

AMENDED Exhibit 334

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

Message

From: [REDACTED] [/O=THEFACEBOOK/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CCF485A3CF4B4A9AA686D628D153D934-[REDACTED]]

Sent: 3/13/2020 2:05:47 AM

To: [REDACTED] Diego Castaneda [REDACTED]

Subject: Message summary [{"otherUserFbId":100012506229121,"threadFbId":null}]

Attachments: 89655722_1422934751225455_7977971326495227904_n.png; 89722063_2652233121565749_4064677965701578752_n.png; 64609252_388630405097049_422537907622903808_n.gif; 12726232_1037571609636649_227709082_n.gif; 89965212_164853304490970_356995143317848064_n.png; 89656806_520877162173465_6256115286806626304_n.png; 89814710_2775441529215507_2641775869135159296_n.png; 89737664_208069457078652_2775438687360516096_n.png; 89654893_544950762803869_4942818857258582016_n.png

[REDACTED] (3/12/2020 00:05:26 PDT):

>Ok, so this is what I have been talking about. [REDACTED] and Max explicitly say that we will not be defaulting anyone to new interaction settings:

[REDACTED] (3/12/2020 00:05:34 PDT):

shared: 89655722_1422934751225455_7977971326495227904_n.png



Mac Eulenstein

Wed 3/11/2020 9:11 PM

[REDACTED] Miki Rothschild [REDACTED] [REDACTED] Diego Castaneda [REDACTED]

Thank [REDACTED]

...

From: [REDACTED]

Sent: Wednesday, March 11, 2020 9:00:18 PM

To: [REDACTED] Miki Rothschild [REDACTED] [REDACTED] Diego Castaneda [REDACTED]

[REDACTED]

Subject: Re: Smart Defaults 3/2 Updated Proposal

Hi all,

Following up here on #5 to make sure we're all aligned. We will not create any new default interaction settings for private accounts since we decided visibility, discoverability and interactions are three different constructs and private = visibility.

[REDACTED], Diego [REDACTED] and I are working on a framework to show the tradeoffs between value and safety. We will share next week prior to the deep dive.

Thanks!

[REDACTED]



[REDACTED] (3/12/2020 00:06:03 PDT):

>... what unknown or decision are we trying to affect here? I don't get it

Dr. Diego Emiliano Castaneda (3/12/2020 00:08:03 PDT):

>hmm. maybe they are referring to existing teens? Isn't are open question for new teens?

Dr. Diego Emiliano Castaneda (3/12/2020 00:08:09 PDT):

>QU. r

[REDACTED] (3/12/2020 00:08:33 PDT):

>I guess? I don't know.

[REDACTED] (3/12/2020 00:09:42 PDT):

>Maybe it's implied that the open question is for new teen accounts via age collection?

Dr. Diego Emiliano Castaneda (3/12/2020 00:10:11 PDT):

>yes. I think this is the case.

[REDACTED] (3/12/2020 00:12:23 PDT):

>Well, if so, teens, new teen accounts via age collection are not mentioned in [REDACTED]'s document and the material in that document doesn't seem to engage with that, assuming it's the key question we're trying to answer. This is frustrating. This 'change sets' associated with this project have changed so many times I'm not sure anyone actually knows which proposals are being considered.

Dr. Diego Emiliano Castaneda (3/12/2020 00:12:38 PDT):

>feck.

[REDACTED] (3/12/2020 00:13:58 PDT):

>sigh. I'm fine with focusing on the 'how do we default new teens to a specific account configuration' question, but the material [REDACTED] added has little to do with that specific question and we should figure out if that is actually the only thing we're trying to frame. [REDACTED] stuff is all over the place.

Dr. Diego Emiliano Castaneda (3/12/2020 00:14:03 PDT):

>weird. I thought this was teh central question.

Dr. Diego Emiliano Castaneda (3/12/2020 00:14:23 PDT):

>yeah. I was focussed on that.

Dr. Diego Emiliano Castaneda (3/12/2020 00:15:28 PDT):

>I thought the existing teens were done and set decision. it was the new teens that was the issue. shit. Am I stupid?

Dr. Diego Emiliano Castaneda (3/12/2020 00:15:35 PDT):

>lol. dont answer that

[REDACTED] (3/12/2020 00:16:54 PDT):

>No, far from it. This goals and scope of this project have been constantly in flux from the beginning. I think the possibilities that have been considered at various points include:

>

>- default all existing accounts to X

[REDACTED] (3/12/2020 00:18:03 PDT):

>- default all existing private accounts to X
 >-default all existing teen accounts to X
 >-default all new accounts to private + some specific reachability setting x each interaction type
 >- default all new accounts to public + some specific reachability setting x each interaction type
 >- default all teen accounts to blah blah blah

[REDACTED] (3/12/2020 00:18:31 PDT):

>All of those have been proposed in one leads review or another

Dr. Diego Emiliano Castaneda (3/12/2020 00:19:03 PDT):

>yeah.. that shit has been making my head hurt.

Dr. Diego Emiliano Castaneda (3/12/2020 00:31:04 PDT):

>I've tried to stay with the following simple things that I think we know 1) teens get unwanted interactions- we should fix that. kids especially should feel safe and it impacts our goals 2) people want predictability and consistency 3) Give the kids safety via defaults settings that are consistent and predicatable (see point 2) 4) kids (or anyone) don't want to miss out on good interactions and socially engaging 5) its an open question how we balance these.

>its totally oversimplified but I think the consistency and predictability argument is a good enough point for not having the different interaction settings out of concordance when people switch to private or public (default especially). We can give control to the user but the default settings should have concordance. So we can eliminate that question.

>Now, the new teen vs existing teen default setting is a good question. BUT I think we should focus on the new teen experience since we can mess with the defaults on the existing teens (per the email) we can ignore that for now.

Dr. Diego Emiliano Castaneda (3/12/2020 00:33:14 PDT):

>that was kind of garbled. sorry, Im listening to political talk radio and talking to it.

Dr. Diego Emiliano Castaneda (3/12/2020 00:34:38 PDT):

>*since we can ignore the defaults for existing teens (per the email)

[REDACTED] (3/12/2020 00:36:37 PDT):

>.... I don't know, honestly. I mean, read this one from Tuesday:

[REDACTED] (3/12/2020 00:36:46 PDT):

shared: 89722063_2652233121565749_4064677965701578752_n.png

AE

Thu 3/12/2020 9:30 AM

Miki Rothschild

Dr. Diego Castaneda

Hi all,

Thanks for the quick Community Review sync on Friday. Decisions we aligned on:

1. Default teens to private in June.
2. Interactions and private/public settings (visibility) are separate constructs.
3. Build a new audience control that allows your followers to engage with you.
4. Test and launch mentions, dms, and tag settings for everyone.
5. Don't default teens to restricted interaction settings, but make it easy to find these settings when people need them, such as by making them available on the profile.
6. Do more research (such as a diary study) to understand whether the majority of interactions teens receive from outside their network are unwanted.

Next steps:

- Start testing tags and mention settings in NZ, IE, and AU today.
- Begin work on adding a new settings that allows your followers to engage with you. Determine milestones with eng.
- Begin work on adding privacy to the profile and other explorations of making privacy settings visible. Determine milestones with eng.
- Joint bullying/graph deep dive on 3/24 with IG Leads.

Happy Tuesday!

[REDACTED]

[REDACTED] (3/12/2020 00:37:33 PDT):

>default teens to private in June (new or existing?) and don't default teens (new or existing?) to new reachability settings

Dr. Diego Emiliano Castaneda (3/12/2020 00:49:04 PDT):

>oh, dude, I didnt read this email carefully enough to note that contradiction. thanks for pointing that out.

>hmm, well, my friend, it looks like its up to us to bring sense and clarity to this. seriously. I don't know how yet, but if people can just agree and send emails that are contradicting, then there is room for us to provide a path forward. maybe we need to get out of this crazy quip and start a new one to scratch out our open questions and what we know. feel free to add. <https://fb.quip.com/yCZlAo6YyNVL>

Dr. Diego Emiliano Castaneda (3/12/2020 00:49:36 PDT):

>but by all means if you need to pass out no worries. Im kidn of a night owl.

[REDACTED] (3/12/2020 00:50:29 PDT):

shared: 64609252_388630405097049_422537907622903808_n.gif

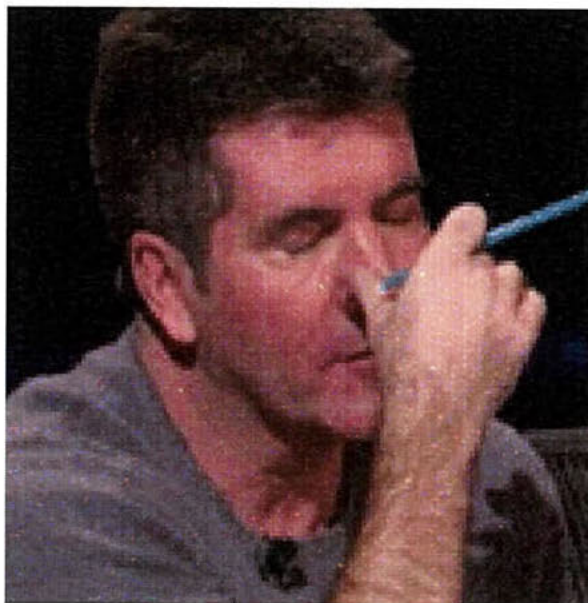


Dr. Diego Emiliano Castaneda (3/12/2020 00:51:03 PDT):

>glad you feel free to express your true feelings with me.

Dr. Diego Emiliano Castaneda (3/12/2020 00:51:36 PDT):

shared: 12726232_1037571609636649_227709082_n.gif



██████████ (3/12/2020 00:55:20 PDT):

>This project has been truly miserable. The emails don't make sense. I think everyone has their own idea of what has and hasn't been decided. I think ██████████ knows that its not going as planned but his contributions in the quip make me feel like he doesn't know what he's talking about either

Dr. Diego Emiliano Castaneda (3/12/2020 01:09:16 PDT):

>clearly, we are in a bit of a churn (maybe have been for awhile). got to ride it out bro. Listen, I've seen and experienced worse.. my last team. for this big redesign project---the designers and engineers were at dagger heads for like 2 months due to philosophical differences. research came in and negotiated a sit down and turned it around. That was interesting.

>so, I'm not going to let you go to bed miserable. 1) Your data pretty succinctly shows that taking away unwanted interactions via private default settings is likely to lead to a potentially untenable problem with engagement and growth. 2) This is supported by qualitative data that teens don't want to miss out on discovering, connecting, and engaging. 3) The data also shows that we would fix a lot of the unwanted interaction problem by making DM's private. At what cost. to paraphrase ██████████ how do we increase safety without decreasing value?

>incidentally, his original wording "what are the other ways we could increase safety without decreasing value?" is indicative of him wanting to keep the defaults.

Dr. Diego Emiliano Castaneda (3/12/2020 01:38:00 PDT):

>@silent (I think I deciphered some of our confusion regarding 1 and 5. For the 5) "Don't default teens to restricted interaction settings". I think this is referring to making a subset of new settings that are set differently based on going to private vs. public. we won't be doing that. For 1) its referring to defaulting (all teens) into private (has nothing to do with interaction settings). Basically, 1 and 5 are not contradictory.

Dr. Diego Emiliano Castaneda (3/12/2020 11:35:49 PDT):
>fuck. sorry about that. feel free to decline.

[REDACTED] (3/12/2020 11:36:11 PDT):
>argggghhh it's a trap

Dr. Diego Emiliano Castaneda (3/12/2020 11:36:13 PDT):
>I'm acutally in a very loud place.

Dr. Diego Emiliano Castaneda (3/12/2020 11:56:43 PDT):
>great question!!

Dr. Diego Emiliano Castaneda (3/12/2020 12:07:50 PDT):

>I think I got a little more clarity. I was taking notes.. sort of aall over the place but TLDR.. 1) give us a story that frames our decision that we've already made around defaulting (safety vs value frame) 2) add any other insights that come up regarding new teens DM interactions

Dr. Diego Emiliano Castaneda (3/12/2020 12:08:38 PDT):
>got to walk my dog right now. brb.

Dr. Diego Emiliano Castaneda (3/12/2020 13:05:30 PDT):
>sorry, I got wrapped up in a bunch of other shit. now I have a meeting for the next hour. haven't even eaten anything. wfh is like wfh all the time. can you touch base around 330-4pm?

Dr. Diego Emiliano Castaneda (3/12/2020 13:06:11 PDT):
>haha. you just laughed in [REDACTED] face.

Dr. Diego Emiliano Castaneda (3/12/2020 13:07:11 PDT):
>that cracked me up.

[REDACTED] (3/12/2020 13:07:54 PDT):
>I'm sorry but my patience with this is pretty much exhausted. Tired of being thrown around by product folks

Dr. Diego Emiliano Castaneda (3/12/2020 13:09:18 PDT):
>ok. how do you want to proceed?

Dr. Diego Emiliano Castaneda (3/12/2020 13:10:02 PDT):
>sorry, you dont get to say.... "cancel everything"

[REDACTED] (3/12/2020 13:13:44 PDT):
>I'm going to work on the 'first 14 days' analysis' and look at open rates for DM requests first. That makes sense to me as a first step for me. Separately, it seems like you might be able to crystallize our recommendation specifically for whether new teens should be defaulted to private. Although I didn't get a satisfying answer about what concrete decisions/outcomes are still on the table, the two most concrete questions are, in my opinion:
>
>- Should we default NEW teens to private
>- Should we default new teens to restricted DM reachability
>
>what do you think?

Dr. Diego Emiliano Castaneda (3/12/2020 13:25:06 PDT):

>That sounds really good and makes sense to me to ask those two questions.

>I do want to say that all your complaints are warranted and I don't want to minimize how you are feeling. Moreover, I'm still learning myself about the dynamics of the team so I am just getting to see the lack of clarity and muddiness that is happening. A lot of this feels unclear and the asks looks like they sometimes have lead to little or no action. Having worked in somewhat ambiguous spaces, I'm experienced with all this and silicon speak (lets have a strong pov) can be tiring.. fuck I use it myself ad nauseum. that being said, lets just try and hammer a strong and clear message even if it feels limited. lean on me for action oriented language and trying to keep your spirits up.

Dr. Diego Emiliano Castaneda (3/12/2020 13:26:50 PDT):

>diego offering platitudes as we are limited to one slide.

██████████ (3/12/2020 13:28:48 PDT):

>what ██████████ is asking for in the quip is basically an all-encompassing study of privacy, safety, and value for all people who use instagram. And we have to produce this in like 4 working days. Then condense it into 1 slide. For 1 meeting.

██████████ (3/12/2020 13:29:15 PDT):

>Even though really we are just trying to make two decisions about new teen accounts.

Dr. Diego Emiliano Castaneda (3/12/2020 13:31:58 PDT):

>yeah..this doesn't seem reasonable or effective or make any sense. btw- this well being all hands meeting sucks. thought it would be much more useful.

██████████ (3/12/2020 13:32:14 PDT):

>LOL that was an instant decline for me

Dr. Diego Emiliano Castaneda (3/12/2020 13:38:45 PDT):

>ok now Miki is talking. better.

██████████ (3/12/2020 13:55:07 PDT):

>Hey, so approximately 8% of DM requests sent to people in their first week are opened within the first two weeks. Thoughts? Is that lower or higher than you would expect?

Dr. Diego Emiliano Castaneda (3/12/2020 14:00:23 PDT):

>Seems low. Amirite?

Dr. Diego Emiliano Castaneda (3/12/2020 14:01:02 PDT):

>Does that suggest lots of unwanted or usability and awareness?

██████████ (3/12/2020 14:02:21 PDT):

>Honestly I'm not sure. I didn't even know that the request inbox existed until I had to analyze Restrict last year, so it seems plausible that users don't even know it's there. If that's the case, then I'm not sure the open rate tells us very much about whether those requests are wanted

██████████ (3/12/2020 14:02:22 PDT):

>right?

██████████ (3/12/2020 14:03:02 PDT):

>For teens it's only 3%.

Dr. Diego Emiliano Castaneda (3/12/2020 14:05:10 PDT):

>Yeah. I had no idea either until it was pointed out. So these messages just sit there? Is there a way to know if they've been interacted with at all?

Dr. Diego Emiliano Castaneda (3/12/2020 14:05:39 PDT):

>Ah fun. Alarm in our building is going off.

Dr. Diego Emiliano Castaneda (3/12/2020 14:05:46 PDT):

>Brb.

██████████ (3/12/2020 14:05:48 PDT):

>lol

██████████ (3/12/2020 14:12:05 PDT):

>So basically this result says that new users rarely open requests from random people trying to message them in the first two weeks. Are they wanted? Do new users even know they're there?

Dr. Diego Emiliano Castaneda (3/12/2020 14:15:11 PDT):

>Interesting. Good find.

Dr. Diego Emiliano Castaneda (3/12/2020 14:16:49 PDT):

>Is there an inflection point where all of a sudden people open all the DM's that have amassed? Ie 30 days? Maybe that would give us a clue about wanted vs unwanted.

██████████ (3/12/2020 15:53:59 PDT):

>So, the earlier open rates I shared were wrong. It's about 40%.

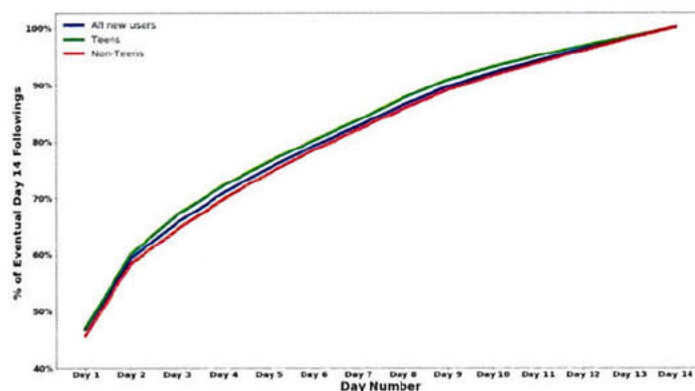
██████████ (3/12/2020 16:36:47 PDT):

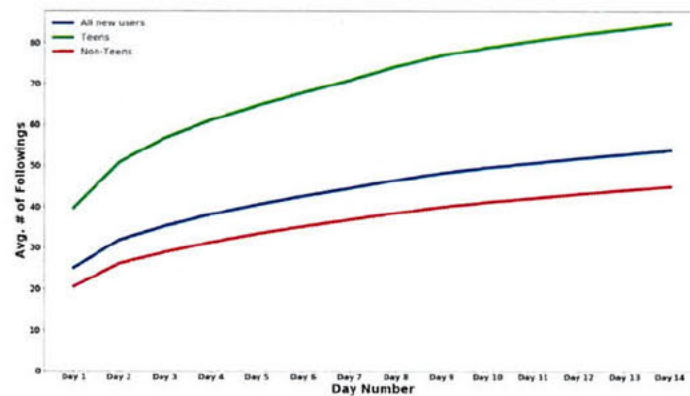
>Separately, here's some interesting high-level graph results describing how quickly new users start following accounts by day:

██████████ (3/12/2020 16:37:51 PDT):

shared: 89965212_164853304490970_356995143317848064_n.png

shared: 89656806_520877162173465_6256115286806626304_n.png





[REDACTED] (3/12/2020 16:38:01 PDT):
 >I'm going to repeat this for FOLLOWERS

Dr. Diego Emiliano Castaneda (3/12/2020 16:42:34 PDT):
 >Oh wow. That teen curve.

[REDACTED] (3/12/2020 16:58:22 PDT):
 >ahem

[REDACTED] (3/12/2020 16:58:22 PDT):
 shared: 89814710_2775441529215507_2641775869135159296_n.png

btw I asked Max the same question you asked me in our data meeting

About which proposals/decisions are being considered?

and he said theres no way we're going to change our recommendation unless we see data that drastically differs

yes

😬 That's what I thought

he was like I think basically you should consider everything we discussed friday as final

yeah honestly I had the same question as you so didn't know what to say in the meeting

😬 yeah...

Dr. Diego Emiliano Castaneda (3/12/2020 16:58:51 PDT):

>6d

██████████ (3/12/2020 16:59:00 PDT):

>👍

██████████ (3/12/2020 17:07:03 PDT):

>sometimes I feel gaslit/going crazy about how decisionmaking on this team actually works. Then I push back and demand clarity from product folks, and am proven right, not crazy. This is just one particularly poignant example of why I typically feel like the analysis I do (a) isn't actually digested and (b) when it is, decisions are like automatic. Like wtf Sam's ask isn't going to affect anything at all, as far as I can tell

Dr. Diego Emiliano Castaneda (3/12/2020 17:08:44 PDT):

>So what do you suggest we do?

██████████ (3/12/2020 17:09:36 PDT):

>Man, I don't know. To fully satisfy the scope of that document, we're both looking at at least 10-20 hours of work in the next few days. Maybe that's a worst case, but I don't see how I could do this thoroughly without it taking at least 10 hours

Dr. Diego Emiliano Castaneda (3/12/2020 17:09:53 PDT):

>Let's not do that.

Dr. Diego Emiliano Castaneda (3/12/2020 17:12:10 PDT):

>Can you stop analyses right now? We start synthesis and jamming on some statements/insights based on what we have. Is it not complete enough?

Dr. Diego Emiliano Castaneda (3/12/2020 17:13:58 PDT):

>*your data analyses. Plus it's only a 1 pager. And a Note to add to that. Balancing Safety and Value Across Our New Teen Users: ____ Insights

Dr. Diego Emiliano Castaneda (3/12/2020 17:14:14 PDT):

>Some generic title like that?

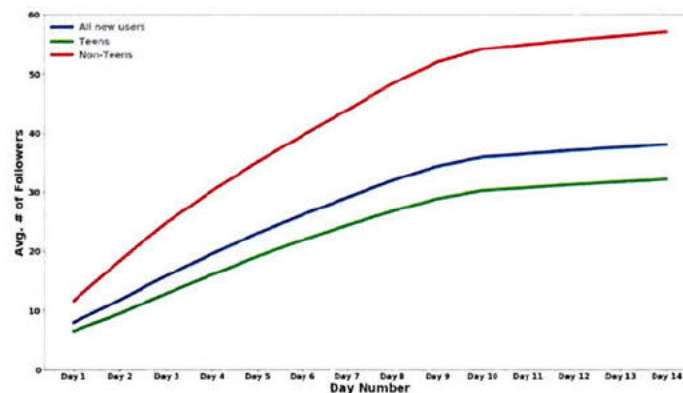
██████████ (3/12/2020 17:21:14 PDT):

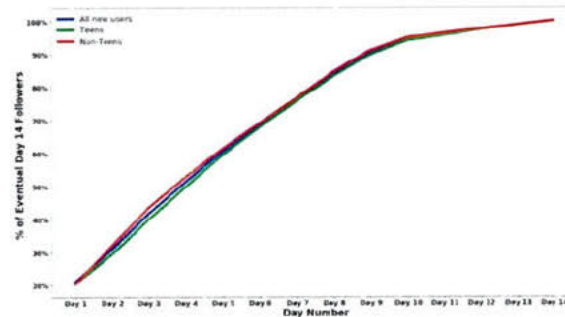
>Here's the followers version of the previous charts

██████████ (3/12/2020 17:21:36 PDT):

shared: 89737664_208069457078652_2775438687360516096_n.png

shared: 89654893_544950762803869_4942818857258582016_n.png





[REDACTED] (3/12/2020 17:21:45 PDT):

>It's the reverse

[REDACTED] (3/12/2020 17:22:21 PDT):

>Anyway, I just chatted with [REDACTED] about this. She says it still makes sense for us to work on that note. :/

[REDACTED] (3/12/2020 17:25:18 PDT):

>I don't think what we have is anywhere close to the finished product that Sam is envisioning tbh

Dr. Diego Emiliano Castaneda (3/12/2020 17:27:41 PDT):

>what else does he want? I thought the goal was to craft a story that gives a strong 'pov', embrace the imperfection.. etc... I was riding that train to get where we are going. can you and I just start a draft of the note now and seek out feedback when we get to a v1.

[REDACTED] (3/12/2020 17:29:04 PDT):

>ok, yea, that sounds good. I still haven't quite figured out the scope of what I'm going to add.

Dr. Diego Emiliano Castaneda (3/12/2020 17:29:27 PDT):

>also... you can still get to Italy. <https://www.theonion.com/italy-travel-ban-gives-rise-to-underground-network-of-g-1842298636>

[REDACTED] (3/12/2020 17:49:05 PDT):

><https://politics.theonion.com/smart-qualified-people-behind-the-scenes-keeping-ameri-1819571706>

[REDACTED] (3/12/2020 17:49:14 PDT):

>EJ

[REDACTED] (3/12/2020 18:25:53 PDT):

>The US is taking drastic steps to limit wanted and unwanted interactions right now lol

Dr. Diego Emiliano Castaneda (3/12/2020 18:25:59 PDT):

>https://www.theonion.com/top-u-s-health-experts-hold-on-to-your-fucking-seats-1842297607utm_medium=SocialMarketing&utm_campaign=SF&utm_content=Main&utm_source=Facebook

[REDACTED] (3/12/2020 18:26:17 PDT):

>hahahaha yeah I saw.

Dr. Diego Emiliano Castaneda (3/12/2020 18:26:48 PDT):

>Can you please run an analyses on US unwanted interactions and any default settings we need to explore?

Dr. Diego Emiliano Castaneda (3/12/2020 18:27:27 PDT):

>Thanks bud! we'll definitely use it in our product decision making about the US!

Dr. Diego Emiliano Castaneda (3/12/2020 18:27:44 PDT):

>I'm in case it wasn't obvious

[REDACTED] (3/12/2020 18:29:10 PDT):

>EJ I feel like any data scientists working for the trump administration have similar feelings as I do about the extent to which their work actually matters to decisionmakers

Dr. Diego Emiliano Castaneda (3/12/2020 18:34:08 PDT):

>I would love to see you stand behind Trump at a press conference.

[REDACTED] (3/12/2020 18:36:10 PDT):

>I wouldn't be able to make it through that without laughing uncontrollably

Dr. Diego Emiliano Castaneda (3/12/2020 18:36:32 PDT):

>I feel irrationally violent towards that man. I could not be trusted.

[REDACTED] (3/12/2020 18:45:23 PDT):

>I wonder what would happen if Trump got the virus. That would be surreal

Dr. Diego Emiliano Castaneda (3/12/2020 18:46:57 PDT):

>They' ll never admit it

[REDACTED] (3/12/2020 18:48:03 PDT):

>Yeah, you're probably right. It would be great to read some tweets from Trump explaining that he's infected, talking about his prognosis as the healthiest president in history, etc

[REDACTED] (3/12/2020 18:48:22 PDT):

>Tweet possibilities for this crisis are unparalleled

[REDACTED] (3/12/2020 18:50:39 PDT):

>[REDACTED] is still sick and I am somewhat concerned, tempted to ask him about the chances of him deciding to get tested.....

Dr. Diego Emiliano Castaneda (3/12/2020 18:55:22 PDT):

>Dude. I was just telling my wife about him. She' s concerned.

[REDACTED] (3/12/2020 18:56:51 PDT):

>Yeah he hasn't responded to my messages today, which is uncharacteristic of him. I would wager he has had more contact with people who have traveled internationally than most of us, given the limited knowledge I have about his social circle

[REDACTED] (3/12/2020 19:00:41 PDT):

>[REDACTED] says that he went to the ER this weekend and they told him it's extremely unlikely he has it

Dr. Diego Emiliano Castaneda (3/12/2020 19:01:29 PDT):

>Wow.

[REDACTED] (3/12/2020 19:02:14 PDT):

>I want to say , but isn't it extremely unlikely that any individual person has it right now? Stats wise

Dr. Diego Emiliano Castaneda (3/12/2020 19:04:29 PDT):

>Yes. Agreed. But we don' t know since we haven' t tested extensively either.

[REDACTED] (3/12/2020 19:04:35 PDT):

>right

Dr. Diego Emiliano Castaneda (3/12/2020 19:05:47 PDT):

>It' s probably unlikely. There was a case at Stanford last week. So it could be more extensively in our community than we know. But it' s unlikely [REDACTED] has it.