

Exhibit C

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

People of the State of)
California, et al.,)
)
Plaintiffs,) MDL No. 3047
)
vs.) No. 4:23-cv-05448-YGR
)
Meta Platforms, Inc.,)
Instagram, LLC, Meta Payments,)
Inc., Meta Platforms)
Technologies, LLC,)
)
Defendants.)

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

VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF
MARY CATHERINE WIRTH

10:40 A.M.
FRIDAY, MAY 8, 2026
1200 SIXTH AVENUE, SUITE 610
SEATTLE, WASHINGTON

Reported by: Tami Lynn Vondran, CRR, RMR, CCR/CSR
WA CCR #2157; OR CSR #20-0477; CA CSR #14435
Job Number 8045085

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1 there wasn't a lot of attention on this issue, either
2 domestically or globally. And as regulators in the U.S.
3 and internationally started asking questions about age
4 enforcement, it started to get a lot more attention.
5 And, you know, in the U.S., COPPA and its FTC FAQ have
6 been really stable for a couple of decades; right.
7 Where the FTC staff guiding small business said, you
8 know, you're allowed to rely on self-declared age, and
9 you have no obligation to investigate whether somebody
10 lied or not unless you have actual knowledge that a
11 specific user lied.

12 And so I would say up until about 2023,
13 everybody in the industry relied on that FTC guidance
14 and went about their business.

15 As the issues started getting more attention,
16 companies started evaluating whether or not they could
17 do more to pro- -- be more proactive in getting
18 under-13s off their platforms.

19 So that's likely the context for that bullet.
20 But that's just based on my knowledge of the industry
21 generally, not what this user was thinking.

22 Q. (BY MS. WANG) And just to clarify, it's your
23 opinion that Meta is not obligated to investigate users
24 who are suspected of being under 13 unless Meta obtains
25 actual knowledge of that age?

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1 A. Yeah, that's --

2 MR. STEFANIK: Objection -- objection to the
3 form.

4 You can answer if you're able.

5 A. Okay. Yes, that's been the FTC's staff's
6 guidance to business for over 20 years now, that as long
7 as you have a neutral age gate and collect somebody's
8 age, you've got no obligation -- you're allowed to rely
9 on the age declared, even if it's false. And you've got
10 no obligation to investigate unless somebody responsible
11 within your organization gets some form of actual
12 knowledge that a specific user is under 13.

13 General knowledge that under-13s lie isn't
14 enough. It has to be specific knowledge. So that's,
15 like, the baseline rule. But obviously, as you've
16 looked at the DTSP best practices, industry has been
17 increasingly going above and beyond what the baseline
18 rule is and doing more.

19 Q. (BY MS. WANG) And just to be clear, is it --
20 so your opinion is that Meta is not obligated to
21 investigate underage users. And is this opinion
22 premised on your opinion that Meta is a general-audience
23 site?

24 MR. STEFANIK: Objection to the form.
25 Mischaracterizes the testimony. Mischaracterizes the

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1 report. And compound.

2 You can answer if you're able.

3 A. Yes. If you don't allow under-13s on your
4 platform, you have no obligation -- you know, you've got
5 general audience, mixed audience, et cetera, you know.
6 Mixed audience is directed at children as well as
7 others, where you allow under-13s. Meta doesn't allow
8 under-13s.

9 So, yes, in my experiencing, that would be
10 considered by the FTC, and anybody in the industry, and
11 anybody in the trust and safety community, to be a
12 general-audience site.

13 Q. (BY MS. WANG) And, Ms. Wirth, when you say
14 Meta does not allow users under 13, is that because Meta
15 states in its terms of service or in its policies that
16 people under 13 are not allowed on the platform?

17 A. That's one basis for believing it. But, also,
18 they put a lot of effort into finding under-13s on their
19 platform and getting them off. I mean, they've done a
20 lot of testing and a lot of work developing different
21 approaches to proactive detection.

22 For example, they tried to develop an under-13
23 classifier and weren't successful, but nobody in the
24 industry has yet been successful with that. AI may
25 change that. We'll see.