

EXHIBIT 5

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT) MDL No.
ADDICTION/PERSONAL INJURY) 4:22-md-3047-YGR
PRODUCTS LIABILITY LITIGATION)
_____)

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, ss SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS,
Plaintiff, CIVIL ACTION NO.
2384CV02397-BLS1

v.
META PLATFORMS, INC. and
INSTAGRAM, LLC.

Defendants.

Monday, March 2, 2026

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

Video-Recorded Oral Deposition of CARL
S. SABA held at the offices of Davis Polk &
Wardwell LLP, 900 Middlefield Road, Redwood
City, California, commencing at 9:03 AM PST
on the above date, before Michael E. Miller,
Fellow of the Academy of Professional
Reporters, Certified Court Reporter,
Registered Diplomate Reporter, Certified
Realtime Reporter, and California CSR #13649.

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1 Q. Did you take into account when
2 the features were implemented in forming the
3 opinions in your reports?

4 MS. ARORA: Objection to form.

5 A. I was aware of when those
6 features were implemented, but I would say
7 they don't -- they don't impact my time spent
8 calculations.

9 BY MR. WILLIAMS:

10 Q. What do you mean by that?

11 A. I mean that I was asked to
12 quantify the number of instances in which
13 Teen Accounts exceeded certain thresholds of
14 average daily time spent, and those features
15 don't directly impact those calculations.

16 Q. And when you say they don't
17 directly impact those calculations, what do
18 you mean?

19 A. I mean the date on which they
20 were implemented does not have any bearing on
21 the calculation that I'm preparing, does not
22 change it in any way.

23 Q. Because your time spent
24 calculations are not connected to the design
25 features that are at issue in this action?

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1 MS. ARORA: Objection to form.

2 A. I didn't say that. But they're
3 based on thresholds of time.

4 BY MR. WILLIAMS:

5 Q. Not the design features that
6 are at issue?

7 MS. ARORA: Objection to form,
8 asked and answered.

9 A. I -- they relate to the
10 assertions regarding unfair practices and,
11 therefore, these features. But I'm saying
12 that they don't have a numerical impact on my
13 calculations.

14 BY MR. WILLIAMS:

15 Q. Do you know how many teens used
16 each of the remaining at-issue design
17 features?

18 MS. ARORA: Objection to form.

19 A. I -- not explicitly, although I
20 would say for the time management tools,
21 there is a discussion in my report about low
22 adoption rates.

23 BY MR. WILLIAMS:

24 Q. As for the multiple accounts
25 function and cosmetic filters, you don't know

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1 how many teens used each of those specific
2 design features?

3 MS. ARORA: Objection to form.

4 A. I don't.

5 BY MR. WILLIAMS:

6 Q. And the number of teens who
7 used the time -- the at-issue design features
8 doesn't impact your calculations in this
9 report, correct?

10 MS. ARORA: Objection to form.

11 A. Specifically, my time spent
12 calculations are not impacted by that.

13 BY MR. WILLIAMS:

14 Q. Your time spent calculations
15 are not impacted by the number of teens who
16 used the at-issue design features, correct?

17 A. Correct, because it's based on
18 the number of teens that exceed certain
19 time spent thresholds. That's the -- that's
20 the basis for the calculations.

21 Q. You don't know whether any
22 particular teen used any specific design
23 feature, correct?

24 A. Any particular teen, no.

25 Q. You don't know how long any

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1 calculations numerically in some way?

2 Q. Yes.

3 A. I think not directly. I would
4 say maybe indirectly.

5 Q. What do you mean by indirectly?

6 A. I took into account when
7 certain features were announced and whether
8 that appeared to have a material impact on
9 the rate of bad encounters that teens were
10 experiencing.

11 Q. And when you reference when
12 certain features were announced, is it your
13 view that those were deceptive statements
14 that are alleged in the complaint?

15 MS. ARORA: Objection to form.

16 A. Well, again, I was discussing
17 them in the context of do they impact the
18 rate of bad encounters, but I believe that
19 some of them are asserted to be deceptive
20 statements.

21 BY MR. WILLIAMS:

22 Q. Okay. So other than the impact
23 of the statements on the rate of bad
24 encounters that teens were experiencing, the
25 specific deceptive statements don't have any

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1 direct impact on your calculations, correct?

2 A. I would say, again, there -- my
3 calculations are related to those deceptive
4 statements and the related claims. I don't
5 think there is a direct numerical impact on
6 my calculations.

7 Q. Do you consider -- well, strike
8 that.

9 In offering your calculations,
10 do you consider whether teens ever heard the
11 allegedly deceptive statements?

12 MS. ARORA: Objection to form.

13 A. I don't think that's something
14 that I've analyzed, no.

15 BY MR. WILLIAMS:

16 Q. And you didn't consider whether
17 teens relied on any of the allegedly
18 deceptive statements, correct?

19 MS. ARORA: Objection to form.

20 A. I did not conduct an analysis
21 on that, and that's not part of my opinions.

22 BY MR. WILLIAMS:

23 Q. You didn't consider whether
24 teens were ever exposed to any -- strike
25 that. I already asked that.

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1 asking me if I'm -- if I analyzed whether
2 some specific teen was exposed to that
3 conduct?

4 Q. Let me ask a different way.
5 Your time spent calculations
6 aren't limited to calculating teens or
7 counting teens who are exposed to the unfair
8 design practices, correct?

9 A. They're not limited -- again, I
10 think that you're getting back at whether I
11 did some sort of an apportionment to specific
12 conduct or features, and I did not do that.

13 Q. I'm asking something a little
14 different.

15 Your time spent calculations
16 don't take into account whether teens who you
17 count were exposed to the unfair design
18 practices, correct?

19 MS. ARORA: Objection to form.

20 A. I did not determine what
21 portion of those teens were exposed to those.
22 BY MR. WILLIAMS:

23 Q. And the same is true as to what
24 portion of the teens were exposed to the
25 allegedly deceptive statements, correct?

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1 MS. ARORA: Objection to form.

2 A. Correct.

3 But again, I think it depends
4 on how "exposed" is defined, because
5 "exposed" could mean that those statements
6 are made in public, and therefore, everybody
7 is exposed.

8 BY MR. WILLIAMS:

9 Q. Is that your understanding of
10 the attorney generals' theory here?

11 MS. ARORA: Objection to form.

12 A. I think you're getting pretty
13 far into a matter of legal claims, which is
14 not my area of expertise.

15 BY MR. WILLIAMS:

16 Q. Well, I --

17 A. I have a general understanding
18 of what the claims are.

19 Q. Let me ask it differently.

20 Your time spent calculations
21 don't take into account whether the teens who
22 you count were exposed to the deceptive
23 statements regardless of how you define
24 "exposed"?

25 MS. ARORA: Objection to form.

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1 A. I don't think that's
2 necessarily true, because if the States
3 define "exposed" as the statements were made
4 in public, I know that that occurred.

5 BY MR. WILLIAMS:

6 Q. Your time spent calculations
7 don't take into account how many -- strike
8 that.

9 Your time spent calculations
10 don't take into account whether teens heard
11 the deceptive statements, correct?

12 A. What do you mean by "heard"?
13 Orally heard or read?

14 Q. Were aware of the deceptive
15 statements.

16 MS. ARORA: Objection to form.

17 A. I don't know.

18 BY MR. WILLIAMS:

19 Q. You don't know whether your
20 time spent calculations take into account
21 whether teens were aware of the deceptive
22 statements?

23 A. I don't know what teens in my
24 calculations were aware or not aware of those
25 statements.

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1 Q. You don't take that into
2 account one way or another in your
3 calculation, correct?

4 A. Yes. It's not something that
5 impacts my calculations.

6 Q. You don't offer any opinions on
7 whether your time spent calculations are
8 associated with an actual or likely harm,
9 correct?

10 A. No, I don't -- I don't have any
11 opinions about whether harm occurred or did
12 not occur.

13 Q. It's not your opinion that
14 every instance of a time spent violation that
15 you calculate reflects an actual or likely
16 harm, correct?

17 MS. ARORA: Objection to form.

18 A. No.

19 BY MR. WILLIAMS:

20 Q. It's not your opinion that
21 every instance of the time spent violation
22 that you calculate reflects an instance of
23 problematic use, correct?

24 A. That's correct. I agree with
25 that statement.

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1 Q. And you're not offering an
2 opinion that those are appropriate thresholds
3 for purposes of counting violations of the
4 state consumer protection statutes here,
5 correct?

6 A. That is correct.

7 Q. Are you aware of any specific
8 evidence in the record that supports using
9 those specific thresholds?

10 A. No. That's not something I've
11 analyzed or looked into.

12 Q. Did you do any analysis to
13 determine whether it was reasonable to use
14 those specific thresholds?

15 A. I think I'd have the same
16 answer I just gave you.

17 Q. Did you ever consider whether
18 to use a lower threshold than 30 minutes?

19 A. Well, I -- in defining my
20 assignment, there was a discussion of what
21 the thresholds should be. I don't recall
22 whether initially some higher or lower
23 threshold was discussed.

24 Q. Just so I'm clear, you're not
25 offering any opinion on whether those are --

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1 strike that.

2 You were asked to use those
3 specific thresholds, correct?

4 A. I was asked to perform
5 calculations that reflected those thresholds,
6 correct.

7 Q. And did you have any input into
8 those -- using those specific thresholds?

9 A. I did not define what the
10 thresholds should be.

11 Q. You didn't say, you know, that
12 this -- maybe we could use 15 minutes, but
13 that seems too low?

14 A. No.

15 Q. Increasing or decreasing the
16 time spent thresholds would correspondingly
17 increase or decrease the number of
18 violations, correct?

19 MS. ARORA: Objection to form.

20 A. Yes. All other factors being
21 equal, yes, it would.

22 BY MR. WILLIAMS:

23 Q. And so it's true that you can
24 increase or decrease the number of violations
25 by changing the time thresholds, correct?

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1 assume that the omission of information or
2 deception, alleged deception, caused the
3 negative experiences that you're measuring?

4 MS. ARORA: Objection to form.

5 A. You're asking me again about
6 whether I have an opinion about causation. I
7 don't.

8 BY MR. WILLIAMS:

9 Q. Well, I'm asking you -- you're
10 a damages expert, right?

11 A. Yes.

12 Q. Are you opining as a damages
13 expert here?

14 A. Yes.

15 Q. It's important -- would you
16 agree that a damages expert should have a
17 reasonable basis for causation, even if
18 they're assuming causation?

19 A. I would agree with that.

20 Q. And so I'm trying to understand
21 what is your reasonable basis for assuming a
22 causal link between the deception or omission
23 that you understand the AGs are alleging and
24 the negative experiences that you're
25 measuring?

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1 A. It's -- it's press releases
2 about safety features that Meta is -- was
3 putting out there, with those features
4 generally not being effective, as I discuss
5 in my report.

6 It's these community
7 enforcement reports that would give one the
8 impression that there's a low rate of bad
9 encounters on the platform.

10 It's all these other research
11 studies that I've cited in my report that
12 were not released to the public.

13 Q. Other than those things, do you
14 have any other basis for assuming that
15 there's a causal link between the alleged
16 deceptive -- deception or omission and the
17 negative experiences that you're measuring?

18 MR. BERGE: Objection.

19 A. No, because I think those items
20 are sufficient to establish a reasonable
21 basis for me to assume causation.

22 Again, I'm not going to prove
23 causation here. Other evidence will be
24 presented in this case.

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1 BY MR. WILLIAMS:

2 Q. If Meta is found to be not
3 liable for some of the deceptive statements,
4 do you have any opinion on how that would
5 affect your counting of bad experience
6 violations?

7 MS. ARORA: Objection to form.

8 A. No, I don't.

9 BY MR. WILLIAMS:

10 Q. So you would offer the same
11 opinion as to the number of bad experience
12 violations if Meta is found to be not liable
13 for certain deceptive conduct, correct?

14 A. Well, unless -- unless, based
15 on such findings, I was asked to adjust my
16 calculations in some way.

17 Q. And if Meta was found to be not
18 liable as to certain deceptive conduct, how
19 would you adjust your violations -- your
20 calculations of bad experience violations to
21 account for that?

22 MS. ARORA: Objection to form.

23 A. I don't know because I would be
24 engaging in speculation. It would depend on
25 what the Court determines and whether it

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1 A. Yes, I was aware that there was
2 a Country field.

3 Q. And did you analyze in
4 connection with your opening report the
5 percentage of respondents who were not
6 located in the US?

7 A. I didn't try to estimate what
8 proportion were outside of the US.

9 Q. Do you know what proportion are
10 outside the US?

11 A. Well, I know that Dr. Isaacson
12 has come up with what appears to be a new
13 opinion after his rebuttal report that -- I
14 think it's 4% are in the US.

15 Q. And have you undertaken any
16 analysis to determine whether Dr. Isaacson's
17 calculation is correct?

18 MS. ARORA: I'm going to object
19 to questions about Dr. Isaacson's new
20 opinion as that new opinion does not
21 comport with the Court's orders or the
22 Federal Rules of Civil Procedure.

23 MR. BERGE: I would object on
24 behalf of Massachusetts because we
25 didn't have a reply opinion in this

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1 are asking about them witnessing something.

2 Q. And not about that negative
3 experience -- experience happening to that
4 respondent, correct?

5 A. That's correct.

6 Q. The questions ask about
7 experiences -- strike that.

8 The questions all ask about
9 experiences caused -- negative experiences
10 caused by third parties, right?

11 MS. ARORA: Objection to form.

12 A. I think that's a fair
13 characterization.

14 BY MR. WILLIAMS:

15 Q. They don't ask about
16 experiences caused by Meta, correct?

17 MS. ARORA: Objection to form.

18 A. No, they don't ask did, you
19 know, Meta cause this or that.

20 BY MR. WILLIAMS:

21 Q. So I'd like to turn to
22 Sections X and XI of your report, which start
23 on page 85.

24 And in these sections, you
25 calculate Meta's revenue from affected teens

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1 A. Yes. It's approximately the
2 same number as the gross profit losses on
3 teens, but this is a positive gross profit --

4 Q. But I believe --

5 A. A roughly equal amount.

6 Q. I believe the net losses from
7 affected teens was 1.246 billion
8 approximately, correct?

9 A. Yes.

10 Q. So if you add those two
11 together, there would be a net loss if you
12 combine the gross profits from affected teens
13 and aged-up teens, correct?

14 A. Correct.

15 Q. Do you understand yourself to
16 be offering a disgorgement opinion in this
17 action?

18 A. I understand myself to be
19 offering a calculation of profits associated
20 with certain cohorts that may be the basis
21 for measurement of disgorgement.

22 Q. So are you offering an opinion
23 that the way you calculate gross profits is
24 the appropriate measure of disgorgement in
25 this case?

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1 MS. ARORA: Objection to form.

2 A. I don't think I would go that
3 far. I would say that I am offering an
4 opinion as to what the gross profits are on
5 teens during the relevant time period,
6 specific cohorts, and what the gross profits
7 are on those same teens as they become adults
8 and only for the relevant time period. I'm
9 not following them beyond, you know, March of
10 2024.

11 BY MR. WILLIAMS:

12 Q. You used the same methodology
13 to calculate disgorgement for each of the MDL
14 states, correct?

15 A. Yes, same methodology, and
16 then, again, adapting the data to data that
17 is specific to each state.

18 Q. And you understand that the
19 gross profits you're calculating are for
20 purposes of disgorgement, right?

21 MS. ARORA: Objection to form.

22 A. That's my understanding, yes.

23 BY MR. WILLIAMS:

24 Q. Do you understand those
25 calculations to be relevant to any other

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1 Q. You were asked by counsel to
2 calculate disgorgement based on gross
3 profits, correct?

4 A. I was asked to calculate -- I
5 would say gross profits, so...

6 Q. You were asked by counsel to
7 calculate gross profits for affected teens,
8 right?

9 A. Yes.

10 Q. And you weren't asked to
11 calculate any other -- strike that.

12 Did you consider whether there
13 was some other financial metric other than
14 gross profits for affected teens that it
15 would make sense to calculate in this case?

16 MS. ARORA: Objection to form.

17 A. What do you mean by some other
18 measure?

19 BY MR. WILLIAMS:

20 Q. Well, did you consider whether,
21 for purposes of disgorgement, some other
22 measure than gross profits for aged-up teens
23 would be a better or more appropriate
24 measure? Strike that. Let me ask that
25 again.

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1 Did you consider whether some
2 other measure than gross profits for aged-up
3 teens would be a more appropriate measure of
4 disgorgement in this case?

5 MS. ARORA: Objection to form.

6 A. In defining my assignment, I
7 had a conversation about what I was going to
8 do, and this was the measure that I was asked
9 to calculate.

10 I'm not sure, because your
11 question is so open-ended, I don't know what
12 you mean by some other.

13 BY MR. WILLIAMS:

14 Q. Well, did you consider any
15 other measures -- for purposes -- strike
16 that.

17 For purposes of calculating
18 disgorgement, did you consider any other
19 measures or methods other than using gross
20 profits?

21 A. This was the measure that I was
22 asked -- this was what I was asked to
23 calculate. So I would say -- consider? I
24 mean, I had a discussion that led to this.

25 Q. So you're not offering any

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1 the issue, which is to just assume that these
2 teens would have spent less time but for the
3 wrongful acts, and everything else is the
4 same, doesn't work.

5 Because but for the wrongful
6 acts, there might be rather significant
7 changes to Meta's overall business model.

8 BY MR. WILLIAMS:

9 Q. Are you aware of any expert
10 that's going to testify in this action that,
11 but for the allegedly wrongful acts, Meta
12 would not have earned the gross profits that
13 you calculate?

14 MS. ARORA: Objection to form.

15 A. No.

16 BY MR. WILLIAMS:

17 Q. Are you aware of any expert
18 that's going to testify that -- strike that.

19 Are you aware of any evidence
20 in the record that but for the allegedly
21 wrongful acts, Meta would not have earned the
22 gross profits that you calculate?

23 A. Your question was am I aware of
24 what?

25 Q. Any evidence in the record that

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1 but for the allegedly wrongful acts, Meta
2 would not have earned the gross profits that
3 you calculate.

4 A. No.

5 Q. In the Background section of
6 your report, you state that Meta draws
7 upwards of 90% of its revenue from
8 advertising.

9 Do you recall that?

10 A. Yes. It's actually closer to
11 99%, I think.

12 Q. So the profits that you
13 calculate for aged-up teens comes almost
14 entirely from Meta's ad revenue, right?

15 A. It's actually all ad revenue.
16 That was the starting point for my
17 calculations.

18 Q. Okay. So -- and the ad revenue
19 comes from third parties? Is that your
20 understanding?

21 A. Yes, third-party advertisers.

22 Q. So the gross profits that
23 you're calculating for aged-up teens comes
24 from third parties rather than the aged-up
25 teens themselves; is that correct?

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1 BY MR. WILLIAMS:

2 Q. No, but the survey population
3 is children who are online, correct?

4 A. I would say it's children who
5 are using some sort of online -- are in some
6 online space, amongst a very large variety, a
7 lot of them which are gaming platforms and
8 not social media platforms.

9 Q. And not all children in the US
10 are online, correct?

11 MS. ARORA: Objection to form.

12 A. I think I would agree with that
13 statement.

14 BY MR. WILLIAMS:

15 Q. So there's some bias in the
16 Thorn survey population towards children who
17 are online, correct?

18 MS. ARORA: Objection to form.

19 A. It's possible.

20 BY MR. WILLIAMS:

21 Q. You don't know how strong that
22 potential bias is, correct?

23 MS. ARORA: Objection to form.

24 A. I don't.

25 ///

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1 that were asked to teens or to --

2 A. Because that's --

3 Q. Or to children?

4 A. Because that's the way the
5 report characterizes them. They're in
6 italics, they're meant to be the actual
7 question that was asked. That's what I
8 understood the report to be conveying.

9 Q. Okay. So your understanding is
10 the report is conveying the questions as they
11 were presented to children?

12 A. Yes.

13 Q. And that's based on your review
14 of the report, nothing else, correct?

15 A. Based on my review of the
16 report and the statement of what the
17 questions were.

18 Q. And do you know if the word
19 "use" was defined in the survey?

20 A. I'm not aware of it having been
21 defined in some way, but I don't know for
22 sure.

23 Q. Use can encompass instances in
24 which a child did not have their own
25 Instagram or Facebook account, correct?

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1 MS. ARORA: Objection to form.

2 A. Yes, a child may interpret it
3 that way.

4 BY MR. WILLIAMS:

5 Q. It could include a child
6 watching an older sibling or friend on
7 Instagram or Facebook, correct?

8 MS. ARORA: Objection to form.

9 A. I don't know. That's not how I
10 would define use, but it's possible.

11 BY MR. WILLIAMS:

12 Q. It could include a child
13 accessing Instagram or Facebook through the
14 account of an older sibling or friend,
15 correct?

16 MS. ARORA: Objection to form.

17 A. It's possible.

18 BY MR. WILLIAMS:

19 Q. It could include a parent
20 allowing a child to use the parent's
21 Instagram or Facebook account, correct?

22 MS. ARORA: Objection to form.

23 A. It's possible.

24 BY MR. WILLIAMS:

25 Q. And in all those circumstances,

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1 retention?

2 MS. ARORA: Objection to form.

3 A. I won't be stating it in trial
4 as a -- as an opinion that I have, but if I'm
5 asked as to my review of the evidence around
6 this, I would relay what's in this report.

7 BY MR. WILLIAMS:

8 Q. And so you would testify that
9 Meta does have a focus on teen acquisition
10 and retention?

11 MS. ARORA: Objection to form.

12 A. I would testify that based on
13 my review, there's evidence that Meta was
14 interested in acquiring, retaining and
15 engaging teens.

16 BY MR. WILLIAMS:

17 Q. When you say that Meta was
18 interested in acquiring, retaining and
19 engaging teens, what do you mean?

20 A. I mean that it appeared to be
21 important to Meta to do so; that it was
22 integral to the business model.

23 Q. So it was something that...

24 So is it your view that Meta
25 was -- strike that.

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1 Q. So Meta was trying to acquire
2 and retain teens; is that fair?

3 MS. ARORA: Objection to form.

4 A. Acquire, retain and engage them
5 on its platforms, yes.

6 BY MR. WILLIAMS:

7 Q. What's the basis for that
8 observation?

9 A. All of the discussion that I
10 have in this report that spans paragraph 35
11 through 60.

12 Q. And the discussion you're
13 referring to was based on your review of
14 internal Meta documents and some deposition
15 transcripts of Meta employees; is that right?

16 A. It's depositions. It's
17 internal presentations. It's some models
18 that Meta had -- Meta employees had
19 developed. It's internal communications.

20 Q. So you're summarizing that
21 factual information in this section, correct?

22 MS. ARORA: Objection to form.

23 A. Yes.

24 BY MR. WILLIAMS:

25 Q. Are you applying any analysis

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1 to that information in this section?

2 MS. ARORA: Objection to form.

3 A. Not -- not some kind of
4 numerical analysis. I'm just making a
5 determination whether it appeared that the
6 assertions that are being made about Meta's
7 desire to acquire, retain and engage teens,
8 whether there was a basis for that assertion;
9 and there appears to be a basis for that.

10 BY MR. WILLIAMS:

11 Q. When you say the assertions
12 that are being made, which assertions are you
13 referring to?

14 A. The assertions that the States
15 are making in the complaint.

16 Q. So your analysis is limited to
17 determining whether there's a factual basis
18 to support the AGs' assertions, correct?

19 MS. ARORA: Objection to form.

20 MR. BERGE: Objection to form.

21 A. It's establishing that these
22 calculations that I was asked to prepare,
23 such as time spent, which are based on this
24 assertion, that there's a reasonable basis
25 for that; that the facts appear to support

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1 the moment.

2 Q. And you're not offering an
3 expert opinion on whether it is reasonable to
4 extrapolate the BEEF results over the
5 six-year period that you apply them to,
6 correct?

7 A. I'm not offering an opinion as
8 to -- that's right. That's an assumption I'm
9 taking as a given, but I have conducted some
10 analysis in this report to demonstrate why I
11 think it's a reasonable assumption and why
12 it's not likely to result in a significant
13 overcount of the number of instances of bad
14 encounters at time periods other than June or
15 July of 2021.

16 Q. You're not aware of another
17 expert who is going to testify as to the
18 reasonableness of that extrapolation,
19 correct?

20 A. I'm not.

21 Q. And if the Court or factfinder
22 determines that it is not reasonable to
23 assume a consistent rate over that six-year
24 period, then your -- that would render your
25 bad experience violation count unreliable,

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1 that time period, which is close to the
2 beginning of when I started my calculations.

3 BY MR. WILLIAMS:

4 Q. You did not perform any
5 statistical analysis to determine whether
6 extrapolating the BEEF survey results over
7 the relevant time period was reasonable,
8 correct?

9 MS. ARORA: Objection to form.

10 A. That is correct.

11 BY MR. WILLIAMS:

12 Q. You didn't consider any
13 external factors that might have affected the
14 results of the BEEF survey over the period it
15 was conducted, correct?

16 A. What do you mean by external
17 factors?

18 Q. Well, you didn't consider
19 whether the BEEF survey results were inflated
20 by COVID, for example?

21 A. Well, I think some of the
22 analysis I did speak to that issue. So, for
23 example -- again, going back to I'm looking
24 at time spent at the percentiles throughout
25 this period, from 2018 to 2024. And I'm

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1 BY MR. WILLIAMS:

2 Q. And that's consistent with the
3 calculations you did on the BEEF survey,
4 correct?

5 A. Yes, although there is one
6 version of my calculations that because it
7 assumes a hundred percent correlation,
8 meaning the same teens keep having the same
9 bad encounters week after week, that version
10 of the calculation actually doesn't assume a
11 higher monthly rate than a weekly rate. It
12 assumes it's the same.

13 Q. All right. Let's turn to
14 Section VII of your report, which starts on
15 page 50. And this section is titled Meta's
16 Efforts to Address Issues Around Teen Usage
17 on Instagram and Facebook, correct?

18 A. Yes.

19 Q. And some of the analysis in
20 this section relates to the discussion we
21 were just having about your conclusions about
22 extrapolating the BEEF results, correct?

23 A. Yes.

24 Q. Now, you're not offering an
25 opinion -- you're not offering any expert

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1 opinions that are reflected in this section,
2 correct?

3 MS. ARORA: Objection to form.

4 A. I wouldn't say that these are
5 opinions. I would say that this is evidence
6 that is supporting the method in which I
7 conducted my calculations and my
8 extrapolation.

9 BY MR. WILLIAMS:

10 Q. And what's the distinction
11 you're drawing between evidence and opinion?

12 A. Well, in order to develop an
13 opinion, you look at data and you look at
14 evidence, and you use that as a basis for
15 your opinion.

16 Q. So in part of this section,
17 you're conducting an analysis of time spent
18 trends, correct?

19 A. Yes.

20 Q. And is that evidence or an
21 opinion?

22 MS. ARORA: Objection to form.

23 A. Well, there's some analysis,
24 and then there's some conclusions here about
25 what the time spent trends look like.

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1 consider in your report in this section are
2 time management -- a time management
3 dashboard, Take a Break, Quiet Mode, Family
4 Center, Parental Supervision tools and Teen
5 Accounts.

6 Does that sound right?

7 A. Yes.

8 Q. And I'm going to name a couple
9 of features that Meta may have implemented,
10 and I'd like you to tell me if you considered
11 them in your report.

12 Suspicious adult restrictions
13 and discovery implemented in July 2021?

14 A. I don't think so.

15 Q. Private account default for U16
16 users implemented in July 2021?

17 A. I don't think I discussed that
18 one.

19 Q. Sensitive content control and
20 defaultless settings for teens implemented in
21 July 2021?

22 A. I don't think that's discussed
23 in my report.

24 Q. Tagging and remix restrictions
25 for teens implemented in December 2021?

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1 A. Not discussed in my report.

2 Q. June 2022 and January 2024
3 updates to the Instagram Family Center and
4 Parental Supervision tools?

5 A. That one might be addressed in
6 my report. I'd have to look for it.

7 Q. Take your time.

8 A. I'm sorry, can you repeat that
9 one again?

10 Q. June 2022 and January 2024
11 updates to the Instagram Family Center and
12 Parental Supervision tools.

13 A. I discussed the introduction of
14 Family Center in March of 2022, and I
15 discussed the rate at which the Family Center
16 feature was being adopted in 2023 and 2025.

17 Q. So my question was different.
18 It was about the June 2022 and January 2024
19 updates to the Instagram Family Center and
20 Parental Supervision tools.

21 A. Right. I don't discuss the
22 update, but the adoption rates here would
23 reflect that update.

24 Q. Do you discuss Favorites and
25 Following Feeds implemented in March 2022?

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1 A. No.

2 Q. Do you discuss Nudges feature
3 on Instagram Explorer implemented in
4 June 2022?

5 A. I don't think so.

6 Q. Do you discuss Age Verification
7 Via Selfie implemented in June 2022?

8 A. No.

9 Q. Do you discuss DM Kindness
10 Nudges implemented in October 2022?

11 A. No.

12 Q. Do you discuss Prompt to Report
13 After Blocking implemented in November 2022?

14 A. No.

15 Q. Do you discuss Ad Topic
16 Controls for teens implemented in January
17 2023?

18 A. No.

19 Q. Do you discuss Instagram
20 Recommendation Controls implemented in
21 January 2023?

22 A. No.

23 Q. Do you discuss Take It Down
24 Initiative implemented in February 2023 with
25 updates in January 2024?

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1 A. I believe Take It Down was
2 discussed somewhere in this report. I don't
3 know that I'm going to...

4 (Document review.)

5 A. I'm not finding that one right
6 now.

7 BY MR. WILLIAMS:

8 Q. Do you discuss DM Invite
9 Restrictions implemented in June 2023?

10 A. I do not.

11 Q. Do you discuss Manual Comment
12 Hiding implemented in October 2023?

13 A. No.

14 Q. Do you discuss Lantern child
15 safety collaboration implemented in
16 November 2023?

17 A. I do not.

18 Q. Do you discuss
19 age-inappropriate content restrictions
20 implemented in January 2024?

21 A. No.

22 Q. Do you discuss Search Result
23 Restrictions for Sensitive Topics implemented
24 in January 2024?

25 A. I don't think so.

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1 Q. Do you discuss Private --
2 Privacy Setting Nudges implemented in
3 January 2024?

4 A. I don't think so.

5 Q. Do you discuss stricter DM
6 settings for U16 teens implemented in
7 January 2024?

8 A. I do not.

9 Q. Let's turn to paragraph 89.
10 You refer to Meta's responses
11 to interrogatories regarding the rate of
12 adoption of certain safety features, correct?

13 A. Just a moment.

14 Yes.

15 Q. So you don't cite the rate of
16 adoption for any of the features we just
17 discussed, correct?

18 A. I don't think so.

19 Q. The adoption rate doesn't
20 indicate how effective a feature is for teens
21 who did adopt the feature, correct?

22 MS. ARORA: Objection to form.

23 A. No, it just tells you what
24 proportion of teens adopted it.

25 ///

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CERTIFICATE

I, MICHAEL E. MILLER, Fellow of the Academy of Professional Reporters, Registered Diplomate Reporter, Certified Realtime Reporter, Certified Court Reporter and Notary Public, do hereby certify that prior to the commencement of the examination, CARL S. SABA was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that pursuant to FRCP Rule 30, signature of the witness was not requested by the witness or other party before the conclusion of the deposition.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.



MICHAEL E. MILLER, FAPR, RDR, CRR
Fellow of the Academy of Professional Reporters
NCRA Registered Diplomate Reporter
NCRA Certified Realtime Reporter
California CSR #13649
Dated: March 3, 2026

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT) MDL No.
ADDICTION/PERSONAL INJURY) 4:22-md-3047-YGR
PRODUCTS LIABILITY LITIGATION)
_____)

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, ss SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS,
Plaintiff, CIVIL ACTION NO.
2384CV02397-BLS1

v.
META PLATFORMS, INC. and
INSTAGRAM, LLC.

Defendants.

Tuesday, March 3, 2026

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

Video-Recorded Oral Deposition of CARL
S. SABA, VOLUME 2, held at the offices of
Davis Polk & Wardwell LLP, 900 Middlefield
Road, Redwood City, California, commencing at
9:04 AM PST on the above date, before
Michael E. Miller, Fellow of the Academy of
Professional Reporters, Certified Court
Reporter, Registered Diplomate Reporter,
Certified Realtime Reporter, and California
CSR #13649.

GOLKOW - VERITEXT
877.370.DEPS | fax 917.591.5672
deps@golkow.com

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1 what I relied on in terms of this workbook
2 and what it communicates about user counts
3 relative to what Dr. Isaacson is saying is
4 the proportion of US respondents in the
5 survey.

6 BY MR. WILLIAMS:

7 Q. Do you have a view today --
8 well, strike that.

9 You referred earlier to your --
10 to conducting a preliminary review, correct?

11 A. Yes. Dr. Isaacson raised this
12 new issue -- I don't know -- two or three
13 days ago. I just haven't had enough time to
14 fully investigate this. It wasn't in his
15 rebuttal report.

16 Q. So you don't have a view
17 today -- or strike that.

18 Do you have a view today
19 whether your response rates that you rely on
20 from the BEEF survey include -- are limited
21 to US respondents?

22 MR. BERGE: Objection to the
23 form.

24 MS. ARORA: Objection to form.

25 A. I can't tell you if they're

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1 only US respondents.

2 What I can tell you is the
3 survey was for 238,000 individuals.
4 Dr. Isaacson is saying that 4% of the survey
5 respondents are in the US. I'm still looking
6 into that. If that is true, that would be
7 approximately 10,000 respondents would be in
8 the US.

9 What I see for the table that
10 I'm relying on in terms of counts of teens is
11 you will typically have responses to a
12 particular issue in the amount of maybe a
13 thousand, 2,000, maybe at most 3,000
14 individuals; and so that certainly doesn't
15 look like it's tabulating the entire survey.
16 BY MR. WILLIAMS:

17 Q. Understood.

18 You're referring to that as a
19 preliminary review, and what I'm trying to
20 understand is: Sitting here today, do you
21 know whether your -- the response rates you
22 used for the BEEF survey are limited to US
23 respondents?

24 MR. BERGE: Objection to the
25 form.

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CERTIFICATE

I, MICHAEL E. MILLER, Fellow of the Academy of Professional Reporters, Registered Diplomate Reporter, Certified Realtime Reporter, Certified Court Reporter and Notary Public, do hereby certify that prior to the commencement of the examination, CARL S. SABA was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

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Dated: March 3, 2026