

AMENDED Exhibit 1058

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation



Digital Wellbeing

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Problem Statement and Background

In 2017, excessive screen time and "tech addiction" became a major topic of concern. France recently [HYPERLINK "https://amp.businessinsider.com/france-bans-children-using-phones-at-school-2018-9" \h] from school for children < age 15 and China's rising cases of childhood myopia have led to [HYPERLINK "https://thenextweb.com/asia/2018/08/31/china-eyes-children-video-games/" \h]. These concerns have led to growing expectations for major tech companies to take more responsibility. Google prioritized wellbeing as a top [HYPERLINK "[REDACTED]" \h] and looks to YouTube (one of the world's most popular apps) for leadership in supporting wellbeing. Being a leader enhances our brand, reduces business risk, and creates a more sustainable path for growth.

The American Heart Association recently published a [HYPERLINK "https://www.ahajournals.org/doi/10.1161/CIR.0000000000000591" \h] based on 185 peer-reviewed studies asserting that screen time > 2 hours / day dramatically increases rates of obesity and cardiometabolic effects among adolescents. There are also growing concerns that excessive screen time is stunting physical, emotional, and social development of teens. A recent Pew Research [HYPERLINK "http://www.pewinternet.org/2018/08/22/how-teens-and-parents-navigate-screen-time-and-device-distractions/" \h] reported: the average U.S. teen spends > 6 hours / day on a screen; 54% report spending too much time on their phones; the % of teens who said they are online "almost constantly" has doubled to 45% since 2015; YouTube is the most widely used internet platform by US teens (who watch¹ an average of 1 hour 22 min / day). We developed a [HYPERLINK "[REDACTED]" \h] for wellbeing, focused on 3 concern areas, impacting users 13-24 disproportionately:

- *Habitual heavy use:* ~10% (32MM) of 13-24 year olds on YouTube habitually² watch > 2 hours / day (excluding music).³ ~13% (36MM) of 18-24 year olds reported "I regret how long I stayed on YouTube" in the past week.
- *Late night use:* ~7% of teens on YT watch past midnight on school nights. Teen "night owls" were 88% more likely to have emotional & behavioral problems ([HYPERLINK "https://www.reuters.com/article/us-health-adolescents-sleep/teen-night-owls-more-prone-to-emotional-and-behavioral-problems-idUSKCN1IH2QO" \h], [HYPERLINK "https://www.sleep-journal.com/article/S1389-9457(18)30109-6/fulltext" \h]). 30% of users 18-24 say YouTube has cut into sleep.
- *Unintentional use:* Among users 18-24 years old, 23% report "losing track of time on YouTube,"⁴ 20% report "procrastinating on YouTube," and 20% report YouTube "interfered with work, school, or homework."

Strategy & Principles

1. Empower control, never assume control

We want to empower users to achieve their goals. We won't ever assume control (e.g., proactively turn off YouTube) and users should be able to opt in & out of features. We aim to give insight & support, not nag or judge.

2. Youth first

We believe we should focus our efforts on Teens & Young adults, who are in a crucial stage of mental, emotional and social development and are more vulnerable to wellbeing challenges. In addition to focusing our research and product development on this group, we want to target this group with proactive messaging and intros to opt-in tools. Finally, we want to give parents much stronger controls for their teens (via YouTube and / or Family Link).

¹ For the purposes of this 2 pager, "Watch" excludes music watch time

² Habitual watching defined as >4 days per week / 38M derived from logged in user count 13-24: 318M

³ We suspect gaming may be a big driver. ~29.6 Million users (of all ages) watch gaming related content > 182 hours per month (on average 6 hrs / day)

⁴ Currently we only have survey data for users > 18 years old. [HYPERLINK "[REDACTED]" \h] Future surveys will assess amount of regret

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Maureen O. Pollard, RDR

3. Disincentivize growth that doesn't support wellbeing

We propose developing a methodology to avoid incentivizing growth that detracts from users' wellbeing, e.g., we could adjust top-level watch time goals to exclude Heavy Use, Late night use, and/or Unintentional use.

Proposed Solutions

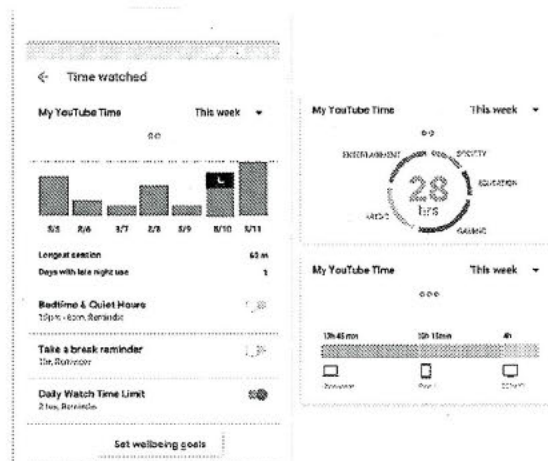
YouTube launched some successful and needed quick wins⁵ at I/O. While these efforts garnered positive press, they are mobile-phone-only MVPs, they haven't been iterated on, and they're only a first step in addressing Habitual Heavy Use, Late Night Use, and Unintentional Use. We propose 4 major efforts in 2019.

1. Habitual Heavy Use Build on Time Watched Profile & Take a Break Reminder to help users better manage use.

Richer data to enable deeper insight

- Intra-day use details
- Number of times the app has been opened
- Late night use
- Time spent on different content types
- Time across devices (phone, desktop, tablet)

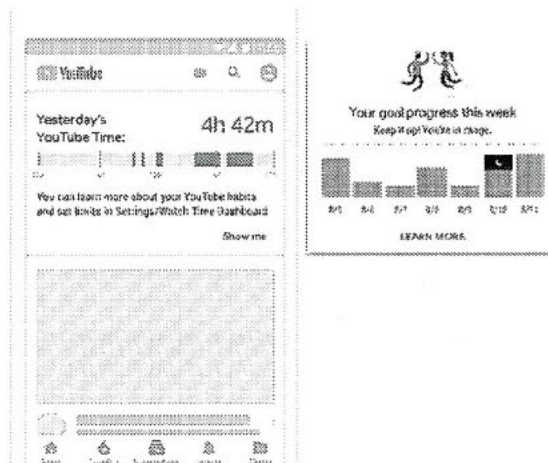
"This would be a wake-up call. Eye-opening. I rarely go into settings so it's good if YouTube could show it to me."



Contextual alerts to encourage positive behaviors

- Targeted towards users with habitual heavy use or after periods of heavy use.
- Expert recommendations / education incorporated into messaging, as well as links to controls.
- Could be delivered next-day to catch users at a more neutral state to reflect on their usage. Tone would range from neutral to positive / encouraging and never be negative or judgmental.

"I like how it's a friend suggesting, hey you should probably not do this thing, instead of telling you don't do this thing."

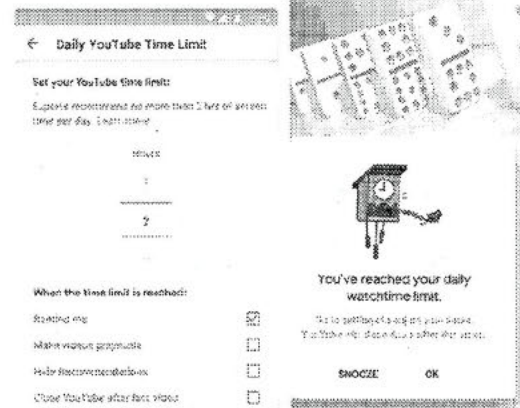


⁵ Take a Break reminder, Time Watched Profile & notification controls. As of September 37MM users viewed Time Watched Profile across Android & iOS, 6.7MM users enabled Take a break reminders

Daily limits to help users maintain control

- Users can opt-in to set daily limits for YouTube (coordinated with Android & iOS level controls).
- Possible actions: reminders, app gray-scaling, hidden recs, app shutdown (with snooze button). Could be bespoke to YT and incorporate our brand & tone.
- In the future, limits could be set by a parent for teens via a managed account (YouTube or Family Link).

"Giving people options is the most important thing. Knowing that you're in control of the app. Because it's YOUR app."

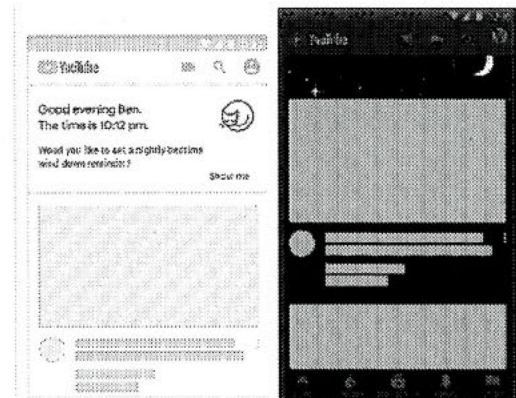


2. Late Night Use Build on our recently launched notification controls to more fully support and protect sleep.

Night Time Nudges

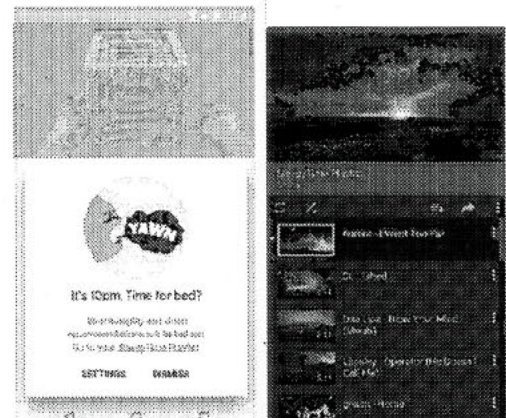
- A Night theme (could be similar to Dark theme) consisting of grey/dark colors & measurable reduction in blue light (enhancing melatonin production).
- Night theme could be turned on automatically by default around sundown (~7pm) for all users.
- Users who show a pattern of late night watch (eg. past 10pm >4 days/ week) could be alerted of time and offered a link to the bedtime settings (see below).

"This (dark theme) makes you second-guess yourself. But it doesn't make you feel like you're an addict."

**Bedtime settings**

- Users can opt-in to set a desired bedtime for YouTube use.
- Possible actions include reminders, gray-scaling of the app, hidden recommendations, notification silencing, and app shutdown (with snooze option).
- Another action could be a transition into spotlighted audio content on YouTube that supports deep sleep.

"It's like it's telling me 'Hey, you don't need to stay up another hour, watching videos you don't even really want to watch.'"

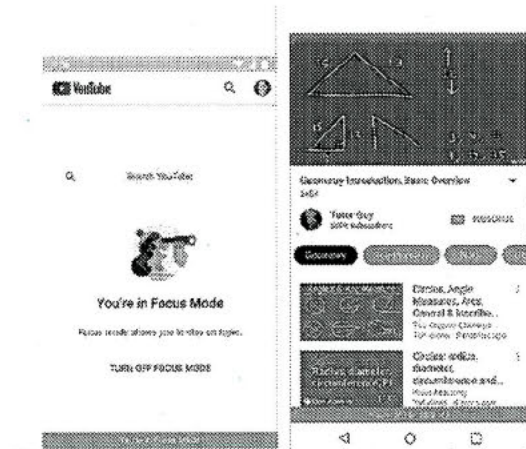


3. Unintentional Use Help users (especially students) maintain focus on their original intention of use.

Focus Mode

- A mode users can turn on to stay focused on a topic (eg. teens & young adults doing homework).
- Focus Mode keeps recommendations focused on the topic user is searching/watching and offers topic chips to help refine recommendations further.
- This mode could be defaulted ON for certain kinds of use cases (educational content, background music).

"If I had had this, I probably could have stayed on YouTube instead of switching to Khan Academy. With this, you'd really have to go out of your way to get sidetracked."



Wellbeing Tiger Team Bring greater focus, efficacy, and velocity to our wellbeing efforts.

We believe YouTube needs a small dedicated, cross-functional [[HYPERLINK](https://en.wikipedia.org/wiki/Tiger_team)

"https://en.wikipedia.org/wiki/Tiger_team" \h] (diversified group of experts brought together for a single project) consisting of PM, UX Design, UX Research, Data Science, Engineering (front & backend), and Marketing. This team is needed to:

- Develop and execute product roadmap
- Drive deeper understanding of platform behavior, measurement efforts (including long-term efficacy)
- Lead/coordinate wellbeing initiatives with other Google PAs
- Research (internal, external) new areas such as parental controls, emerging markets, gaming, spending, VR
- Drive programmatic efforts (creator advocacy, marketing, internal education)

Benefits of a Tiger Team: (a) Bandwidth to accomplishing the above will not happen without dedicated resources; (b) Singular focus freeing the team from conflicting growth goals and enabling them to provide strong internal advocacy around wellbeing. (c) An opportunity for YouTube to pilot a new model that may improve product execution & velocity.

Measuring Success

For 2019, we want to achieve 3 goals:

- Increase awareness of wellbeing tools from 12%⁶ to 50% among core YouTube users
- Increase usage of wellbeing tools from 7MM⁷ to 50MM+ users
- Establish baseline for wellbeing tool effectiveness (based on user surveys) and begin driving measurable improvement

In addition, our goal for 2019 is to define unwanted watch time (Heavy Use and/or Late Night Use) and disincentivize growth of this type of watch time. We recommend quickly (by end of year) implementing a simple, principled, actionable approach such as excluding watch time > 4 hours/day (4.4% of watch time) from topline goals.

Discussion Questions

- Are we comfortable setting an internal and/or external guideline for recommended daily YouTube use? If yes, should we actively work to reduce usage outside of those limits?

⁶ Based on Google Consumer Survey

⁷ Estimate based on Take a Break Reminder usage

Attorney-client privileged @ [REDACTED]

- Should we adopt a simple approach such as excluding watch time > 4 hours/day (4.4% of watch time) from topline goals to disincentivize (avoid rewarding) teams from growing watch time that we don't think supports wellbeing?
- How much of a growth trade-off are we willing to make to improve wellbeing?
- Do we think a Tiger Team model will be successful?

DOCUMENT SLIPSHEET

Bates Number: GOOG-3047MDL-00632685-GOOG-3047MDL-00632689

BEGATTACH: GOOG-3047MDL-00632685

ENDATTACH: GOOG-3047MDL-00632689

PRODVOL: PROD016

Custodian: GILBERT, FRED; HALPRIN, MATT; HARDING, JOHN; KASAVANA, TANAYA; L [REDACTED]
J [REDACTED] STOVEZKY, SHARON

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