

Exhibit 2

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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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Videotaped Deposition of ALLISON L.
HARTNETT, held at Covington & Burling LLP,
Salesforce Tower, 415 Mission Street, San Francisco,
California, commencing at 9:59 a.m. on the 16th of
June, 2025, before Maureen O'Connor Pollard,
Registered Diplomate Reporter, Realtime Systems
Administrator, California CSR #14449.

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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 information from people who have accounts on
2 Facebook and Instagram.

3 Q. Okay. All right. What types of
4 personal information does Meta collect from people
5 who have accounts on Facebook and Instagram?

6 A. I don't think that I am totally
7 prepared to give a completely comprehensive answer
8 on this, but Meta does collect a variety of
9 information, including the information that the user
10 provides on their profile.

11 For example, it collects -- it does
12 collect device ID and the IP, it collects cookie
13 information, it collects information on content that
14 you've created across the app, it collects activity
15 off of our products if the user has allowed that.
16 Yeah.

17 Q. Collects e-mail addresses?

18 A. E-mail address, I believe e-mail or
19 phone depending on the user's choice.

20 Q. Has Meta collected the same types of
21 personal information since at least 2012?

22 A. I don't think I can speak to that. I
23 imagine there has been some change, but I don't have
24 the exact timeline of each piece of data we've
25 collected.

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1 Q. Has Meta collected personal information
2 in some of those categories of personal information
3 since 2012 from users of Facebook and Instagram?

4 A. Yes.

5 Q. Does Meta collect first and last names
6 as part of account creation for users?

7 MR. CHAPUT: Objection. Scope.

8 THE WITNESS: So on Facebook, I believe
9 the answer is yes.

10 On Instagram, I don't know. Instagram
11 has in the past not been a platform that
12 requires real name. I am not sure what the
13 current status is in the signup flow.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. You mentioned before that Meta collects
16 the content that users post on Facebook and
17 Instagram, right?

18 A. Correct.

19 Q. And that could include images of
20 people's faces, is that right?

21 A. Yes.

22 Q. Like if a user posts a selfie, for
23 example?

24 A. Meta does collect that data, yes.

25 Q. And if a user posts a video that

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1 includes a person's face, the user's face, Meta
2 would collect that, right?

3 A. Yes.

4 Q. And the user -- if a user posted a
5 video that included their voice, Meta would collect
6 that as well, right?

7 A. Yes.

8 One clarification I want to give is,
9 I'm not sure what you're using as the definition of
10 "collect." There are deletion -- not all data is
11 retained forever. Like, data is retained for some
12 period of time and deleted depending on the type of
13 data.

14 Q. How long are users' posts retained?

15 A. I don't know the answer to that, sorry.

16 Q. Okay.

17 MR. CHAPUT: Just, that last question
18 was out of the scope.

19 THE STENOGRAPHER: I'm sorry?

20 MR. CHAPUT: That last question was out
21 of the scope.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. You mentioned also, I believe, that
24 Meta collects information about users' activity on
25 its platforms, is that right?

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1 A. That's right.

2 Q. Such as what posts users like?

3 A. Correct, yes.

4 Q. And Meta collects information about
5 what videos they watch?

6 A. Yes.

7 Q. Who they interact with on the
8 platforms?

9 A. Yes.

10 Q. And Meta has collected information like
11 that about user activity on its platform since at
12 least 2012, right?

13 A. I believe so, yes.

14 Q. And the more time and engagement users
15 have on Meta's platforms, the more data Meta
16 collects on them, right?

17 MR. CHAPUT: Objection. Form, scope.

18 THE WITNESS: Can you repeat that?

19 BY MR. OLSZEWSKI-JUBELIRER:

20 Q. The more time that users spend on
21 Meta's platforms, the more data that Meta collects
22 on them, right?

23 MR. CHAPUT: Same objections.

24 THE WITNESS: I'm actually not sure.

25 So again, like, I'm not -- I can't speak to

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1 the exact, like, retention period or
2 exactly what "collect" means. So I don't
3 know that I can, like, explicitly confirm
4 that. Yeah.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. What does collect mean to you?

7 A. Like, collect means -- well, collect
8 would mean have, but then like keep for some period
9 of time. So, like -- yeah, I'm just trying to be
10 precise how we're using it.

11 Q. Well, we can talk about collecting.
12 That would be gathering the data, receiving the
13 data.

14 A. Okay.

15 Q. Does Meta --

16 A. So it's just be act of gathering it is
17 what you're using as collecting, not like -- it
18 doesn't matter how long it's being kept?

19 Q. For this question it's just about
20 collecting the data.

21 A. Okay.

22 Q. Is it fair to say that if a user spends
23 two hours interacting with content on Meta's
24 platforms, Meta would be collecting more data than
25 if they spent one hour?

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1 MR. CHAPUT: Objection. Form, scope.

2 THE WITNESS: I think that's fair to

3 say.

4 BY MR. OLSZEWSKI-JUBELIRER:

5 Q. Okay. And Meta collects the same kinds
6 of information for adults and minors on its
7 platforms, right?

8 A. Yes.

9 Q. Information about users' activity on
10 Meta's platforms is used to improve Meta's product
11 personalization and advertising services, correct?

12 MR. CHAPUT: Objection. Form, scope.

13 THE WITNESS: That is correct.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. And users' personal information is also
16 used to improve how Meta personalizes its products,
17 right?

18 MR. CHAPUT: Objection. Form, scope.

19 THE WITNESS: Yes, that is correct.

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. And in this context, that would mean
22 Meta uses users' personal information to decide what
23 content to show them, is that right?

24 MR. CHAPUT: Same objections.

25 THE WITNESS: Meta users' personal

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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 AFTERNOON SESSION

2 THE VIDEOGRAPHER: The time is 12:34.
3 We're back on the record.

4 THE WITNESS: We wanted to check on and
5 followed up on topic of logged-out data
6 collection. This was the topic of does
7 logged-out data collection look the same on
8 registration pages versus other public
9 pages.

10 The answer is the data is collected --
11 the data that is collected is generally the
12 same, except on the registration pages
13 there's a bit more detailed activity data
14 collected to optimize those pages. There's
15 just more a user can do on those pages.
16 There's just a little more detailed
17 activity data collection. Otherwise the
18 data collected is the same.

19 BY MR. OLSZEWSKI-JUBELIRER:

20 Q. Okay. So just to confirm, Meta
21 collects personal information from logged-out users
22 who visit public Facebook and Instagram pages?

23 MR. CHAPUT: Object to the form.

24 THE WITNESS: To just be precise on it,
25 the data that's collected is the following:

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1 It is IP address, device ID, cookie data,
2 and then button clicked page -- activity
3 data. That's the data collected.

4 BY MR. OLSZEWSKI-JUBELIRER:

5 Q. Okay. And Meta collects data on
6 activities that users do perform on those, so like
7 Facebook and Instagram pages, when they're logged
8 out?

9 A. Just like clicks or page visit, pages
10 visited.

11 Q. Okay. Does Meta collect, for example,
12 how long a user views a public real, for example?

13 A. No, no. It's only, like, the page
14 visit that is on a -- if it's a public page, it's
15 just like page visit that's collected. Detailed
16 activity data is only collected on the registration
17 page.

18 Q. Let's talk about how Meta finds and
19 removes children under 13 on its platforms.

20 So I see you have a lot of notes on
21 this topic.

22 A. Yes.

23 Q. We'll see if we can get through with
24 your notes, or we may show you some documents just
25 to organize ourselves.

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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 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 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 information from the users, right?

2 A. That's right.

3 Q. Okay. So your notes say the human
4 reviewers followed a checklist, right?

5 A. Yes.

6 Q. Have you also heard this referred to as
7 the decision tree?

8 A. Sure, yeah.

9 Q. Okay. And, let's see, let's walk
10 through what is in that checklist or that decision
11 tree. Right?

12 A. Yeah, so the --

13 Q. Sorry, go ahead.

14 A. The first thing that the reviewer is
15 looking at is the account -- the reviewer is looking
16 at data from the account. The first thing the
17 reviewer is looking at is does the account display
18 child sexual abuse material or child sexual
19 exploitation. In that case, the account goes to --
20 escalated to a review queue that is specific to
21 those issues so it can be dealt with properly.

22 The next thing the reviewer is checking
23 is does the account represent a non-human entity, a
24 pet or a business, in which case the reviewer would
25 reject.

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1 The next thing a reviewer is checking
2 is is there an explicit admission of age in the bio
3 or in the age-assessed widget. What that does is
4 it's showing past information on the profile. Like,
5 it may be things that the user has since edited out
6 but the tool pulls in past edits that could be
7 useful.

8 Prior to -- there have been some recent
9 changes on the checklist. Prior to October 2024
10 there wasn't the question on is this a human, so
11 that was added.

12 Prior to October 2024 you could not --
13 the reviewer could not see the historical
14 information.

15 And then prior to October 2024 when the
16 reviewer was reviewing the account, they were
17 looking for 50 percent of the photographs in the
18 account represented an underage user, and in
19 October 2024 that was lowered to 25 percent.

20 Q. Okay. So just to step through that,
21 there's three or maybe four different questions that
22 the reviewer has to walk through.

23 So, first of all, is there child sexual
24 abuse material, does the account represent a
25 non-human entity, and then reviewing -- then the

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1 reviewer looks at whether there's an explicit
2 admission of age in the bio, right?

3 A. Yes.

4 Q. And after October 2024, Meta started
5 showing human reviewers prior versions of the user's
6 bio, right?

7 A. Yes.

8 Q. Okay. Are you aware that the state AGs
9 sued Meta in this lawsuit in October 2023?

10 A. I was not aware of that, or I don't
11 know the precise dates of the suit.

12 Q. Okay. And then the reviewer looks at
13 photographs on the account, right?

14 A. That's right.

15 Q. To see what percentage of them
16 represent a particular underage person, right?

17 A. Yeah, that's right.

18 Q. Okay. And prior to October 2024 if
19 there were fewer than 50 percent of photographs
20 representing a particular underage person, the human
21 reviewer would not checkpoint the account, right?

22 MR. CHAPUT: Object to form.

23 THE WITNESS: I believe that is
24 correct.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. Okay. And after October 2024 if there
3 are fewer than 25 percent of the photos in the
4 account representing a particular person who appears
5 to be under the age of 13, Meta will not checkpoint
6 the account, right?

7 MR. CHAPUT: Object to the form.

8 THE WITNESS: If there are fewer than
9 25 percent. Yeah, just one nuance is the
10 photographs still -- sorry, and this goes
11 back to before October 2024. The
12 photographs are one element of the overall
13 account evaluation.

14 If there is an explicit admission of
15 age -- again we should check this. My
16 understanding is if there's an explicit
17 admission of age and the photos are
18 ambiguous, they still will checkpoint the
19 account. We should check exactly how those
20 roles are used.

21 BY MR. OLSZEWSKI-JUBELIRER:

22 Q. If there's an explicit admission of age
23 in the bio?

24 A. In the bio, in the text, yeah.

25 Q. Okay. In the text of the bio?

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1 A. I believe so, yes.

2 Q. Okay. But the reviewers don't look at
3 texts of posts, right?

4 A. I'm pausing because I am not
5 remembering what is pre and post-October 2024 and
6 what is in our experimentation.

7 My understanding is pre-October 2024
8 only looking at the bio, yes.

9 Q. Okay. After October 2024 what do
10 reviewers look at?

11 A. So we are -- yeah, go to, like, this is
12 -- we're continually trying to improve this flow,
13 and so we are -- we have looked at different times
14 at collecting, like, how can we look at incremental
15 data to help a reviewer do as good a job as
16 possible.

17 But I would have to check exactly what
18 is in the flow now versus what has been experimented
19 with.

20 Q. You don't know what reviewers look at
21 post-October 2024?

22 MR. CHAPUT: Objection. Scope.

23 THE WITNESS: I know that the reviewers
24 look at content of the profile and its
25 media, but I cannot remember precisely

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1 MR. CHAPUT: Object to form.

2 Foundation, scope.

3 THE WITNESS: I'm not aware of Meta
4 employees doing that.

5 MR. OLSZEWSKI-JUBELIRER: Okay. Let's
6 look at A12, please.

7 MR. KOSSLYN: Can we go off the record?

8 MR. OLSZEWSKI-JUBELIRER: Yes.

9 THE VIDEOGRAPHER: The time is 2:55.
10 We're off the record.

11 (Off the record discussion.)

12 THE VIDEOGRAPHER: The time is 2:56.
13 We're back on the record.

14 MR. OLSZEWSKI-JUBELIRER: So we're
15 pulling up A12.2. 12.1 is just the
16 slipsheet because this is a natively
17 produced Excel file. So we can mark --
18 this is Exhibit 24. I guess we'll mark the
19 slipsheet and we can file the Excel in
20 along with the same exhibit.

21 (Whereupon, Meta-Hartnett-24 was marked
22 for identification.)

23 MR. OLSZEWSKI-JUBELIRER: This is an
24 Excel file that was produced with a Bates
25 number META3047MDL-111-00153337.

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1 right, for being underage?

2 MR. CHAPUT: Same objections.

3 THE WITNESS: Yeah. I mean, that's
4 what it says, yes.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. Can you go down to row 29, please? Do
7 you see where it says, "Explore reviewing hard-link
8 FB and IG accounts when reviewing a report of an
9 account being underage to ensure we're using all
10 available information where possible"?

11 A. Yep.

12 Q. And so that's talking about exploring
13 adding that option, right?

14 A. Yeah. That is a bit confusing to me,
15 but that's what it says.

16 Q. Okay. Why is that confusing to you?

17 A. I'm just trying to look at the dates of
18 when that was done. So this spreadsheet is from
19 2022 or 2023, we don't know when it was -- the exact
20 date it was put in.

21 There definitely -- according to my
22 conversations, there was hard-link propagation prior
23 to that time period. There -- as you can see in the
24 notes, like at some point it had been broken and
25 fixed prior to that time period, so that's why

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1 that's surprising to me.

2 Q. Okay. Your notes are talking about
3 hard-link propagation, right?

4 A. Yes.

5 Q. But this row is talking about when a
6 Facebook account, for example, is being reported,
7 the reviewer just looks at the Facebook account,
8 right?

9 A. Oh, I see. I see what you're saying.
10 Okay. It is a -- I see. So this is saying pull in
11 the account data into the reviewer interface?

12 Q. Right.

13 A. It might be.

14 Q. Pull in the account data from the
15 hard-linked accounts, right?

16 MR. CHAPUT: Objection. Lacks
17 foundation, scope.

18 THE WITNESS: I'm just reading.

19 (Witness reviewing document.)

20 THE WITNESS: Yeah, I think this is
21 referring to pull in data from a
22 hard-linked account into the reviewer
23 interface, which is, sorry, not what I was
24 referring to when I was confused.

25 ///

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1 BY MR. OLSZEWSKI-JUBELIRER:

2 Q. Right.

3 For example, if a user on Instagram was
4 reported as being underage, the reviewer would only
5 look at that Instagram account, not look at that
6 user's hard-linked Facebook account, right?

7 A. That's right.

8 MR. CHAPUT: Object to form.

9 BY MR. OLSZEWSKI-JUBELIRER:

10 Q. Okay. And that's still the case,
11 right?

12 (Witness reviewing document.)

13 A. I would like to follow up and check
14 this. I'm not sure.

15 Q. But you don't know?

16 A. But I know who to ask. I just am -- I
17 am not sure if the changes were made.

18 Q. Okay. Who would you ask?

19 A. Ty Swarts.

20 MR. OLSZEWSKI-JUBELIRER: Can we go off
21 the record briefly?

22 THE VIDEOGRAPHER: The time is 3:07.
23 We're off the record.

24 (Discussion off the record.)

25 ///

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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. Ty Swarts.

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 Rohan, 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 build clusters of accounts that could be --
2 that are associated with each other that
3 may be owned by the same person. Yeah,
4 that's how I would characterize it.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. And Meta has a lot of different
7 techniques for soft matching, right?

8 MR. CHAPUT: Object to form.

9 THE WITNESS: Meta has a single soft
10 matching model, and then it uses multiple
11 features.

12 Is that what you mean by "techniques"?

13 BY MR. OLSZEWSKI-JUBELIRER:

14 Q. Your testimony is that it has only one
15 model for soft matching?

16 A. So this is my understanding. I
17 imagine -- well, no, I don't want to imagine.

18 My understanding is that there's like
19 one key soft matching model in use at any one time
20 that has multiple features. That's my understanding
21 of soft matching.

22 Q. Okay. Meta uses soft matching for a
23 variety of different use cases, right?

24 A. Yes.

25 Q. Can you give me some examples?

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1 A. The key use cases that Meta uses soft
2 matching for today are reporting on number of users
3 and financial statements, and also for integrity
4 measures, implementing integrity measures on the
5 apps.

6 Q. What do you mean by "implementing
7 integrity measures"?

8 A. A measure could look like identifying
9 users who have repeatedly violated Meta's terms of
10 service across apps.

11 Q. So if a user repeatedly violates Meta's
12 terms of service, Meta will use soft matching
13 techniques to identify the user's other accounts, is
14 that right?

15 MR. CHAPUT: Object to form.

16 Characterization.

17 THE WITNESS: That's my understanding.

18 BY MR. OLSZEWSKI-JUBELIRER:

19 Q. Which -- sorry, just take it one step
20 further.

21 And then Meta -- what does Meta do with
22 those users' other accounts it identifies via soft
23 matching?

24 MR. CHAPUT: Objection. Scope.

25 (Witness reviewing document.)

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1 THE WITNESS: I don't have the precise
2 list of enforcements that soft matching is
3 used for. I just have that it is used for
4 integrity use cases overall.

5 BY MR. OLSZEWSKI-JUBELIRER:

6 Q. Meta enforces the same policy against
7 the users' other accounts they identify via soft
8 matching, right?

9 MR. CHAPUT: Object to form. Scope.

10 THE WITNESS: Yes.

11 BY MR. OLSZEWSKI-JUBELIRER:

12 Q. And what violations of Meta's policies
13 does Meta use soft matching to enforce on users'
14 multiple accounts?

15 MR. CHAPUT: Object to form. Scope.

16 THE WITNESS: I don't have that detail.
17 I would have to follow up on that.

18 BY MR. OLSZEWSKI-JUBELIRER:

19 Q. Who would you ask?

20 A. I would -- I would find someone from
21 the integrity team. I would -- a specific name is
22 not coming to me right now, but I can get -- I mean,
23 like, we could start with Laura who I spoke to who
24 is in integrity data science. She could guide us to
25 the right person.

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1 Q. But Meta does use soft match to
2 identify multiple accounts and enforce its policies
3 on those soft matching accounts, right?

4 A. Yes.

5 MR. CHAPUT: Object to form.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. For some types of violations, right?

8 A. Yes, that's right.

9 Q. And you don't know which types of
10 violations?

11 MR. CHAPUT: Objection. Scope.

12 THE WITNESS: Yes, I can't give you the
13 complete list. But that's me, not Meta
14 knowing, yeah.

15 BY MR. OLSZEWSKI-JUBELIRER:

16 Q. For how long has Meta used soft match
17 to enforce violations of Meta's policies in its
18 accounts?

19 MR. CHAPUT: Objection. Scope.

20 THE WITNESS: I don't know the first
21 instance. At least since prior to 2018.

22 BY MR. OLSZEWSKI-JUBELIRER:

23 Q. Since prior to 2018?

24 A. Yeah.

25 Q. Is that in your notes?

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1 A. No. I think that's a misreading of my
2 notes. Sorry.

3 What I -- soft matching started to be
4 used for reporting in 2018, for financial reporting.
5 Yeah, I don't have the start date of when it started
6 to be used for integrity.

7 Q. Has Meta used soft matching to enforce
8 on multiple accounts used by underage users?

9 MR. CHAPUT: Objection. Vague.

10 THE WITNESS: Can you clarify the
11 question?

12 BY MR. OLSZEWSKI-JUBELIRER:

13 Q. When a user is reported for being
14 underage and their account is checkpointed, has Meta
15 used soft matching to identify that user's other
16 accounts and enforce its policies on those accounts?

17 A. No.

18 MR. CHAPUT: Object to the form.

19 THE WITNESS: No.

20 BY MR. OLSZEWSKI-JUBELIRER:

21 Q. Just to clarify, since 2012 through
22 April 1st, 2024, Meta has not used soft matching to
23 identify multiple accounts owned by underage users,
24 right?

25 MR. CHAPUT: Object to the form.

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1 THE WITNESS: That's right.

2 BY MR. OLSZEWSKI-JUBELIRER:

3 Q. Okay. And in the period following
4 April 1st, 2024, since you spoke to some of these
5 people more recently, same question, Meta has not
6 used soft matching to enforcing its multiple
7 accounts owned by underage users, right?

8 MR. CHAPUT: Objection. Form, scope.

9 THE WITNESS: That's right.

10 BY MR. OLSZEWSKI-JUBELIRER:

11 Q. But it has used soft matching in that
12 period to identify multiple accounts owned by people
13 who violate other of Meta's policies, right?

14 MR. CHAPUT: Object to the
15 characterization.

16 THE WITNESS: Yes.

17 BY MR. OLSZEWSKI-JUBELIRER:

18 Q. And Meta uses that soft matching
19 information to enforce on those users' other
20 accounts, right?

21 MR. CHAPUT: Object to the
22 characterization.

23 THE WITNESS: Yes.

24 BY MR. OLSZEWSKI-JUBELIRER:

25 Q. When Meta uses soft matching to enforce

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1 The -- it's hard to comment on the
2 precision and recall. I don't think we maintain
3 precision and recall for soft matching because
4 there's not a traditional ground truth for soft
5 matching.

6 So as I explained prior, ground truth
7 is typically like you actually know the thing about
8 the dataset where you are -- you're evaluating the
9 model against. In the case of soft matching, the
10 only ground truth -- the ground truth that the team
11 uses is survey based, so they're surveying a segment
12 of users as to questions like do you also have an
13 account on Instagram, and then are comparing the
14 overall model results to that aggregate.

15 And so let me just -- yeah, they don't
16 use precision and recall in a traditional sense to
17 evaluate this model. My understanding from the
18 subject matter expert is that the model would not
19 pass what we usually think of as, like, high
20 accuracy. They don't even attempt to get accuracy
21 at a single user level. They look at accuracy of
22 the level of hundreds of millions of users, like are
23 we reporting at that level, yeah, accurately.

24 Yeah, I don't -- I mean, I guess the
25 subject matter expert would say no to the question

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1 that the model is accurate.

2 Q. What part of your notes are you
3 referring to?

4 A. Page 13.

5 Q. Okay. And that's part of section E,
6 right?

7 A. Correct.

8 Q. You spoke to Laura Godlewski?

9 A. Yes.

10 Q. And she talked to you about family
11 metric reporting, right?

12 A. Yes.

13 Q. Okay. So what you just testified about
14 in terms of accuracy and precision, that's about the
15 family metric reporting model?

16 MR. CHAPUT: Object to the form.
17 Characterization.

18 THE WITNESS: My understanding is
19 there's not different -- my understanding
20 is that there's not different models used
21 for family metric reporting and integrity
22 reporting. You seem, like -- that is my
23 understanding.

24 MR. OLSZEWSKI-JUBELIRER: Okay. Can we
25 do B13, please? This is a document with

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1 a probability of greater than or equal to
2 99 percent, right?

3 MR. CHAPUT: Object to the form.
4 Characterization.

5 THE WITNESS: I have never seen this
6 document. I don't have any information
7 about what that sentence means outside of
8 this document. So I can't confirm that. I
9 don't know what this means.

10 BY MR. OLSZEWSKI-JUBELIRER:

11 Q. And the paragraph we read before talks
12 about using the connection between accounts when
13 it's highly accurate, right? The end of the third
14 paragraph?

15 A. Yep, that's what this document says.

16 Q. Okay. Do you know -- yeah, okay.

17 Your notes say you talked to
18 Mr. Pritchard and he said that they considered doing
19 soft match enforcement on underage accounts, right?

20 (Witness reviewing document.)

21 A. Yes, I see that, yeah.

22 Q. But they didn't end up doing it, right?

23 A. That's right.

24 Q. Why did Meta decide not to do soft
25 match enforcement on underage accounts?

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1 MR. CHAPUT: Objection. Scope.

2 THE WITNESS: I don't know.

3 MR. OLSZEWSKI-JUBELIRER: All right.

4 Let's do B17, please. This is a document

5 Meta produced to us with a Bates number

6 META3047MDL-050-00014483.

7 (Whereupon, Meta-Hartnett-27 was
8 marked for identification.)

9 BY MR. OLSZEWSKI-JUBELIRER:

10 Q. And it's Exhibit 27.

11 Do you recognize this document?

12 A. No.

13 Q. Okay. You haven't seen it before?

14 A. No.

15 Q. Your lawyers didn't show it to you --

16 A. No.

17 Q. -- to prepare for the deposition?

18 A. No.

19 Q. Okay. The title is Age Management
20 Escalation, is that right?

21 A. I see that, yes.

22 Q. Yeah. Okay, and the beginning says
23 Meeting Overview, and there's a "Tl;dr."

24 That's a summary, right?

25 A. Correct.

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1 are higher than the precision thresholds it uses for
2 other types of models, right?

3 MR. CHAPUT: Object to the form.

4 THE WITNESS: So I think it's probably
5 a bit more nuanced than that. My
6 understanding from talking to the SMEs is
7 that they would potentially use different
8 precision based on the enforcement.

9 So I wouldn't just -- I'm not sure if
10 there's a single precision that's used for
11 integrity as a use case that's likely
12 relative to the enforcement.

13 BY MR. OLSZEWSKI-JUBELIRER:

14 Q. Okay. But the precision that Meta uses
15 for enforcement, for example, would be higher than
16 it uses for other types of use cases like family
17 metrics reporting, right?

18 MR. CHAPUT: Object to form.

19 Characterization.

20 THE WITNESS: I can't confirm exactly
21 that precision is higher for integrity than
22 analytics because I don't have either of
23 those numbers, but my read of the
24 implication of what Mitali is saying is
25 that the precision is used -- is higher

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1 when there is -- the consequences are
2 higher, by which she's saying something
3 like an account disable is a high
4 consequence. So that's how I read what
5 she's saying.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Okay. And you're here testifying for
8 Meta?

9 A. Yes.

10 Q. And that's Meta's understanding?

11 A. That is my understanding, yes.

12 Q. And Meta uses -- going back to the
13 integrity SUMA tables that we talked about, Meta
14 uses these tables to in some cases disable multiple
15 accounts that belong to the same person for
16 violating various of Meta's policies, right?

17 A. Yes.

18 MR. CHAPUT: Object to the form.

19 BY MR. OLSZEWSKI-JUBELIRER:

20 Q. And examples include policies about
21 child safety, fraud, scams, or terrorism, right?

22 A. Yes.

23 Q. But Meta does not use these tables for
24 enforcing, for disabling -- Meta, strike that.

25 Meta does not use these tables for

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1 disabling and removing multiple accounts that belong
2 to children under 13, right?

3 MR. CHAPUT: Object to the form.

4 THE WITNESS: Meta does not use those
5 tables for that purpose.

6 BY MR. OLSZEWSKI-JUBELIRER:

7 Q. Meta does not use any other tables to
8 find multiple accounts that are soft matched to
9 users that it has identified as likely under 13,
10 right?

11 MR. CHAPUT: Object to the form.

12 THE WITNESS: Meta only uses
13 hard-linked data.

14 BY MR. OLSZEWSKI-JUBELIRER:

15 Q. So the answer is yes?

16 A. Yes.

17 Q. Let's talk about deletion, please. So
18 under Notes it says -- starts on the bottom of
19 page 13 and goes to page 14. You're there? Okay.

20 So we talked yesterday about when Meta
21 determines an account is likely under 13 Meta
22 checkpoints that account, right?

23 A. Yep.

24 Q. And there are three states according to
25 your notes. There's a checkpoint state, there's a

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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.