

EXHIBIT 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

People of the State of California, et al.,

Plaintiffs,

v.

Meta Platforms, Inc., et al.

Defendants.

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:
4:23-cv-05448

MDL No. 4:22-MD-03047

Case No. 4:23-CV-05448-YGR

EXPERT REPORT OF DR. BRUCE ISAACSON

4A. Dr. Alter Does Not Analyze Actual Consumer Understandings, Attitudes, or Behaviors

27. A generally accepted way to develop evidence about what consumers believe, or the messages that consumers receive from marketplace communications, is to ask them, using a consumer survey. Consumer surveys are a very common form of marketing research, as surveys are the most widely used method for marketers to collect primary data from consumers.⁸

28. Marketers often use surveys to gather input from key stakeholders, such as consumers, to help guide business decisions and marketing strategy. In the field of marketing, surveys are used to measure consumer engagement and loyalty,⁹ assess consumer satisfaction,¹⁰ identify new product features that would be useful to consumers,¹¹ understand consumer preferences across product features,¹² gauge the effectiveness of customer support,¹³ predict future

⁸ Kotler, Philip, and Gary Armstrong. "Managing Marketing Information to Gain Customer Insights." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 110. See also Hoyer, Wayne D. and Deborah J. MacInnis. "An Introduction to Consumer Behavior." *Consumer Behavior*, 5th ed., Cengage Learning, 2008, pp. 28-29.

⁹ Kotler, Philip, and Gary Armstrong. "Customer Value-Driven Marketing Strategy." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 187. See also, Malhotra, Naresh K. "Introduction and Early Phases of Marketing Research." *Marketing Research An Applied Orientation*, 6th ed., Pearson Education, Inc., 2010, p. 36. See also Farris et al. "Share of Hearts, Minds, and Markets." *Marketing Metrics*, 2010, pp. 51-53.

¹⁰ Kotler, Philip, and Gary Armstrong. "Managing Marketing Information to Gain Customer Insights." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 117. See also Oliver, Richard L. "Customer Satisfaction Research." *The Handbook of Marketing Research: Uses, Misuses, and Future Advances*, Sage Publications, Inc., 2006, p. 2. See also Malhotra, Naresh K. "Introduction to Marketing Research." *Marketing Research An Applied Orientation*, 6th ed., Pearson Education, Inc., 2010, p. 11. See also Hoyer, Wayne D. and Deborah J. MacInnis. "Post-Decision Process." *Consumer Behavior*, 5th ed., Cengage Learning, 2008, p. 279.

¹¹ Kotler, Philip, and Gary Armstrong. "Designing a Customer Value-Driven Strategy and Mix." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 226. See also Malhotra, Naresh K. "Research Design Formulation." *Marketing Research An Applied Orientation*, 6th ed., Pearson Education, Inc., 2010, p. 74.

¹² Zaltman, Lindsay & Gerald Zaltman. "What do: 'Really Good' Managers and 'Really Good' Researchers Want of One Another?" *The Handbook of Marketing Research: Uses, Misuses, and Future Advances*, Sage Publications, Inc., 2006, p. 10.

¹³ Kotler, Philip, and Gary Armstrong. "Products, Services, and Brands: Building Customer Value." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 231.

sales,¹⁴ evaluate advertising,¹⁵ and provide support for advertising claims,¹⁶ among other purposes. Companies and other organizations routinely provide ads and other types of marketplace communications directed to consumers, such as Meta's public statements. Surveys allow companies to gather feedback about how these marketplace communications affect consumer behaviors and attitudes.¹⁷

29. In particular, surveys provide direct, rather than circumstantial, evidence of consumer perceptions.¹⁸ In trademark and false advertising lawsuits, surveys are "a standard form of evidence—perhaps *the* standard form of evidence," because they provide evidence about how consumers respond to a trademark or advertisement.¹⁹ Surveys are considered "standard fare" in some false advertising cases,²⁰ and may be expected in some such cases.²¹ Surveys are used in matters that involve marketplace communications, such as advertising, because they

¹⁴ Kotler, Philip, and Gary Armstrong. "Developing New Products and Managing the Product Life Cycle." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 261. See also Keller, Kevin Lane. "Measuring Brand Equity." *The Handbook of Marketing Research: Uses, Misuses, and Future Advances*, Sage Publications, Inc., 2006, p. 13. See also Malhotra, Naresh K. "Introduction and Early Phases of Marketing Research." *Marketing Research An Applied Orientation*, 6th ed., Pearson Education, Inc., 2010, p. 24.

¹⁵ Kotler, Philip, and Gary Armstrong. "Designing a Customer Value-Driven Strategy and Mix." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 424. See also Hoyer, Wayne D. and Deborah J. MacInnis. "The Psychological Core." *Consumer Behavior*, 5th ed., Cengage Learning, 2008, p. 166.

¹⁶ Kotler, Philip, and Gary Armstrong. "Advertising and Public Relations." *Principles of Marketing*, 17th ed., Pearson Education, Inc., 2018, p. 437.

¹⁷ Alreck, Pamela L. and Robert B Settle. "Initiating a Survey." *The Survey Research Handbook: Guidelines and Strategies for Conducting a Survey*, McGraw-Hill, 1995, p. 4.

¹⁸ McCarthy, J. Thomas. § 32:158 "Introduction to survey evidence." *McCarthy on Trademarks and Unfair Competition*, 5th ed., Thomson Reuters, 2021, pp. 32-426 through 32-427.

¹⁹ Diamond, Shari Seidman, and Jerre B. Swann. "Editors' Introduction to the Second Edition: Surveys in Modern Litigation Involving Trademarks and Deceptive Advertising." *Trademark and Deceptive Advertising Surveys: Law, Science, and Design*, 2nd ed., edited by Shari Seidman Diamond and Jerre B. Swann, ABA Publishing, 2022, p. 3.

²⁰ Leighton, Richard. "Materiality and Puffing in Lanham Act False Advertising Cases: The Proofs, Presumptions, and Pretexts." *The Trademark Reporter*, vol. 94, no. 3, 2004, p. 602.

²¹ Bernstein, David H. and Bruce P. Keller. "Survey Evidence in False Advertising Cases." *Trademark and Deceptive Advertising Surveys: Law, Science, and Design*, 2nd ed., edited by Shari Seidman Diamond and Jerre B Swann, ABA Publishing, 2022, p. 187.

can provide evidence about “what message the relevant consumer group received from the challenged advertisement.”²²

30. Dr. Alter’s failure to conduct a survey to evaluate the effect of any statements from Meta on consumer attitudes and beliefs constitutes a serious limitation on his analysis, rendering his conclusions speculative. Without a survey, Dr. Alter cannot reliably assess how consumers were likely to interpret or react to the statements by Meta that he attempts to analyze. In this case, Dr. Alter could have designed and conducted a survey using a representative sample of consumers to measure whether the statements from Meta described in his report were likely to cause consumers to form certain beliefs or to engage in certain behaviors.

31. A survey interviews a sample of representative consumers and provides measures that reflect the opinions and behaviors of all consumers in the context. When it is impractical or impossible to ask all consumers about their attitudes and behaviors, a survey which interviews a representative sample of consumers can be helpful. However, instead of gathering data from a sample of consumers relevant to this matter, Dr. Alter reached his conclusions without asking any relevant consumers at all, which makes him incapable of accurately reflecting the attitudes and behaviors of relevant consumers.

32. For example, Dr. Alter repeatedly asserts that consumers would have understood Meta’s statements about addiction to refer to a “broad, lay sense” of the term that does not require a medical diagnosis; namely, a pattern of erosion or loss of self-control and harmful outcomes, “in which any element that is designed to or actually does make the product difficult to resist is considered an addictive quality.”²³ This assertion is a critical basis for his conclusion that Meta’s statements regarding the alleged addictiveness of its platform have a

²² McCarthy, J. Thomas. § 32:158 “Introduction· to survey evidence.” *McCarthy on Trademarks and Unfair Competition*, 5th ed., Thomson Reuters, 2021, p. 32-427; *see also, e.g.,* Jay, E. Deborah. “Ten Truths of False Advertising Surveys.” *The Trademark Reporter*, vol. 103, no. 5, 2013, pp. 1117-1118 (noting that “it may be impossible without a survey to prove that an advertisement is misleading (or has a tendency to deceive),” because claims that an advertising statement is misleading are “unlikely to succeed” without a consumer perception survey”).

²³ Alter Report, ¶¶ 202, 207, 211, 220, 227, 233, 235, 259.

Executed in Encino, California, on October 17, 2025.

A handwritten signature in black ink, appearing to read 'Bruce Isaacson', written over a horizontal line.

Dr. Bruce Isaacson

The undersigned hereby certifies their understanding that they owe a primary and overriding duty of candor and professional integrity to help the Court on matters within their expertise and in all submissions to, or testimony before, the Court. The undersigned further certifies that their report and opinions are not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

October 17th, 2025

A handwritten signature in black ink, appearing to read 'Bruce Isaacson', written over a horizontal line.

Dr. Bruce Isaacson