

Exhibit D

CONFIDENTIAL

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: SOCIAL MEDIA)
ADOLESCENT ADDICTION/)
PERSONAL INJURY PRODUCTS) MDL No. 3047
LIABILITY LITIGATION)
) Case Nos.
) 4:22-md-03047-YGR-PHK
) 4:23-cv-05448-YGR
)
THIS DOCUMENT RELATES TO:) Judge
) Yvonne Gonzalez Rogers
People of the State of)
California et al., v. Meta)
Platforms, Inc., et al.)

TUESDAY, FEBRUARY 24, 2026

CONFIDENTIAL - ATTORNEYS' EYES ONLY -
PURSUANT TO PROTECTIVE ORDER

— — —
Videotaped Deposition of MARY CATHERINE WIRTH, taken pursuant to notice and conducted at the offices of Covington & Burling, LLP, 415 Mission Street, Suite 5400, San Francisco, California, 94105, commencing at 9:17 a.m., PST, on the above date, before Jennifer A. Dunn, Registered Merit Reporter, Certified Realtime Reporter, California (#14461), Illinois & Texas Certified Shorthand Reporter, and Missouri Certified Court Reporter.

Job No. MDLG 7906801

CONFIDENTIAL

Page 196

1 wade into the legal stuff.

2 Q I'm not going you to opine on whether they are or
3 not. My question is: Why are you using this term
4 "platforms" that could cover child-directed platforms when
5 the FTC is using the more precise term "general audience"?

6 A I am using the word "platform" generically to
7 refer to platforms like Snap, TikTok, Meta, Kick, general
8 audience, maybe mixed use audience websites that have
9 neutral age gates.

10 I'm not referring to child-directed sites because
11 child directed sites have -- have to comply with COPPA,
12 right?

13 So remember we talked about the decision tree
14 earlier? A platform like Meta that says, in its terms of
15 use: "We don't want under 13s on our platform," they aren't
16 choosing to comply with COPPA. They are embracing a
17 non-child directed approach.

18 So if they learn that somebody is under 13 and on
19 their platform, they remove them, and that's the whole
20 process we've been talking about.

21 If they were a -- if they wanted children on their
22 site, then they would be: "Hey, come on," like, when they
23 were thinking about launching Instagram Kids, for example,
24 if they wanted under 13s on their site, then they would have
25 to embrace "a comply with COPPA approach."

CONFIDENTIAL

Page 197

1 Q So if they were a child-directed platform, it
2 would not be true that they have no obligation to
3 investigate or verify age absent actual knowledge that a
4 specific user is under 13?

5 A Well, that -- it wouldn't even -- I mean, it would
6 kind of almost nonsensical to say it because you would
7 investigate because you want under 13s and you got parental
8 consent, right, so you wouldn't be investigating that to
9 begin with if you were child directed.

10 If you're child directed and you want the under
11 13s on your site, then you deliberately embraced a comply
12 with COPPA approach and you're in a whole different
13 universe.

14 Q Well, a child-directed website can have users over
15 13 that don't require parental consent, right?

16 MR. STEFANIK: Objection to the form. To the
17 extent it calls for a legal conclusion, but you can
18 answer.

19 THE WITNESS: Yeah. I'm going to leave that
20 one alone as it calls for a legal conclusion.

21 BY MR. SLOTHOUBER:

22 Q So my question with regards to your use of the
23 term "platforms" here, isn't that potentially confusing to a
24 jury to use just the term "platforms," instead of the
25 precise term in the guidance, which is general audience

CONFIDENTIAL

Page 198

1 website, given that the allegations here are that Meta is a
2 child-directed platform?

3 MR. STEFANIK: Objection to the form. It
4 also calls for a legal conclusion.

5 You can answer, if you're able.

6 THE WITNESS: Yeah. I'm not gonna -- I don't
7 have any -- I don't know what would or wouldn't confuse
8 the jury in that regard and you're talking about child
9 directed as if you can be child directed without
10 wanting under 13s on your site, and that's not
11 consistent with my understanding.

12 I consider a child-directed site as -- in the
13 industry term, I mean, again, I'm not thinking and
14 looking at this through a legal lens. I'm looking at
15 this through a practitioner's lens. And through the
16 practitioner's lens, child-directed sites are sites
17 that allow under 13s on their platform and don't
18 exclude them in their TOU, in their terms of use, TOU.

19 BY MR. SLOTHOUBER:

20 Q Why did you choose to use the term "platforms"
21 instead of "general audience website"?

22 MR. STEFANIK: Objection to form.

23 THE WITNESS: It's a common term used in the
24 industry, "platforms"

25 Because we used to use the term, the term

ERRATA SHEET FOR THE TRANSCRIPT OF:

Caption:

- *In re Social Media Adolescent Addition/Personal Injury Products Liability Litigation*

MDL No. 3047 Case No.: 4:23-cv-05448-YGR

Deponent: Mary Catherine Wirth

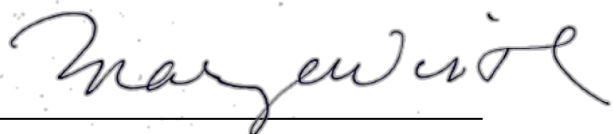
Dep. Date: February 24, 2026

I wish to make the following changes for the following reasons:

- Reason Codes:
1. To correct transcription errors
 2. To add missing word(s)
 3. To delete (an) extra word(s)
 4. To clarify the record

Page: Line(s)	Transcript Reads	Transcript Should Read	Reason
8:22	"Ms. Worth"	"Ms. Wirth"	1
10:9-10	"sit around and write law review articles as an adjunct professor at Hastings Law School,"	"sit around and write law review articles. As an adjunct professor at Hastings Law School,"	1
11:17-18	"I think mostly on CAL-ECPA, our attempts to get CAL-ECPA passed. ECPA at the federal level"	"I think mostly on CalECPA, our attempts to get CalECPA passed. Also, ECPA at the federal level"	1, 2
12:15	"I was retained on the New Mexico litigation"	"I was retained in the New Mexico litigation"	1
12:18	"age verification, just"	"age verification issues, just"	2
16:17	"and same quantities of"	"and large quantities of"	1
17:7	"a number of investments that"	"a number of other investments that"	2
18:14-15	"the New Mexico matter"	"the New Mexico Meta matter"	2
18:18	"Amy Hale"	"Amy Mahan"	4
21:13-14	"the things that end up as best practices in industry"	"the things that end up as best practices in the industry"	2
22:16-17	"ask my company to find."	"ask my company to fund."	1
22:18	"want to do this that's legally required"	"want to do this thing that's legally required"	2
23:2	"that has to be multiple companies doing something"	"that it has to be multiple companies doing something"	2
23:22	"or by definition?"	"sort of by definition?"	1
24:2-3	"not everybody has to play every single one of them"	"not everybody has to deploy every single one of them"	1

Page: Line(s)	Transcript Reads	Transcript Should Read	Reason
195:5-6	"But they don't extend it to child directive platforms, right?"	"But they don't extend it to child directed platforms, right?"	1
196:2-3	"I'm not going you to opine on whether they are or not."	"I'm not going to ask you to opine on whether they are or not."	2
196:7	"platforms like Snap, TikTok, Meta, Kick"	"platforms like Snap, TikTok, Meta, Kik"	1
197:6-7	"because you would investigate"	"because you wouldn't investigate"	1
207:8	"stops that process in its track."	"stops that process in its tracks."	1
212:15	"turns out to be regular that I hadn't thought of."	"turns out to be a factor that I hadn't thought of."	1, 2
212:16	"So they're over 18, under 18 classifier"	"So their over 18/under 18 classifier"	1
218:24	"identify who's under the 13"	"identify who's under 13"	3
219:6	"nobody has yet to develop one that is reliable enough"	"nobody has yet developed one that is reliable enough"	1, 3
220:13	"The user teen queue."	"The under 13 queue."	1
223:17	"purposes frequently and so they'd create their own"	"purposes and so frequently they'd create their own"	1
229:7	"response to user experience"	"response to a user experience"	2
230:9-10	"I don't think I would have planned it there."	"I don't think I would have landed there."	1, 3
231:10-11	"So when you get check-pointed, you got 30 days to respond"	"So when you get check-pointed, you've got 30 days to respond"	1
234:11-12	"It's Exhibit 7 to the Hartnett deposition"	"It's Exhibit 6 to the Hartnett deposition"	4



SIGNATURE OF THE WITNESS

this 20th day of March, 2026.