

## **AMENDED Exhibit 1139**

# **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

LAUREN GALLO WHITE, SBN 309075  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
One Market Plaza, Spear Tower, Suite 3300  
San Francisco, CA 94105-1126  
Telephone: (415) 947-2000  
Facsimile: (415) 947-2099  
Email: lwhite@wsgr.com

*Attorneys for Defendants YouTube, LLC and  
Google LLC*

*Additional parties and counsel listed on  
signature pages*

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

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

MDL No. 3047  
Case No. 4:22-03047-YGR  
Honorable Yvonne Gonzalez Rogers

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**GOOGLE LLC AND YOUTUBE,  
LLC'S RESPONSES AND  
OBJECTIONS TO MDL PERSONAL  
INJURY PLAINTIFFS' FOURTH SET  
OF INTERROGATORIES (Nos. 9-19)<sup>1</sup>**

PROPOUNDING PARTY: MDL Personal Injury Plaintiffs

RESPONDING PARTY: Defendants Google LLC and YouTube, LLC

SET NO.: Four (4)

<sup>1</sup> Plaintiffs incorrectly numbered these interrogatories as Nos. 8-18.

instruction as vague, ambiguous, unduly burdensome and not proportional to the needs of the case to the extent it seeks responses for Interrogatories for a time period running “until the present.” For purposes of responding to these Interrogatories, Defendants will respond as to the time period from January 1, 2015 through February 14, 2025 (the date of service of the Interrogatories) for Interrogatories pertaining to YouTube Main and YouTube Kids. Defendants will respond as to the time period from January 1, 2021 through February 14, 2025 (the date of service of the Interrogatories) for Interrogatories pertaining to users using YouTube Main in a supervised state.

### **OBJECTIONS AND RESPONSES TO INTERROGATORIES**

#### **INTERROGATORY NO. 9:**

Identify all facts that support Your contention that You “provided notice of all reasonable facts[,]” and that Plaintiffs “have consented to and/or ratified the conduct alleged in the Amended Master Complaint[,]” as asserted by You in Your Answer to the Amended Complaint (ECF 1419).

#### **RESPONSE TO INTERROGATORY NO. 9**

Defendants object to this Interrogatory as overly broad, unduly burdensome, and unreasonable because it seeks identification of “all” facts that Defendants may use to support an affirmative defense. Defendants also object to this Interrogatory as premature. Discovery is ongoing and additional facts relevant to the Interrogatory may be discovered through forthcoming document productions, written discovery responses, depositions, and other fact or expert discovery in this action. Defendants further object to this Interrogatory insofar as responding to the Interrogatory at this stage of the litigation would improperly compel Defendants to disclose information that would reveal protected work product. Defendants further object to this Interrogatory to the extent it calls for a legal conclusion as to the applicability of Defendants’ affirmative defense.

Subject to and without waiving any of the foregoing objections, Defendants respond as follows:

Google and YouTube provide an immense amount of information to users regarding how the YouTube platform works, including what features are available, how those features operate, and how to turn those features on or off; the availability of parental controls; and the types of











platform to reach a global, public audience, rather than to share video content with their specific social network.

Moreover, “social media addiction” and “screentime addiction” are not recognized disorders. While a user theoretically could engage in habitually heavy, problematic, or unintentional use of any online platform—or any form of media—that possibility is neither unique to YouTube nor a function of any feature or other characteristic of YouTube.

Nevertheless, YouTube cares deeply about the wellbeing of its users and has invested considerable resources in developing and offering a suite of digital wellbeing tools that encourage children and teens to be mindful of their screen time. These tools include:

- **Take a Break Feature:** This tool lets users set a reminder to take a break after watching videos for a certain period of time. These reminders pause a video until the user dismisses the reminder or resumes playing the video. For users aged 13-17 on YouTube, the take a break reminder is set to “On” by default. For users 18 or over, the default setting is “Off.” Users can change this setting at any time.
- **Bedtime Reminders:** Users can set a specific time to receive a reminder to stop watching YouTube and go to bed. For users aged 13-17 on YouTube, the bedtime reminder is set to On by default, with the default bedtime set to 10:00 PM. For users 18 or over, the default setting is Off. All users can change this setting at any time.
- **Notifications:** For all users, by default, YouTube’s notification sounds and vibrations are turned off between 10:00 PM and 8:00 AM. Users can customize these start and end times to ensure that notifications are sent silently during a specified time each day. In addition, users can choose to get all of their YouTube push notifications bundled into a single notification each day, sent at a time of the day of their choosing.
- **Autoplay Off by Default:** Autoplay on YouTube is turned off by default for users under the age of 18. The Autoplay setting on YouTube Kids and YouTube Supervised Experience is also turned off by default, and the user’s parent has the ability to disable Autoplay so that their child cannot change this control.
- **YouTube Kids Built-In Timer:** YouTube Kids provides a built-in timer that lets parents limit screen time by telling kids when it is time to stop watching. The timer will display a friendly alert and stop the app when the session is over.
- **Time Watched Profile:** This profile allows users to check their daily average watch time. It also shows how long the user watched YouTube videos yesterday and over the past seven days.

In addition to the above, YouTube also has taken a host of measures designed to protect the well-being of users by limiting the kinds of content that may be displayed to them and/or that allow users greater choice about the content they may encounter on YouTube:

- **YouTube Kids**: YouTube Kids is a filtered version of YouTube built specifically for children under the age of 13 to explore age-appropriate content, with additional tools for parents and caregivers to moderate the content children see. YouTube Kids features a carefully curated selection of content that is age appropriate, adheres to its Quality Principles, and is diverse enough to meet the varied interests of kids globally. YouTube Kids offers different libraries of content for different levels of maturity and, as discussed above, gives families extensive tools to manage their children's screen time.
- **Supervised Experiences**: A supervised experience on YouTube is a parent-managed version of regular YouTube and YouTube Music for children under 13. This parental supervision is mandatory for Google Account holders with declared ages under the age of 13. Parents may select a particular content setting for their child and are given detailed information about what content is in each setting. Content generally aligns with content ratings for viewers 9+, 13+, or almost all videos on YouTube except for content marked as 18+. However, YouTube does not force parents into a particular choice based on the child's age because families all have different values about what works best for them. On the basis of this selection, users in Supervised Experience will only be able to view content that is in the parent-selected age band, including in their recommendations and search results. This applies to content accessed via a linked URL. Parents also have access to Family Link parental controls in the Supervised Experience on YouTube Main, which became available in March 2021.
- **Recommendations for Teens on YouTube**: YouTube has worked to refine its recommendation systems so that teens on YouTube are not overly exposed to certain kinds of user-generated content that may be innocuous in a single view, but that could be problematic if viewed in repetition by some young viewers. This includes content that: (1) compares physical features and idealizes some types over others; (2) idealizes specific fitness levels or body weights; and (3) features social aggression (non-contact fights and intimidation). YouTube has implemented guardrails for teens to limit repeated recommendations of videos that include content related to these topics.
- **Quality-Based Classifiers**: YouTube's Recommendation System utilizes quality-based classifiers to determine whether to "raise" high-quality content or "reduce" low-quality content. For more information regarding these classifiers, Defendants refer Plaintiffs to Defendants' response to Interrogatory No. 7 (February 24, 2025).
- **Automated Flagging of Content That May Violate the Community Guidelines**: YouTube has developed and utilizes sophisticated classifiers across its platform to automatically flag content that may violate the Community Guidelines. As noted in the most recent Google Transparency Report on this issue, over 96% of the violative videos removed from the YouTube platform last quarter

were first flagged by YouTube’s automated classifiers.<sup>18</sup> In addition, the current Violative View Rate (i.e., an estimate of the proportion of video views that violate the Community Guidelines in a given quarter) is less than .1%.<sup>19</sup>

- **Protective Default Upload Settings:** To help users with a declared age under 18 make informed decisions about their online footprint and digital privacy, YouTube sets their default upload setting to the most private available. With private uploads, content can only be seen by the recipient and whomever they choose. This step is aimed at encouraging minors to make an intentional choice if they would like to make their content public.
- **Warning Interstitials and Resources:** YouTube applies warning interstitials to content that, while not violative of its Community Guidelines, may be triggering for certain viewers or cause emotional distress, such as videos that reference suicide or self-harm.
- **Age-Restricting Content:** Automated systems are used to detect and flag potentially dangerous and/or inappropriate content for minors, which is then age-restricted. YouTube provides an option for users to age-restrict their own videos. Examples of age-restricted content include: videos containing adults participating in dangerous activities that minors could easily imitate and be harmed (e.g., handling explosives); videos that invite sexual activity (e.g., provocative dancing); videos that depict violent or gory imagery; and videos focused on the use of profanities.
- **Restricted Mode:** This is an opt-in setting that screens out potentially mature content that users may prefer not to view. Restricted Mode uses many signals, like video title, description, and metadata to identify and filter out potentially mature content.

#### **INTERROGATORY NO. 17:**

Describe Your usage and any protocols or processes related to student personally identifiable information and/or other student data contained in Google Products for any purpose, including any analysis or efforts aimed at maintaining engagement and time spent on YouTube or YouTube Kids for advertising and/or marketing to advertisers or potential advertisers, while the student to which the data pertains is enrolled or, based on age, could be assumed to be enrolled at any K-12 educational institution within the United States.

#### **RESPONSE TO INTERROGATORY NO. 17**

Defendants object to this Interrogatory as vague and ambiguous in its use of the undefined terms/phrases “usage,” “protocols,” “processes,” “personally identifiable information,” “student data,” “contained,” “analysis,” “efforts,” “maintaining engagement and time spent,” “advertising,”

<sup>18</sup> See Google Transparency Report, <https://transparencyreport.google.com/youtube-policy/removals>.

<sup>19</sup> See Google Transparency Report, <https://transparencyreport.google.com/youtube-policy/views>.

1 to this Interrogatory as unduly burdensome and not proportional to the needs of the case because  
2 the Interrogatory is not reasonably limited as to time.

3 Subject to and without waiving any of the foregoing objections, Defendants identify James  
4 Beser, Senior Director, Product Manager, YouTube Youth as most likely to possess information  
5 sufficient to show the primary points of discussion, development, design, and implementation of  
6 the proposal identified in this Interrogatory.

7  
8 Respectfully submitted,

9 Dated: March 24, 2025

**WILSON SONSINI GOODRICH & ROSATI**

10 /s/ Lauren Gallo White  
11 Lauren Gallo White (State Bar No. 309075)  
lwhite@wsgr.com  
Wilson Sonsini Goodrich & Rosati PC  
12 One Market Plaza, Spear Tower, Suite 3300  
San Francisco, CA 94105  
13 Telephone: (415) 947-2000  
Facsimile: (415) 947-2099

14  
15 Brian M. Willen, *pro hac vice*  
bwillen@wsgr.com  
Wilson Sonsini Goodrich & Rosati PC  
16 1301 Avenue of the Americas, 40th Floor  
New York, New York 10019  
17 Telephone: (212) 999-5800  
Facsimile: (212) 999-5899

18  
19 Christopher Chiou (State Bar No. 233587)  
cchiou@wsgr.com  
Wilson Sonsini Goodrich & Rosati PC  
20 953 East Third Street, Suite 100  
Los Angeles, CA 90013  
21 Telephone: (323) 210-2900  
Facsimile: (866) 974-7329

22  
23 **WILLIAMS & CONNOLLY LLP**

24 Joseph G. Petrosinelli, *pro hac vice*  
jpetrosinelli@wc.com  
25 Ashley W. Hardin, *pro hac vice*  
ahardin@wc.com  
26 WILLIAMS & CONNOLLY LLP  
680 Maine Avenue, SW  
27 Washington, DC 20024  
Tel.: 202-434-5000  
28

**MORGAN, LEWIS & BOCKIUS LLP**

Yardena R. Zwang-Weissman (SBN 247111)  
yardena.zwang-weissman@morganlewis.com  
300 South Grand Avenue, 22nd Floor  
Los Angeles, CA 90071-3132  
Tel.: 213.612.7238

Brian Ercole, *pro hac vice*  
brian.ercole@morganlewis.com  
600 Brickell Avenue, Suite 1600  
Miami, FL 33131-3075  
Tel.: 305.415.3416

Stephanie Schuster, *pro hac vice*  
stephanie.schuster@morganlewis.com  
1111 Pennsylvania Avenue NW  
NW Washington, DC 20004-2541  
Tel.: 202.373.6595

*Attorneys for Defendants YouTube, LLC and  
Google LLC*

**VERIFICATION**

I, Monique Mitchell, serve as Program Manager, Product Strategy and Operations at YouTube, LLC. I am authorized to make this Verification for and on behalf of Google LLC and YouTube, LLC. I have read GOOGLE LLC AND YOUTUBE, LLC'S RESPONSES AND OBJECTIONS TO MDL PERSONAL INJURY PLAINTIFFS' FOURTH SET OF INTERROGATORIES (Nos. 9-19), and know the contents thereof. Although I do not have personal knowledge of all of the factual matter in these Responses and Objections and the exhibit thereto, I understand that the information contained therein is based on the companies' reasonable investigation to date. On that basis, I believe that the facts stated in the foregoing Responses and Objections and exhibit thereto are true based on the inquiry made by employees of Google/YouTube, and on those grounds certify or declare that the same are true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on March 24, 2025, in San Bruno, California.

Signed by:

*Monique Mitchell*

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Monique Mitchell