

EXHIBIT 19

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1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 IN RE: SOCIAL MEDIA ADOLESCENT) MDL No.
4 ADDICTION/PERSONAL INJURY) 4:22-md-3047-YGR
5 PRODUCTS LIABILITY LITIGATION)
6 -----

7 COMMONWEALTH OF MASSACHUSETTS
8 SUFFOLK, ss SUPERIOR COURT

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

11 v.
12 META PLATFORMS, INC. and
13 INSTAGRAM, LLC.

14 Defendants.
15

Monday, March 2, 2026

16 CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

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

23
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1 There's -- the relationship I've seen is
2 it's -- again, it varies by month and by
3 state, but it's something like .7, 70% of
4 MAPs are -- would give you a rough
5 approximation of the number of DAPs.

6 Q. Approximately, in any given
7 month, 70% -- there are 70% as many DAPs as
8 there are MAPs; is that -- am I understanding
9 that right, approximately?

10 A. Yes. Right, for every hundred
11 monthly active persons you might have
12 something like 70 daily active persons.

13 Q. So in this section you say in
14 the heading that you're calculating MAPs,
15 under-13 MAPs.

16 If you turn to paragraph 251,
17 though, you say that you're calculating DAPs.

18 A. That's correct.

19 So I set out initially -- I was
20 asked to calculate either MAPs or DAPs,
21 whichever I could with the data that I could
22 locate or had access to.

23 I do have some discussion in
24 this section about Meta's -- some data points
25 that give us an indication of how many MAPs

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1 BY MR. WILLIAMS:

2 Q. And in -- and in paragraph 135,
3 you note -- or you state that the Negative --
4 the NET survey highlighted that the negative
5 experiences on Instagram is quite high,
6 correct?

7 A. I'm sorry, what paragraph are
8 we looking at, 135?

9 Q. Let me reask the question.
10 Paragraph 134. In
11 paragraph 134, you discuss the Negative
12 Experience Survey, correct?

13 A. Yes.

14 Q. And you claim that the results
15 of the Negative Experience Survey support
16 your extrapolation conclusion, right?

17 A. Generally speaking. You don't
18 get exactly the same response rates on every
19 type of bad encounter, but they're similar.

20 Q. And you didn't cite this survey
21 in your opening report, correct?

22 A. I don't think I cited the
23 survey. I did reference Exhibit 9 to Bejar's
24 April deposition, which is this survey.

25 Q. But you didn't specifically

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1 discuss this survey in the body of your
2 report, correct, your opening report,
3 correct?

4 A. Correct.

5 Q. Why not?

6 A. I didn't. I don't know that I
7 can give you a specific reason.

8 Q. When I deposed you earlier on
9 the same topic in the Tennessee action, do
10 you recall testifying to the effect that the
11 response rates for the 2019 survey were
12 actually slightly higher for most of the
13 questions than the BEEF survey?

14 A. I may have said that. I mean,
15 I -- here I discuss some examples, and they
16 are slightly higher, I think.

17 Q. Sorry. Just to be clear,
18 you're saying that the results of the
19 Negative Experience Survey are slightly
20 higher than the BEEF survey?

21 A. I think the problem with
22 generalities is it just depends on the
23 specific question that's being asked. Some
24 are higher, some are lower.

25 Q. Comparing question for

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1 question -- well, I believe what you
2 testified in the prior action was that the
3 response rates for the 2019 survey are
4 slightly higher for most questions when you
5 match up the experiences.

6 So I'm talking about on an
7 experience-to-experience basis.

8 MS. ARORA: Objection to form.

9 A. If that's what I said, then
10 that's what I meant.

11 BY MR. WILLIAMS:

12 Q. Do you agree with that
13 testimony?

14 MS. ARORA: Objection to form.

15 A. I would have to, again, look at
16 the -- compare all the responses to be able
17 to tell you, because I don't remember
18 anymore.

19 BY MR. WILLIAMS:

20 Q. Okay. Well, in paragraph 134
21 you cite three categories of negative
22 experiences, right?

23 A. Right.

24 Q. And they are witnessing hate,
25 being bullied or harassed and seeing nudity

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1 or sexual content, correct?

2 A. Yes.

3 Q. And did you compare whether the
4 questions in the two surveys were the same?

5 A. I think I compared to, you
6 know, whether they were similar. I don't
7 think they're exactly the same.

8 Q. And if they were different,
9 that could affect the response rates,
10 correct?

11 MS. ARORA: Objection to form.

12 A. Correct.

13 BY MR. WILLIAMS:

14 Q. Such that you're not making an
15 apples-to-apples comparison, right?

16 MS. ARORA: Objection to form.

17 A. It could lead to an imperfect
18 comparison, yes.

19 BY MR. WILLIAMS:

20 Q. For the hate category, you cite
21 a 27% response rate in the NET experience
22 survey and 27.5% rate in the BEEF survey,
23 correct?

24 A. Yes.

25 Q. So very little change there,

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1 correct?

2 A. Very similar.

3 Q. And for being bullied or
4 harassed, you cite 9% in the Negative
5 Experience Survey and 10.1 in the BEEF
6 survey, correct?

7 A. Yes.

8 Q. So again, a relatively small
9 change, right?

10 A. Yes.

11 Q. For the third category you
12 cite, seeing nudity or sexual content,
13 there's a fairly significant decline between
14 the NET and BEEF survey, correct?

15 A. Yes.

16 Q. 26% to 18.7%, correct?

17 A. Yes, Negative Experiences is
18 higher.

19 Q. So that's a fairly
20 significant -- well, that doesn't support
21 your view that at least for that particular
22 question, the rates between surveys were
23 consistent, right?

24 MS. ARORA: Objection to form.

25 A. I agree. Although it does

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1 support the notion that I wouldn't be
2 overcounting by using the BEEF survey, right,
3 because I would be applying this lower
4 percentage that's in the BEEF survey to an
5 earlier period when the NET survey had a
6 higher response rate.

7 BY MR. WILLIAMS:

8 Q. If that decline continued over
9 time, then it would extend through to the end
10 of the period for which you're calculating
11 bad experiences, right?

12 MS. ARORA: Objection to form.

13 A. If that -- if that were
14 actually an indication of a trend, yes.

15 BY MR. WILLIAMS:

16 Q. And you don't know one way or
17 another if it's an indication of a trend,
18 right?

19 MS. ARORA: Objection to form,
20 calls for speculation.

21 A. I -- no, it's -- I think just
22 with having two data points, I can't tell.

23 BY MR. WILLIAMS:

24 Q. And so you only cite these
25 three categories of bad experiences in your

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1 reply, right?

2 A. I cite them as examples.

3 Q. Do you recall --

4 A. There are others --

5 Q. Do you recall -- do you recall
6 the relative rates between the other
7 categories?

8 A. Again, I think some were
9 higher, some were lower.

10 Q. So you don't recall, sitting
11 here?

12 A. I reviewed them. I just don't
13 recall right now.

14 MR. WILLIAMS: Okay. Well, I'd
15 like to introduce
16 META3047MDL-059-00000216 as Exhibit 5.

17 (Whereupon, Saba Deposition
18 Exhibit 5, Presentation Negative
19 Experiences Survey - Oct 2019 Edition,
20 META3047MDL-059-00000216 -
21 META3047MDL-059-00000236, was marked
22 for identification.)

23 MR. WILLIAMS: And I'd also
24 like to introduce Schedule 5.3 from
25 your opening report as Exhibit 6,

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1 because the printout I have does not
2 have -- of your report does not have
3 the schedules attached to it.

4 (Whereupon, Saba Deposition
5 Exhibit 6, Schedule 5.3, was marked
6 for identification.)

7 BY MR. WILLIAMS:

8 Q. So I'd like you to go to
9 slide 7 of the deck.

10 Do you see it has a purple line
11 for teens and a gray line for adults?

12 A. Yes.

13 Q. And the response rates here in
14 purple align to -- for the three categories
15 you cite in your report align to what's shown
16 on the slide, correct?

17 A. Yes.

18 Q. Okay. And then Schedule 5.3 is
19 the schedule of your report where you
20 calculate response rates from the BEEF survey
21 for the population you're measuring, 13- to
22 17-year-olds, correct?

23 A. Yes.

24 Q. So if we compare the question
25 for violence, we see that there's a 24%

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1 response rate in the Negative Experience
2 Survey and a 13.7 response rate for BEEF.

3 Is that correct?

4 A. Yes.

5 Q. So that's a decline of over 10
6 percentage points, right?

7 MS. ARORA: Objection to form.

8 A. Yes, it's approximately 10
9 percentage points difference.

10 BY MR. WILLIAMS:

11 Q. And for self-harm, there's a
12 17% response rate for the NET survey versus a
13 7.7 response rate for the BEEF survey,
14 correct?

15 A. Just a moment. I'm trying to
16 find it.

17 I don't think I see self-harm
18 on the NET survey.

19 Q. Do you understand that SSI
20 stands for --

21 A. Oh, okay. Okay. I've got it.
22 So 17% --

23 Q. Versus 7.7% in the --

24 A. Versus 7.7, yes.

25 Q. And do you see that for the

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1 drugs category, there's a 13% response rate
2 in the BEEF -- in the NET survey versus a
3 3.6% response rate in the BEEF survey?

4 A. Yes.

5 Q. And again, that's a decline of
6 over 9 percentage points, correct?

7 MS. ARORA: Objection to form.

8 A. Yes.

9 BY MR. WILLIAMS:

10 Q. And for the bully witness --
11 bully-seeing category in the NET survey,
12 there's a 30% -- 30% response rate, whereas
13 for in the BEEF survey, there's a 28.6%
14 response rate?

15 A. Yes, I see that.

16 Q. So that's a decline of 1.4
17 percentage points?

18 MS. ARORA: Objection to form.

19 A. It's a difference of 1.4%, yes.

20 BY MR. WILLIAMS:

21 Q. A difference, okay.

22 And so for five of the seven
23 categories, that's a decline between the NET
24 and BEEF survey, correct?

25 MS. ARORA: Objection to form.

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1 A. I would say that the NET is
2 higher than the BEEF survey.

3 BY MR. WILLIAMS:

4 Q. And for several of those
5 categories, the NET is -- response rate is 5
6 percentage rates over -- at least 5
7 percentage points higher than the response
8 rate for the BEEF survey, correct?

9 MS. ARORA: Objection to form.

10 A. For some of those categories,
11 yes.

12 BY MR. WILLIAMS:

13 Q. And so consistent with what you
14 testified in Tennessee, there appears to be a
15 general decline in the response rates of
16 negative experiences between the 2019 NET
17 survey and the 2021 BEEF survey, correct?

18 MS. ARORA: Objection to form.

19 A. The NET is higher for, I would
20 say, more of these types of experiences than
21 it is lower --

22 BY MR. WILLIAMS:

23 Q. Well, for five of the seven,
24 correct?

25 A. Yes.

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1 I mean, for the ones you've
2 mentioned, right. We haven't talked about
3 all of them that are on here.

4 Q. Are you aware of whether any of
5 the other questions map up to what you were
6 measuring in the BEEF survey?

7 A. I -- I think, again, I've put
8 in my report the ones that are -- some of the
9 ones that are similar, and I agree with you
10 that the rest tend to be higher in the NET
11 survey.

12 Q. And so the fact that the
13 response rates are higher in the NET survey
14 than in the BEEF survey does not support your
15 conclusion that the response rates for the
16 BEEF survey remained consistent over time,
17 correct?

18 MS. ARORA: Objection to form.

19 A. It doesn't support the notion
20 that they were occurring at the same rate,
21 but it does support what I was stating
22 earlier, that I'm not overcounting by using
23 the BEEF survey response rates and applying
24 them to these earlier periods.

25 ///

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1 BY MR. WILLIAMS:

2 Q. You don't know whether the --
3 strike that.

4 And you say it supports your
5 conclusion that you're not overcounting
6 because the results were higher in the NET
7 survey than the BEEF survey, correct?

8 MS. ARORA: Objection to form.

9 A. Correct.

10 BY MR. WILLIAMS:

11 Q. But they're not consistent
12 between the two surveys, correct?

13 A. Again, it depends on the
14 particular bad encounter that you are
15 speaking of. Some are fairly consistent;
16 others are meaningfully higher in the NET
17 survey.

18 Q. And so you don't know whether
19 the trend -- the downward trend between the
20 NET survey and the BEEF survey continued
21 after the BEEF survey was conducted, correct?

22 MS. ARORA: Objection to form.

23 A. Not conclusively. You can look
24 at the results to the Heat Initiative survey.
25 I don't think you could draw a straight line

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1 that would result in what you have in the
2 Heat Initiative survey, but the Heat
3 Initiative survey also has other differences
4 that I've discussed in my report, so I --

5 BY MR. WILLIAMS:

6 Q. Right. So --

7 A. -- I don't think it can be
8 compared as directly.

9 Q. It's not an apples-to-apples
10 comparison with the BEEF survey, correct?

11 MS. ARORA: Objection to form.

12 A. Correct.

13 BY MR. WILLIAMS:

14 Q. And in paragraph 135, you
15 discuss the Heat Initiative survey, correct?

16 A. Yes.

17 Q. You don't cite any response
18 rates from the Heat Initiative survey,
19 correct?

20 A. I don't, but I did review them.

21 Q. And is it your recollection
22 that they showed a -- they were generally
23 consistent with the BEEF survey response
24 rates?

25 A. I don't -- I don't think they

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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
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Dated: March 3, 2026