

AMENDED Exhibit 322

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

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

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

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL NO. 3047

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

Honorable Yvonne Gonzalez Rogers

**META DEFENDANTS' SIXTH
SUPPLEMENTAL AND AMENDED
RESPONSES AND OBJECTIONS TO
PLAINTIFFS' SECOND SET OF
INTERROGATORIES**

Defendants Meta Platforms, Inc., Facebook Payments, Inc., Siculus, Inc., Facebook Operations, LLC, and Instagram, LLC, (collectively, "Defendants" or "Meta"), by and through their attorneys, Covington & Burling, LLP, submit their supplemental responses and objections to Plaintiffs' Second Set of Interrogatories ("Interrogatories") served on September 27, 2024.

Meta's responses to the Interrogatories are made to the best of its current knowledge, information, and belief. Meta reserves the right to further supplement or amend any of its responses should future investigation indicate that such supplementation or amendment is necessary.

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- **Time Management Settings** – Teen Accounts will be defaulted into a 1-hour daily limit reminder — once a teen reaches the limit, they will receive a reminder to close the app. Teen Accounts also will be defaulted into a 10:00 PM – 7:00 AM sleep mode, during which their notifications will be muted. Early teens (13-15) require parental permission to change these settings to a less restrictive option (*i.e.*, from 1 to 2 hours daily screen time limit reminder). Supervised late teens (16-17) will also require parental approval to change their settings.

- For Teen Accounts, once teens and parents set up parental supervision, parents can choose to automatically block their teens from using Instagram at night or specific time periods including school hours. Parents can also set total daily time limits for teens’ Instagram usage. Once a teen hits the daily time limit, the teen will be automatically blocked from accessing Instagram. <https://about.instagram.com/blog/announcements/instagram-teen-accounts>.

- **Supervision Features** – With the launch of Teen Accounts, parents of early teens (13-15) enrolled in supervision and supervised late teens (16-17) can see who their teens have chats with for the last 7 days, but not the content of the chats. These parents can decide and set a limit as to how much time their teens can spend on Instagram each day. Once a teen hits that limit, they will no longer be able to access the app. Parents can choose to block their teens from using Instagram at night, or during specific time periods, with one button. Parents can view the age-appropriate topics their teen has chosen to see content from, based on their interests. Early teens (13-15) require parental permission to change these settings to a less restrictive option. Supervised late teens (16-17) will also require parental approval to change their settings.

The Instagram Trust and Safety team is the team that led the development and implementation of Teen Accounts in 2024 and 2025. Teen Accounts is also known as “Project Nido.”

Meta will supplement its response in accordance with the Local and Federal Rules.

INTERROGATORY 12:

For each month in the Relevant Time Period, identify the percentage rate of adoption for each Safety Feature by users of each platform in each State, broken out as follows: in total, of Unidentified Age, of each Reported Age between 0 and 100, and of each Inferred Age between 0 and 100. To the

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1 extent a Safety Feature is made available only to non-users (i.e. parents or guardians) identify the
2 percentage rate of adoption as kept by You in the ordinary course of business.

SUPPLEMENTAL RESPONSE:

4 Meta incorporates by reference its November 27, 2024 Meta Defendants' Responses and
5 Objections to Plaintiffs' Second Set of Interrogatories and, in particular, its Statements and
6 Objections to All Interrogatories, Objections to Defined Terms and Instructions, and specific
7 objections to Interrogatory No. 12 as if fully set forth herein. Meta also incorporates by reference
8 its December 21, 2024 and March 14, 2025 Supplemental Responses and Objections to Plaintiffs'
9 Second Set of Interrogatories as if fully set forth herein.

10 Subject to and without waiving the foregoing objections, Meta provides the following
11 second supplemental response to Interrogatory No. 12:

12 Meta provides information and percentage rates of use or adoption for the following safety
13 tools:

14 Certain safety tools available to all users on Instagram allow Youth users to control how
15 other accounts interact with them on their posted content and on Instagram Direct. Meta provides
16 percentage rates of use or adoption of the following reachability tools:

- 17 • **DM Reachability Settings:** [REDACTED] of Youth users predicted to reside in the U.S.
18 used DM Reachability Settings to restrict who can message them on Instagram
19 Direct between February 24, 2025 and March 23, 2025.
- 20 • **Limit Interactions:** [REDACTED] of Youth users predicted to reside in the U.S. enabled
21 Limit Unwanted Interactions to limit comments and direct message requests from
22 people who do not follow them or only recently followed them on Instagram
23 between February 24, 2025 and March 23, 2025.
- 24 • **Tags and Mentions Tools:** [REDACTED] of Youth users predicted to reside in the U.S.
25 used Tags and Mentions tools to control who can tag them on posts and mention
26 them in comments or stories on Instagram between September 18, 2024 and April
27 1, 2025.

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- **Who Can Comment:** [REDACTED] of Youth users predicted to reside in the U.S. used comment settings to designate specific users that are permitted to comment on their posts or to designate specific users that are blocked from commenting on their posts on Instagram between February 24, 2025 and March 23, 2025.

Certain safety tools available to all users on Instagram help Youth users manage the types of content and interactions they see. Meta provides percentage rates of use or adoption for the following content and interaction management tools:

- **Alternative Topic Nudge:** [REDACTED] of Youth users in the U.S. are subject to receiving an Alternative Topic Nudge because the feature is automatically triggered based on a user's activity. [REDACTED] of Youth users predicted to reside in the U.S. were shown an Alternative Topic Nudge on Instagram between December 27, 2024 and March 25, 2025.
- **Sensitive Content Controls:** [REDACTED] of Youth users predicted to reside in the U.S. had sensitive content settings enabled on Instagram between February 24, 2025 and March 23, 2025.
- **Pinned Comments:** [REDACTED] of Youth users predicted to reside in the U.S. pinned or unpinned a comment on their post on Instagram between February 17, 2025 and April 1, 2025.
- **Manually Hide Comment:** [REDACTED] of Youth users predicted to reside in the U.S. manually hid or unhid a comment on their post on Instagram between February 17, 2025 and April 1, 2025.
- **Ad Topic Controls:** [REDACTED] of Youth users predicted to reside in the U.S. adjusted their ad topic settings on Instagram between December 26, 2024 and March 24, 2025.

Certain safety tools available to all users on Instagram allow Youth users to filter out content that are potentially offensive, misleading or spam. These tools operate by automatic identification of specific words and removal or filtering of content that contains those words. Offensive Comment Filter, and Bullying Comment Filter, and Hidden Words as described in

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Meta's November 28 Responses and Objections to Interrogatory No. 12 have multiple components and operate in conjunction with each other such that further explanation of how those features operate is warranted. Word-filtering tools are found in the Hidden Words section within a user's profile settings.

- **Offensive Comment Filter:** The most restrictive filtering mechanism is Offensive Comment Filter's automatic removal of comments and message requests containing offensive words per a default list. Users cannot turn this feature off, nor can users see the content that is removed. As such, the percentage rate of adoption of Offensive Comment Filter automatic filtering is 100%. The Offensive Comment Filter also operates in an additional capacity called Hidden Words, explained below.
- **Hidden Words:** Hidden Words consists of two types of settings: automatic filters and a custom filter created by the user. Both types of settings can be applied to comments, message requests, or both. **Hide Comments** and **Advanced Comment Filtering**, and **Hide Message Requests** are settings whereby Instagram will automatically filter comments that are potentially offensive, misleading, or spam into a separate location users have the option of looking at. Hidden Words automatic filtering settings are enabled by default for teen users. The custom word list is a feature within Hidden Words that allows users to create a list of words, phrases, or emojis they want to hide. They can choose to hide comments and/or message requests containing these words.

Meta provides the following percentage rates of use or adoption for the above-described filtering tools:

- **Hidden Words (Comments) and Advanced Comment Filter:** Meta maintains data for Hidden Words for comments and Advanced Comment Filter indistinguishable from one another in the ordinary course of business. [REDACTED] of Youth users predicted to reside in the U.S. had Hidden Words or Advanced

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Comment Filter enabled for comments on Instagram between February 24, 2025 and March 23, 2025.

- **Hidden Words (DMs):** [REDACTED] of Youth users predicted to reside in the U.S. had Hidden Words enabled for message requests on Instagram between February 24, 2025 and March 23, 2025.

Certain safety tools available to all users on Instagram help users manage the amount of time they are spending on Instagram. Meta provides percentage rates of use or adoption for the following time spent tools:

- **Daily Limit:** [REDACTED] of Youth users predicted to reside in the U.S. had Daily Limit enabled on Instagram between January 8, 2023 and March 23, 2025.
- **Your Activity:** [REDACTED] of Youth users predicted to reside in the U.S. viewed the Your Activity user experience center on Instagram between September 7, 2024 and March 24, 2025.

Meta provides percentage rates of use or adoption for the following additional safety tools:

- **Single-Tap Teen Safety & Privacy Settings Prompts:** [REDACTED] of Youth users in the U.S. who were shown a Single-Tap Teen Safety & Privacy Setting Prompt clicked the prompt to enable recommended safety and privacy settings on Instagram between December 26, 2024 and March 23, 2025.
- **Family Center Supervision:** [REDACTED] of Youth users predicted to reside in the U.S. users were enrolled in Supervision through Family Center on Instagram between March 23, 2025 and March 24, 2025.
- **Support Requests:** [REDACTED] of Youth users predicted to reside in the U.S. viewed their requests in the support center on Instagram between February 25, 2025 and March 25, 2025.
- **Kindness Nudges:** Kindness nudges are used or adopted by 100% of Youth users in the U.S. because they are shown to users automatically upon a triggering criteria being met. These nudges are shown when a user is posting a potentially negative comment on another user's post or sending a potentially negative message to

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1 another user on Instagram Direct. [REDACTED] of Youth users predicted to reside in
2 the U.S. were shown a Be Kind Nudge when posting a comment on Instagram
3 between February 9, 2025 and March 23, 2025. [REDACTED] of Youth users predicted
4 to reside in the U.S. were shown a Be Kind Nudge when sending a message on
5 Instagram Direct between February 23, 2025 and March 3, 2025.

6 Certain safety tools are now deprecated and Meta does not maintain historical data on
7 their usage or adoption in the ordinary course of business. Meta provides the following list of
8 safety tools for which it does not have available data: **Kindness Stickers** and **“Create Don’t**
9 **Hate” Sticker in Stories.**

10 Meta previously provided the percentage use or adoption rate of the Report tool in its
11 March 13, 2025 supplemental response to Interrogatory No. 12. The Report tool is used for all
12 types of user reports on Instagram, therefore encompassing **Anonymous Reporting for Live**
13 **Video** and **Dedicated Reporting Option for Eating Disorder Content.** Meta does not maintain
14 data specific to each of those tools, and determining rates of use or adoption by surface,
15 anonymity, and violation type is unduly burdensome. As such, Meta will not provide the
16 percentage rate of adoption for Anonymous Reporting for Live Video or Dedicated Reporting
17 Option for Eating Disorder Content.

18 Meta reserves the right to supplement or modify its response based upon documents or
19 information identified over the course of discovery.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via electronic mail on April 4, 2025 on the following:

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I declare under penalty of perjury that the foregoing is true and correct. Executed on April 4, 2025

DATED: April 4, 2025

By: /s/ Ashley M. Simonsen

Ashley M. Simonsen