3 A. He is an engineer who worked on this
4 flow at the time.

5 Q. And "this flow" is the underage --

6 A. The flow is underage enforcement, and
7 specifically the cross-app propagation. He worked
8 specifically on that.

9 Q. Is he currently employed at Meta?

10 A. Yes.

11 Q. What does he do now?

12 A. I don't know his current role.

13 Q. There's another method that Meta uses
14 to detect underage users listed in your notes,
15 right?

16 A. Mm-hmm, yes.

17 Q. Proactive detection?

18 A. Yes.

19 Q. Can you tell me about that?

20 A. Yes. So today and beginning in
21 early -- I think, yeah, beginning in October 2024,
22 Meta uses a heuristic-based method to proactively
23 detect accounts that we would like humans to review.
24 So it works similar to as if a user had reported.
25 It's sent to human review.

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1 Meta has been working on proactive
2 detection via model or heuristic-based methods for
3 several years, but the heuristic-based method is now
4 live.

5 Q. Okay. And what does the
6 heuristic-based method look at?

7 A. The heuristic method looks at signals
8 on accounts, on Instagram and Facebook, that the
9 account might be under 13. It looks at information
10 in the profile essentially, yeah.

11 Q. "Information in the profile," meaning
12 information in the user's bio?

13 A. Correct, or in their content, in their
14 photos.

15 Q. In their photos as well?

16 A. Yes.

17 Q. What information in the photos does the
18 heuristic look at?

19 A. It is -- well, let me be clear. The
20 heuristic is not looking at the photos because the
21 heuristic can't do that. The human reviewer is
22 looking at the photos after the account goes to
23 human review.

24 So the heuristic is just like pretty
25 simple rules based and it's using, like, written

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1 content in the bio or in captions.

2 Q. In captions on photographs?

3 A. Let me just be precise that we use that
4 now.

5 (Witness reviewing document.)

6 A. The heuristic uses explicit and
7 implicit statements of age. I will have to check
8 exactly which surfaces it looks like at for the
9 explicit and implicit statements of age. I know
10 that it definitely looks at profile bio.

11 We're in a continuous improvement
12 process for the heuristic, so I am not precisely
13 sure all of the surfaces that it uses today. We are
14 experimenting because we are trying to make the
15 heuristic as effective as possible.

16 Q. Okay. I think we'll come back to that.

17 Okay. So let's talk about how Meta
18 reviews reports of users being under 13.

19 And before we get into that, let's talk
20 about how people can submit reports --

21 A. Okay.

22 Q. -- of someone being under 13 on
23 Facebook and Instagram.

24 There's a web form where people can
25 submit reports of underage users on Facebook and

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1 Instagram, right?

2 A. That's right.

3 Q. And there's different forms for
4 Facebook and Instagram?

5 A. There are different -- you know,
6 actually, I don't know if there are different forms
7 for Facebook and Instagram.

8 (Whereupon, Meta-Hartnett-12 was
9 marked for identification.)

10 BY MR. OLSZEWSKI-JUBELIRER:

11 Q. You have a document that's Bates
12 numbered META3047MDL-014-00169674.

13 A. Yes.

14 Q. We'll do this as Exhibit 11 --
15 Exhibit 12.

16 Do you recognize this?

17 A. Yep.

18 Q. What is it?

19 A. This is the underage reporting form on
20 Facebook.

21 Q. Okay. And this form asks for five
22 pieces of information, right?

23 A. Yes.

24 Q. It asks for the URL of the child's
25 profile?

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1 A. Yes.

2 Q. The full name of the child, is that
3 right?

4 A. Full name of the person, yes.

5 Q. The actual age of the child?

6 A. Yes.

7 Q. And there's a drop-down menu where the
8 person can select an age that they think the child
9 is?

10 A. Yes.

11 Q. There's a box called "Other"?

12 A. Mm-hmm.

13 Q. Do you know what that is asking for?

14 A. That's asking for any other information
15 you'd like to provide.

16 Q. And then it asks for the person
17 reporting's contact e-mail address, right?

18 A. Yes.

19 Q. And this form has been available for
20 reporting a child on Facebook since 2012?

21 A. I'm reviewing my notes. I'm just
22 trying to get the date right.

23 (Witness reviewing document.)

24 A. I can't find this in my notes, but it
25 is my understanding that this form has been

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1 they were to roll out the IG SURF reporting flow to
2 100 percent of users, right?

3 MR. CHAPUT: Objection. Scope.

4 (Witness reviewing document.)

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. Can I point to a sentence in the first
7 e-mail?

8 A. Yeah go ahead.

9 Q. You've read the whole e-mail, right?

10 A. Yes.

11 Q. Okay. So in the first e-mail there's a
12 sentence that reads, "It will cost us roughly an \$1
13 per underage user we find on the app if we roll out
14 SURF widely in future quarters," right?

15 A. That's what it says.

16 Q. Okay. So that's an estimate that Meta
17 would have to spend an additional \$1 for every child
18 under 13 it identified on the app if it rolled out
19 the improved underage reporting flow widely to
20 Instagram users, right?

21 MR. CHAPUT: Object to form. Scope.

22 THE WITNESS: I think what that's
23 saying is a total of \$1 instead of
24 additional. But otherwise, yes.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. Okay. So it would cost a dollar per
3 child -- Meta would have to spend a dollar per child
4 to identify them if it rolled out this improved
5 underage reporting form on Instagram, right?

6 MR. CHAPUT: Object to form. Scope.

7 THE WITNESS: Yeah, I wouldn't
8 characterize it as a dollar per child.
9 It's a dollar per checkpointed account.
10 That's what that is saying.

11 BY MR. OLSZEWSKI-JUBELIRER:

12 Q. Okay. A dollar per underage user,
13 right?

14 MR. CHAPUT: Object to the form.
15 Characterization, scope.

16 THE WITNESS: Again, no, a checkpointed
17 account doesn't -- it is not equivalent to
18 an underage user. There is only a certain
19 percentage of checkpointed accounts that
20 end up being disabled.

21 Even when they are disabled, we don't
22 know that they're underage users. We just
23 know they did not appeal or did not appeal
24 successfully.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. Okay. Do you know -- how do you know
3 that it's not referring to additional underage users
4 who are -- ultimately are removed from the platform?

5 MR. CHAPUT: Object to the form.

6 Scope.

7 THE WITNESS: I don't precisely know
8 because I haven't seen the exact
9 spreadsheet of what this is referring to,
10 but it is -- my read of this e-mail chain,
11 what I am thinking is that this refers to
12 checkpoint, but I'm not sure.

13 BY MR. OLSZEWSKI-JUBELIRER:

14 Q. Okay. Because you've never seen this
15 document before, right?

16 A. I have not seen this document before.

17 MR. CHAPUT: Object to the form.

18 BY MR. OLSZEWSKI-JUBELIRER:

19 Q. Okay. And the next sentence reads,
20 "The question at hand is the tradeoff of removed u13
21 versus ops capacity & cost," right?

22 A. That is the next sentence.

23 Q. Okay. And the tradeoff Meta was
24 considering about whether to roll out this underage
25 reporting flow was additional removed u13 users

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1 real post that really reflects the age the user.

2 We do not have that dataset for under
3 13, and we don't retain any data for under 13. If
4 we in labeling the birthday posts see that a -- we
5 believe that a user may be under 13, then we -- that
6 goes for internal escalation as we talked about
7 before, and then we don't retain any of that data.
8 So we can't actually assess the classifier
9 performance on the 13 boundary.

10 Q. So Meta doesn't know how accurate it is
11 at predicting whether users who are under 13 are
12 adults?

13 MR. CHAPUT: Object to the form.

14 THE WITNESS: We do not have any -- so
15 the model is meant to predict over or under
16 18, and we have no data related to under 13
17 on that model.

18 BY MR. OLSZEWSKI-JUBELIRER:

19 Q. The model is meant to predict whether a
20 user is a teen or over 18, right?

21 A. Correct.

22 Q. It's not meant to predict whether a
23 user is under 13 or -- is under 13, right?

24 A. Correct.

25 Q. Okay. Let's see, another automation

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1 policy is previously manually reviewed, is that
2 right?

3 A. Yes.

4 Q. So that means if a report -- an account
5 had been reported previously and had gone through
6 the human review process and it was not checkpointed
7 at the end of the human review process, if it was
8 reported again Meta would automatically ignore the
9 report, right?

10 A. That's what that means.

11 Q. Okay. And the one below that, it says,
12 No media or no bio associated with a profile.
13 Right?

14 A. Yes, that's right.

15 Q. Okay. And that says -- that means on
16 Facebook if an account is reported and it has no
17 photos and no bio, the report is automatically
18 ignored by Meta systems, right?

19 A. Yeah, this is -- we can follow up, but
20 what this is saying is if there's no data
21 associated, like there's no content on the account,
22 there's nothing to review, then it's ignored. I
23 noted "no media or no bio." That might be like an
24 imprecise note, but it's essentially like there's
25 nothing to review, it's a blank account.

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1 Q. Okay. "No media" means what? Photos
2 or all posts?

3 A. All media. The user hasn't created any
4 media.

5 Q. Okay. No text posts?

6 A. Yeah, that's what that refers to.

7 Q. Okay. Does it include whether the user
8 has made comments on other people's posts?

9 A. I don't know.

10 MR. CHAPUT: Objection. Scope.

11 THE WITNESS: I don't know. We can get
12 back to you on that.

13 BY MR. OLSZEWSKI-JUBELIRER:

14 Q. Okay. Does it include whether users
15 have sent each other direct messages?

16 MR. CHAPUT: Objection. Scope.

17 THE WITNESS: I'm not sure. I don't
18 know.

19 BY MR. OLSZEWSKI-JUBELIRER:

20 Q. You see below that on Instagram your
21 notes also refer to automations on Instagram, right,
22 from the pre-October 2024 period?

23 A. Yes.

24 Q. Okay. And the same ones we've talked
25 about are there, right?

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1 A. Yes.

2 Q. Okay. So let's talk about how the
3 human review process actually works.

4 So if the account is not automatically
5 ignored by Meta's automation policy, then it goes
6 into this human review queue, right?

7 A. That's right.

8 Q. And the human -- in this queue the
9 report waits to be reviewed by one of Meta's
10 contract reviewers, right?

11 A. Yes. I actually don't know if the
12 human reviewer are contract or employees, but
13 they're likely mostly contract. But there's
14 probably a mix of employees and contract on this
15 queue.

16 Q. And while the report is waiting to be
17 reviewed, the user still has access to their
18 account, right?

19 A. That's right.

20 Q. Okay. They can continue to post
21 content, right?

22 A. Yes. The checkpoint does not happen
23 until after review.

24 Q. Okay. And while the report is waiting
25 for review Meta continues to collect personal

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1 (Whereupon, a recess was taken.)

2 THE VIDEOGRAPHER: The time is 3:26.

3 We're back on the record.

4 BY MR. OLSZEWSKI-JUBELIRER:

5 Q. So before we took a break we were
6 looking at Exhibit 20 --

7 A. 4.

8 Q. -- 24, which was that age problems
9 handover spreadsheet, right?

10 A. Yes.

11 Q. So I can represent to you that the
12 metadata that was provided to us from Meta indicates
13 that the document was from the custodial file of
14 someone named [REDACTED]

15 Do you know who [REDACTED] is?

16 A. Vaguely. He's product or eng. He's
17 one of those two functions.

18 Q. "Eng" is engineering?

19 A. Yes, engineering.

20 Q. And the author of the document is
21 [REDACTED]@meta.com.

22 A. Okay, that is someone that I spoke to.

23 Q. And [REDACTED] is the subject
24 matter expert you spoke to about cross-app
25 enforcement?

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1 A. Yes.

2 Q. And specifically in the context of
3 cross-app enforcement for underage reports, right?

4 A. Yes, that's right.

5 Q. Okay. So we'll move on from that
6 document.

7 So just to take a step back here, if a
8 parent discovers that their child has an account on
9 Facebook or Instagram, the way the parent can tell
10 Meta to take down the account is by filing a report,
11 right?

12 A. That's right.

13 Q. And the reports from parents of
14 underage users are treated the same way as any other
15 reports of any of Meta's underage reporting forms,
16 right?

17 MR. CHAPUT: Objection. Form.

18 THE WITNESS: You're asking if there's
19 a difference if the person who reports is a
20 parent versus not a parent, or is there any
21 difference in how the report is treated?

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Yes.

24 A. No.

25 Q. They're treated the same way?

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1 A. Yes.

2 Q. And so, for example, if a parent tells
3 Meta by filing a report that their child has a --
4 their child who is under the age of 13 has an
5 account on Facebook or Instagram but the account
6 does not have a bio or photos, Meta would ignore
7 that report, right?

8 MR. CHAPUT: Object to form.

9 THE WITNESS: That's theoretically
10 true. Meta also doesn't have a way of
11 verifying that the person who reported it
12 is really a parent.

13 So the point of ignoring a report if
14 there's no bio or photos is that there's
15 simply no information for Meta to go on,
16 and the reporter indicating that they're a
17 parent doesn't give us any incremental
18 information. We don't know if that person
19 is a parent.

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. But Meta -- sorry, go ahead.

22 A. It is -- I think I've spoken about this
23 a little bit, but a very, very high percentage of
24 the reports are false, and the contact form contains
25 a lot of false data, so we don't have any indication

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1 that the parent -- that a person indicating that
2 they're a parent, that they are a parent.

3 Q. Meta asks whether the reporter is a
4 parent, right?

5 A. Right.

6 MR. CHAPUT: Object to form.

7 BY MR. OLSZEWSKI-JUBELIRER:

8 Q. But Meta doesn't use that information
9 in reviewing the report, right?

10 MR. CHAPUT: Object to form.

11 THE WITNESS: I'm not sure. I'm not
12 sure.

13 BY MR. OLSZEWSKI-JUBELIRER:

14 Q. You don't know whether Meta uses the
15 information that a reporter is a parent in reviewing
16 the report?

17 MR. CHAPUT: Object to form. Asked and
18 answered.

19 THE WITNESS: I'm not aware of any way
20 Meta uses that information.

21 I'm also saying that I'm not aware of
22 any way Meta would validate that the person
23 was a parent just because they indicated
24 that in the form.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. And Meta asks reporters to provide
3 their own e-mail address, right?

4 A. Yes. And I can't remember if that was
5 in both flows, but I can look at the documents. I
6 remember it definitely being on the Facebook flow.
7 I can look it up.

8 Q. And Meta doesn't follow up with
9 reporters to ask for more information based on -- by
10 contacting them at their e-mail address, right?

11 MR. CHAPUT: Object to the form.

12 THE WITNESS: Not that I'm aware of.
13 There could be some specific exceptions in
14 the past, but, yeah, as far as I know, not
15 as normal practice.

16 BY MR. OLSZEWSKI-JUBELIRER:

17 Q. Right.

18 So, for example, if someone indicated
19 they were a parent of a child on Instagram and
20 reported the child's account and -- Meta would not
21 contact that parent by e-mailing them at the e-mail
22 address they provided, right?

23 MR. CHAPUT: Object to the form.

24 THE WITNESS: Not as a normal practice.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. You said a large number of the reports
3 are false.

4 A. (Nodding in the affirmative.)

5 Q. By "false," you mean they were
6 ultimately not checkpointed, right?

7 A. Either that they were not checkpointed
8 or that they turned out to be -- they could have
9 also been checkpointed but then appealed. The --
10 and then ID verified that they are over 13.

11 We've seen, like, very significant
12 abuse of this flow because users know that it's a
13 flow that ultimately ends at an account being taken
14 down. It is an attack factor for public, like often
15 celebrity accounts, for other users to get them
16 taken down.

17 So we see, like, Kim Kardashian being
18 reported every single day many times. So, yeah,
19 that's what I'm speaking about.

20 Q. Meta doesn't review every report about
21 Kim Kardashian's account for being underage, right?

22 A. Meta does not human review every report
23 for Kim Kardashian, yeah.

24 Q. Do you know what percentage of reports
25 are -- that go into the checkpoint are ultimately

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1 successfully appealed?

2 MR. CHAPUT: Object to the form.

3 Scope.

4 THE WITNESS: I don't have that data
5 point.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Okay. You don't know or Meta doesn't
8 know?

9 MR. CHAPUT: Object to the form.

10 THE WITNESS: I don't know.

11 BY MR. OLSZEWSKI-JUBELIRER:

12 Q. Okay. Who at Meta would know?

13 A. [REDACTED].

14 Q. All right. Let's talk about account
15 linking. So we've talked about hard linking, right?

16 A. Yes, we talked about that.

17 Q. And hard linking is when a user tells
18 Meta that they have more than one account on the
19 platform, right?

20 A. Yeah, that's right.

21 Q. Okay. And Meta since December 2021
22 used that information to propagate its enforcement
23 on underage accounts across --

24 MR. CHAPUT: Object --

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. -- accounts that are linked together?

3 MR. CHAPUT: Object to form.

4 Characterization.

5 THE WITNESS: Meta has done that at
6 least since late 2021. When I spoke to
7 [REDACTED], he said that it began prior to late
8 2021 -- sorry, prior to 2020, there was
9 some period where it broke, and then he
10 fixed it, so at least since late 2021 it
11 has been in use.

12 BY MR. OLSZEWSKI-JUBELIRER:

13 Q. Okay. And prior to 2020, that -- let's
14 see...

15 Prior to 2020 Meta did not -- sorry,
16 scratch that.

17 When two accounts are hard linked
18 together, Meta knows that they're operated by the
19 same person, right?

20 MR. CHAPUT: Object to form.

21 Characterization.

22 THE WITNESS: Actually, no. So even if
23 accounts are hard linked together, what it
24 means -- all we can say is, like, it means
25 that those people know each other or have

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1 the logins.

2 It's actually fairly common for the
3 accounts to be linked together, that
4 they're not operated by the same people but
5 they might share a device, which is very
6 common in the family, particularly outside
7 the US.

8 So, no, often we say that hard-linked
9 accounts actually are not controlled by the
10 same person. Some of the time they are.

11 BY MR. OLSZEWSKI-JUBELIRER:

12 Q. How often in the US are hard-linked
13 accounts -- how often do hard-linked accounts in the
14 US not belong to the same person?

15 MR. CHAPUT: Object to form. Scope.

16 A. I don't have that precise data, but
17 that is something that is knowable. I don't have
18 it.

19 BY MR. OLSZEWSKI-JUBELIRER:

20 Q. How does Meta know that?

21 A. Meta -- I do not know, like, the
22 precise studies that we have done, but speaking at a
23 general level, Meta will do research on different
24 parts of its services, and we have done research on
25 that question, on, like, do hard-linked accounts

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1 actually belong to the same people.

2 And I can't point to a precise study,
3 but I know that they do not always belong to the
4 same people. I don't have the precise data in front
5 of me.

6 Q. Have you ever seen this data that asked
7 that question?

8 A. I have -- the results of that kind of
9 study have been described to me.

10 Q. Who described them to you?

11 A. I don't know.

12 MR. CHAPUT: Objection. Scope.

13 THE WITNESS: I don't know. I don't
14 remember.

15 BY MR. OLSZEWSKI-JUBELIRER:

16 Q. Who would know at Meta?

17 A. Let's see, I would start with -- I'd
18 probably start with [REDACTED] actually, who is
19 someone I spoke to who is an analyst in growth.

20 Q. Okay. Let's do B3, please. That's a
21 document with the Bates number
22 META3047MDL-155-00009593.

23 (Whereupon, Meta-Hartnett-25 was
24 marked for identification.)

25 MR. CHAPUT: What exhibit?

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1 So I want to check how we use a piece
2 of information that we have on new account creation.

3 Q. Okay. All right.

4 A. By "contact point," I mean e-mail or
5 phone number.

6 Q. Okay.

7 MR. OLSZEWSKI-JUBELIRER: Why don't we
8 take a ten-minute break.

9 THE VIDEOGRAPHER: The time is 4:17.
10 We're off the record.

11 (Whereupon, a recess was taken.)

12 THE VIDEOGRAPHER: The time is 4:33.
13 We're back on the record.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. So let's talk about inauthentic reports
16 of underage users.

17 A. Okay.

18 Q. You've talked about abuse as a
19 reporting form, right?

20 A. Yes.

21 Q. Has Meta's underage reporting form been
22 the subject of scripting attacks?

23 A. Yes.

24 Q. And aside from scripting attacks you
25 talked about, are there other ways that -- is Meta

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1 aware of other sources of inauthentic reports of
2 child users on its platforms?

3 A. Yes, just individual reports also
4 are -- can be inauthentic.

5 Q. Okay. Those are from people
6 maliciously reporting another account, right?

7 A. Yes, that's our understanding.

8 Q. Okay. And you gave examples of
9 celebrities being reported for being underage?

10 A. Yes.

11 Q. And your notes also talk about the IDF
12 being reported?

13 A. Yeah, that's currently the most
14 reported account.

15 Q. For being underage?

16 A. Correct.

17 Q. And that's the Israeli Defense Forces?

18 A. Yes.

19 Q. Okay. The IDF account is an Israeli
20 account?

21 A. I don't actually know who owns that
22 account. I don't know.

23 Q. Okay. All right. Is Meta aware of how
24 many reports of underage users are inauthentic?

25 A. It is -- so I can give estimates.

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1 The -- the way -- one way of looking at this is what
2 percentage of reports are ultimately checkpointed.

3 Again, as I've said, a checkpoint does
4 not mean that the user will end up being underage.
5 It means that the human reviewer thought that there
6 was doubt, like they might be underage.

7 In the US, 14 percent of the reports
8 that are reviewed by humans are ultimately
9 checkpointed.

10 Q. And conversely, if an account is not
11 checkpointed, it doesn't mean that the user is not
12 underage, right?

13 MR. CHAPUT: Object to the form.

14 THE WITNESS: I can't definitively
15 state either way.

16 BY MR. OLSZEWSKI-JUBELIRER:

17 Q. Right. It just means that if an
18 account is not checkpointed after being reviewed --
19 after an underage report is filed against the
20 account and it's being reviewed through Meta's
21 review process, it just means that Meta's review
22 process did not decide to checkpoint the account,
23 right?

24 MR. CHAPUT: Object to the form.

25 THE WITNESS: The intention of the

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1 review process is that the human reviewer
2 is doing their best to determine if they
3 think the account is under 13 or has a
4 chance of being under 13. So that's the
5 best data that we have.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. And we've talked about today various
8 steps in that review process, right?

9 A. We've talked about that, yes.

10 Q. And at various steps in the review
11 process, if -- for various reasons a reviewer is
12 being instructed to ignore reports, right?

13 MR. CHAPUT: Object to the form.

14 Vague, mischaracterizes the testimony,
15 scope.

16 THE WITNESS: We've talked about the
17 decision tree -- we talked about the
18 decision tree, I believe it was 2020 that
19 you showed me, and there are certain parts
20 of the decision tree where a user based on
21 some data then clears the report, yes.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Clears --

24 A. Ignore, like says ignore this report,
25 yeah.

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1 CERTIFICATE OF COURT REPORTER

2
3 I, MAUREEN O'CONNOR POLLARD, Registered
4 Diplomat Reporter, CSR No. 14449 for the State of
5 California, the officer before whom the foregoing
6 deposition was taken, do hereby certify that the
7 foregoing transcript is a true and correct record of
8 the testimony given; that said testimony was taken
9 by me stenographically and thereafter reduced to
10 typewriting under my direction; and that I am
11 neither counsel for, related to, nor employed by any
12 of the parties to this case and have no interest,
13 financial or otherwise, in its outcome.

14 Dated this 17th day of June, 2025.

15 
<%21527, Signature%>

16 _____
17 MAUREEN O'CONNOR POLLARD

18 CSR No. 14449
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