

AMENDED Exhibit 418

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

Reagan Maher

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA)
ADOLESCENT ADDICTION/)
PERSONAL INJURY PRODUCTS) MDL No. 3047
LIABILITY LITIGATION)
_____)

This Document Relates To:)
ALL ACTIONS)
_____)

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE
COUNTY OF LOS ANGELES
UNLIMITED JURISDICTION

COORDINATION PROCEEDING)
SPECIAL TITLE)
[RULE 3.550]) JCCP NO. 5255
_____)

SOCIAL MEDIA CASES)
_____)

This Document Relates To:)
ALL ACTIONS)
_____)

ATTORNEYS' EYES ONLY
PURSUANT TO PROTECTIVE ORDER
HYBRID
VIDEO-RECORDED
DEPOSITION OF REAGAN MAHER
Friday, February 21, 2025, 8:09 a.m.

REPORTED BY: ELAINA BULDA-JONES, CSR 11720

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1 Q. And is your sort of career at TikTok
2 beginning in March 2021 depicted accurately on this
3 demonstrative?

4 A. Yes.

5 Q. And you worked from TikTok -- you worked
6 for TikTok for almost -- about four years until
7 October of 2024, correct?

8 A. Correct.

9 Q. And you started at TikTok in March of
10 2021, correct?

11 A. Correct.

12 Q. Did you work for TikTok or ByteDance or
13 both?

14 A. I believe my employment was originally
15 through ByteDance. And then when the U.S. Data
16 Security org was created I believe it was changed to
17 TikTok Inc.

18 Q. Do you know when that change took place,
19 approximately?

20 A. I think it was January of 2023.

21 Q. Okay. Now, the first position you held at
22 TikTok when you started in March of 2021 was Bay
23 Head of Issue Product & Process, correct?

24 A. Yes.

25 Q. And you held that position for about ten

1 months, correct?

2 A. Yes.

3 Q. From March of 2021 to December of 2021,
4 correct?

5 A. Yes.

6 Q. And then in January of 2022, you
7 transitioned to a role Product Exploitation Hunt
8 Manager; is that correct?

9 A. Yes.

10 Q. Is that within the U.S. Trust & Safety
11 area?

12 A. Yes.

13 Q. And you held that position for one year
14 three months, correct?

15 A. Yes.

16 Q. Was that a promotion for you?

17 A. No, it was not.

18 Q. Okay. Was it a lateral move?

19 A. Yes.

20 Q. Okay. And according to your LinkedIn
21 profile, in that position, you built and managed a
22 team of ten data scientists and data analysts
23 responsible for proactive identification and
24 mitigation of product risk; is that accurate?

25 A. Yes.

1 Q. And by product risks you were referring to
2 the TikTok platform, correct?

3 A. Correct.

4 Q. Does that also include TikTok LIVE and the
5 TikTok Now feature that are part of the TikTok
6 platform?

7 A. Yes.

8 Q. March of 2023, did you transition to be
9 the Head of Investigations and Insight within the
10 USDS Safety department?

11 A. Yes.

12 Q. And what does USDS mean?

13 A. United States Data Security.

14 Q. Okay. Was that a promotion for you?

15 A. No, it was not.

16 Q. Was it a lateral move for you?

17 A. I'm not sure I would refer to it as a
18 lateral move as I -- two other teams were
19 consolidated under me.

20 Q. Understood.

21 You held that position for one year and
22 eight months until you left TikTok in October of
23 2024, correct?

24 A. Correct.

25 Q. So you worked for TikTok for almost about

1 four years, correct?

2 A. Correct.

3 Q. Would you agree with me that the timeline
4 that was marked as Exhibit 2 is a fair and accurate
5 depiction of your employment history at TikTok?

6 A. Yes.

7 (Whereupon, TikTok-Maher Exhibit 2 was
8 marked for identification.)

9 BY MR. WEINKOWITZ:

10 Q. All right. So now I want to ask you some
11 questions about when you left TikTok.

12 Why did you leave?

13 A. A variety of reasons.

14 Q. Can you communicate those to the jury,
15 please?

16 A. A shorter commute. Better work-life
17 balance. A change in pace.

18 Q. Understood.

19 Was your departure your idea?

20 A. Yes.

21 Q. So it was voluntary?

22 A. Yes.

23 Q. When you left, did you sign any sort of
24 end-of-employment agreement?

25 A. I may have. I don't recall.

1 marked the previous exhibit. So I'm going to, for
2 the record, say the "In-App survey analysis on user
3 safety perception of TikTok" will be marked as
4 Exhibit 4. And then this document that I just
5 handed the witness will be marked as Exhibit 5.

6 Thanks, Evan.

7 TRIAL TECHNICIAN: I apologize. I'm still
8 missing an exhibit, then. What's 3? This should be
9 3 -- that was 3.

10 MR. WEINKOWITZ: I think --

11 MS. ARMSTRONG: Previous document should
12 be Exhibit 4 -- or -- excuse me. Previous document
13 is Exhibit 3. This document is Exhibit 4.

14 TRIAL TECHNICIAN: Thank you.

15 MR. WEINKOWITZ: Sorry.

16 (Whereupon, TikTok-Maher Exhibit 4 was
17 marked for identification.)

18 THE WITNESS: Okay. I'm ready.

19 BY MR. WEINKOWITZ:

20 Q. This is a Lark Chat between you and Amy
21 Classen starting in about April -- I'm sorry --
22 August 26th, 2021, correct?

23 A. Yes.

24 Q. And you sent and received Chat messages
25 through the company's Lark platform as part of your

1 job, correct?

2 A. Yes.

3 Q. And Lark was a tool that TikTok and
4 ByteDance provided you and other employees to
5 communicate with each other in their day-to-day
6 work, correct?

7 A. Yes.

8 Q. And you sent and received messages like
9 this as a routine part of your job at TikTok and
10 ByteDance, right?

11 A. Yes.

12 Q. Do you have any reason to believe that the
13 content of this Chat that I've handed you was
14 altered in any way from how it existed when it was
15 produced by TikTok or ByteDance?

16 A. No.

17 Q. And Amy Classen was head of minor safety
18 at TikTok, correct?

19 A. Head of minor safety product, yes.

20 Q. And she was -- you were chatting with her
21 in late August of 2021, correct?

22 A. Yes.

23 Q. Let's go to the second page, if you would.
24 And the Bates -- when I refer to a Bates number,
25 ma'am, if you look at the right-hand corner, there's

1 a long number. I generally refer to the last three
2 digits of that number.

3 A. Okay.

4 Q. Three or four digits so that the record is
5 clear.

6 So we're on page 2, Exhibit 4, at -- last
7 Bates is 2064.

8 If you look at the third Chat down, do you
9 see that Amy Classen says, "10 percent of users are
10 underage"?

11 A. Yes.

12 Q. And underage means under 13, correct?

13 A. Yes, I believe so.

14 Q. Because TikTok allows 13-year-olds onto
15 the platform, correct?

16 A. Correct.

17 Q. Ms. Classen says she's going to ban all of
18 them. And then she says once TikTok launches an
19 appeal process.

20 Do you see that?

21 A. Yes.

22 Q. And you respond with an emoji, which I
23 think it's called the "oh my god" emoji?

24 A. Yes.

25 Q. And you understood that 10 percent of

1 identification.)

2 BY MR. WEINKOWITZ:

3 Q. Take your time and look at that and let me
4 know when you're ready to answer questions.

5 You know, why don't we go off the record
6 so that -- you know, I want the witness to have full
7 opportunity to read it but I don't want to burn my
8 time. So let's go off the record.

9 (Whereupon, a brief discussion off the
10 record.)

11 MR. MATTERN: I object to going off the
12 record. I think you've put down this document in
13 front of the witness. The witness needs time to
14 read it and to get the context for it and it's only
15 been a couple of minutes.

16 MR. WEINKOWITZ: Okay. I don't want any
17 complaints that we go late, then.

18 THE WITNESS: Okay. I'm ready.

19 BY MR. WEINKOWITZ:

20 Q. Thank you. All right.

21 So I handed you Exhibit 9, which is,
22 appears to be a Forbes article, "How TikTok Live
23 Became A Strip Club Filled With 15-Year-Olds."
24 Correct?

25 A. Yep.

1 Q. Do you recognize this document?

2 A. I do.

3 Q. Fair to say you read this at the time that
4 you worked for TikTok, right?

5 A. Yes.

6 Q. And this is the document that you
7 forwarded to [REDACTED] in the Lark message
8 which is Exhibit 7, correct?

9 A. Correct.

10 Q. And the sub title is "Livestreams on the
11 social media app are a popular place for men to lurk
12 and for young girls - enticed by money and gifts -
13 to perform sexually suggestive acts."

14 Correct?

15 A. Yes.

16 Q. And it was -- this article was published
17 on April 27, 2022, correct?

18 A. Yes.

19 Q. Same day that you sent it to [REDACTED]
20 in the Chat, right?

21 A. Yes.

22 Q. All right. If you turn to the second page
23 of the document, it's a long article, we're not
24 going to -- we'd be here all day if we read
25 everything.

1 But if you look at page 2, second
2 paragraph down -- I'm sorry -- fourth paragraph
3 down, it's talking about MJ, a 14-year-old girl,
4 being paid to flash and expose herself to adult men.

5 Do you see that?

6 A. The fourth paragraph says she was 14.
7 Broadcasting with friends.

8 Yes, it looks like it refers to the first
9 part on the flash.

10 Q. Right. Specifically, it says [as read]:
11 These exchanges did not take place between
12 adults at nightclub. They took place on TikTok LIVE
13 where MJ, who said she was 14 years old, was
14 broadcasting with friends to 2,000 strangers on a
15 recent Saturday night.

16 Did I read that correctly?

17 A. Yes.

18 Q. Next paragraph down says [as read]:

19 A Forbes review of hundreds of recent
20 TikTok livestreams reveals how viewers regularly use
21 the comments to urge young girls to perform acts
22 that appear to be -- I'm sorry -- that appear to toe
23 the line of child pornography - rewarding those who
24 oblige with TikTok gifts which can be redeemed for
25 money or off-platform payments to Venmo, PayPal, or

1 Cash App accounts that users list in their TikTok
2 profiles.

3 Did I read that correctly?

4 A. Yes.

5 Q. So when you worked at TikTok you knew that
6 kids under 16 could host livestreams even though
7 they weren't supposed to, correct?

8 A. Correct.

9 Q. And you knew they could receive gifts even
10 though they weren't supposed to, correct?

11 A. Correct.

12 Q. TikTok only let users livestream if they
13 say they were 16 or older, correct?

14 A. Correct.

15 Q. At this time, at the time of this article,
16 in 2022, correct?

17 A. Yes.

18 Q. But TikTok didn't check their real age at
19 signup. There was only age gating but no age
20 verification at signup, correct?

21 MR. SHUR: Objection as to form.

22 THE WITNESS: I -- I did not work on age
23 verification, but -- so I can't speak to when it was
24 launched or if it was, even.

25 ///

1 BY MR. WEINKOWITZ:

2 Q. But at this time you knew that when
3 individuals signed up for TikTok all they had to do
4 was give their date of birth, correct?

5 A. Correct, yes.

6 Q. You knew that the company didn't do any
7 verification to make sure that those dates of birth
8 were accurate, correct?

9 A. Again, I didn't work on age verification,
10 but that was my understanding.

11 Q. And so you knew that kids could lie, they
12 could say they were 18 and get access to
13 livestreaming and gifts, correct?

14 A. Correct.

15 Q. And you knew that kids could sign up
16 through platforms like Facebook and Google and they
17 could get access to TikTok and livestreaming without
18 giving their age or date of birth, correct?

19 MR. SHUR: Objection as to form.

20 THE WITNESS: I knew that -- that if -- if
21 kids signed up for TikTok through a platform that
22 they would be granted an automatic 18-plus
23 experience due to a gap in the product, yes.

24 BY MR. WEINKOWITZ:

25 Q. And that includes 11-year-olds, right?

1 A. Yes.

2 Q. And 10-year-olds, right?

3 A. It could, yes.

4 Q. And 9-year-olds, right?

5 A. Yes.

6 Q. And those children would have access to
7 the livestream and gifting features, correct?

8 A. Yes.

9 Q. All right. Let's go to the bottom of
10 page 4.

11 THE WITNESS: Can I take a quick break?
12 Is that possible?

13 MR. WEINKOWITZ: You may.

14 THE WITNESS: Okay.

15 MR. WEINKOWITZ: Yep. You may.

16 Let's take five minutes.

17 THE VIDEOGRAPHER: The time is 9:59 a.m.
18 Pacific time. We're going off the record.

19 (Whereupon, a brief recess was taken.)

20 10:06 20 THE VIDEOGRAPHER: The time is a.m.
21 Pacific time. We're back on the record.

22 BY MR. WEINKOWITZ:

23 Q. Okay. Thank you for coming back.

24 We were looking at Exhibit 9, just the
25 Forbes article. If you could turn to page 4,

1 please, where we're going to -- and if you could
2 look at the bottom paragraph.

3 There's a section called -- of this
4 article called "TikTok, where gifts change hands."

5 Do you see where I'm at?

6 A. Yes.

7 Q. And it reads -- the article reads, under
8 that section [as read]:

9 The wildly popular social media app best
10 known for its lighthearted videos and dance routines
11 is, beneath the surface, a cash cow - one where
12 money and gifts are often sent by adults to minors.
13 Top legal, law enforcement and children's safety
14 experts told Forbes that such activity on
15 livestreams can enable predators to groom targets
16 for online and offline sexual abuse and sextortion,
17 warning of the consequences of unfettered access to
18 girls' bedrooms and bathrooms where most of the
19 streaming occurs.

20 Did I read that correctly?

21 A. Yes.

22 Q. And you worked on a project called Project
23 Meramec, correct?

24 A. Correct.

25 Q. Out of curiosity, how did Meramec get its

1 name?

2 A. I -- I don't actually remember my
3 rationale. But it's the name of a river somewhere
4 and I had -- I had a reason, but I don't remember it
5 anymore.

6 Q. So you named Project Meramec, correct?

7 A. I did, yes.

8 Q. Were you the leader on Project Meramec at
9 the company?

10 A. Yes, I was.

11 Q. And Project Meramec occurred before this
12 Forbes article was published, correct?

13 A. Correct.

14 Q. And isn't it true that one of the risks of
15 livestreaming identified in Project Meramec was
16 predators grooming children on TikTok and the
17 creation of child pornography?

18 A. One of the risks identified was the
19 potential of child grooming, yes.

20 Q. How about the exchange of child
21 pornography, was that not one of the identified
22 risks?

23 A. I don't recall writing that in my report.

24 Q. Let's go to page 5 of the article.

25 I am in the middle of the page, starts

1 MS. ARMSTRONG: 10.

2 MR. WEINKOWITZ: And the color version
3 will be 11.

4 (Whereupon, TikTok-Maher Exhibit 10 and
5 TikTok-Maher Exhibit 11 were marked for
6 identification.)

7 BY MR. WEINKOWITZ:

8 Q. So before I give you a chance to look at
9 these, I want to tell you why I'm giving you two
10 versions.

11 I'll represent to you that these are two
12 different versions of the same document. The
13 black-and-white version was a PDF that we located in
14 your file that was produced to us by TikTok and
15 ByteDance.

16 The color version, Exhibit 11, is a native
17 version of the same file that we found in the
18 custodial file of Adam Wang. The reason I am giving
19 you both is, A, I like the colors -- no, I'm
20 kidding -- the color version has notes in it that I
21 want to ask you about.

22 The black-and-white version, because it
23 came as a PDF in your file, did not have the notes.

24 So I believe that you should have on the
25 color version sticky tabs for the pages that I'm

1 going to ask you about. So I promise you that I
2 won't ask you about any other page. So if that
3 facilitates you reviewing the document, I hope that
4 does, I -- what I'd like you to do is, is I'd like
5 you to have both documents in front of you as we're
6 talking so that you can compare them if you need to
7 or feel comfortable to, if that's how you want to
8 proceed.

9 And my first question to you when I start
10 is, do these appear to be the same document?

11 So take your time, review it, let me know
12 when you're ready to go.

13 Do you have any questions from that of me?

14 A. No.

15 Q. Okay.

16 A. Okay. I'm ready.

17 Q. I'm sorry. I had my mute on. Thank you.

18 Have I given you a fair and adequate
19 opportunity to compare the two PowerPoint decks that
20 we are attaching as Exhibit 10 and 11?

21 A. Yes.

22 Q. Do you agree that they appear to be copies
23 of the same slide deck?

24 A. Yes.

25 Q. The title of the slide deck is "TikTok

1 LIVE & US Safety Summit." PowerPoint. Safety
2 Summit. Correct?

3 A. Yes.

4 Q. And dated May 2022, correct?

5 A. Yes.

6 Q. Did you assist in putting this
7 presentation together and making a presentation
8 using this slide deck?

9 A. Yes, I did.

10 Q. And PowerPoint slide decks like Exhibit 10
11 and 11 were regularly used as part of TikTok and
12 ByteDance's business for employees to present
13 information internally, correct?

14 A. Yes.

15 Q. And you worked on this presentation in the
16 course and scope of your regular work at TikTok,
17 correct?

18 A. Yes.

19 Q. Do you have any reason to believe that
20 either Exhibit 10 or Exhibit 11 were altered in any
21 way from the original --

22 A. No.

23 Q. -- out of your file?

24 A. No.

25 Q. Thank you.

1 A. That seems to be accurate.

2 Q. Let's -- I'm sorry, let's turn to slide 8.

3 It's another question-and-answer presentation.

4 Do you see that?

5 A. Yes.

6 Q. And the question on slide 8 is, "There are
7 110,000 creators going LIVE every day in the U.S.

8 How long do they go LIVE on average?"

9 Did I read that question accurately?

10 A. Yes.

11 Q. The answer is 60 minutes, correct?

12 A. Yes.

13 Q. Was that accurate as of May 2022?

14 A. I assume so, yes.

15 Q. Okay. And that's the date of the slide
16 deck, right?

17 A. Yep.

18 Q. Go to slide 16, please.

19 Slide 16 has a question, what is --
20 "What's our business model?" Right?

21 A. Yes.

22 Q. And it has an answer, "Creator
23 monetization and platform monetization are two sides
24 of the same coin." Correct?

25 A. Yes.

1 Q. Monetization means to make money, correct?

2 A. Yes.

3 Q. And that was true as of May 2022 when this
4 slide deck was presented, correct?

5 A. Yes.

6 Q. Slide 21, please. I'm going to spend a
7 little time on this slide.

8 The title of the slide as -- is, "As LIVE
9 grows rapidly, we are facing increasing scrutiny
10 from users, media regulators, and society."

11 Did I read that correctly?

12 A. Yes.

13 Q. And the "we" in that sentence is TikTok,
14 correct?

15 A. Yes.

16 Q. All right. Underneath the title it
17 says -- hold on one second.

18 Under the title to the right-hand side do
19 you see that there is checked -- a checked red
20 square?

21 A. Yes.

22 Q. Looks like a key, correct?

23 A. Yep.

24 Q. It says "Dominant negative perception."
25 Right?

1 A. Yep.

2 Q. And at the bottom of the slide, very, very
3 small, under page 21, it gives a source for the data
4 in the slide, correct?

5 A. Yep, I see "Source."

6 Q. And if you look at the screen -- Evan's
7 blown it up for you -- it says "LIVE BHT conducted
8 in U.S." Correct?

9 A. Yes.

10 Q. Is that a study that was conducted by
11 TikTok and ByteDance to derive these statistics?

12 A. I don't know.

13 Q. Okay.

14 A. I'm not --

15 Q. You don't know --

16 A. I'm not familiar with BHT.

17 Q. I'm sorry.

18 (Whereupon, a brief discussion off the
19 record.)

20 BY MR. WEINKOWITZ:

21 Q. Sorry, I did what I said I wouldn't do,
22 which is ask a question before you were done. I
23 apologize.

24 All right. So let's look under "TikTok
25 LIVE."

1 Do you see where I'm at?

2 A. Yes.

3 Q. There's a -- a box of checked -- a
4 checked -- I'm sorry -- a dotted red box.

5 Do you see that?

6 A. Yes.

7 Q. And that's dominant negative perception
8 for TikTok LIVE, right?

9 A. Yes.

10 Q. And it looks like in this study there were
11 753 respondents that knew about TikTok LIVE,
12 correct?

13 A. Yep.

14 Q. Right under "TikTok LIVE" it says "753."
15 Right?

16 A. Yep.

17 Q. And the first dominant negative perception
18 is, "Underage hosts going LIVE."

19 Do you see that?

20 A. Yes.

21 Q. And 37 of the 753 had that perception,
22 correct?

23 A. I guess. I'm not entirely sure how these
24 numbers -- if that's just a count, then yes.

25 Q. Well, actually, if you look to the left, I

1 think it's a percentage. Do you see negative
2 percentage -- negative perception -- it says
3 percentages respondents?

4 A. Yeah, I see --

5 Q. On the very --

6 A. Yep.

7 Q. I think -- do you understand that that
8 37 percent -- 37 is 37 percent, correct?

9 A. Okay. Yes.

10 Q. All right. And the next one down,
11 35 percent of the respondents said -- had a -- it
12 said that TikTok LIVE was addictive, correct?

13 A. Yep.

14 Q. All right. And do you recall, ma'am, in
15 the Lark Chat between you and [REDACTED] that
16 we looked at earlier, it said exacerbate addictive
17 behavior and/or harm that may already be occurring
18 due to minors using gifting feature, right?

19 A. I do recall that message was sent by [REDACTED]

20 [REDACTED] not [REDACTED]

21 Q. I'm sorry. I have it written wrong in my
22 outline. But [REDACTED]

23 You do recall that message, right?

24 A. Yes.

25 Q. And there it is up on the screen, correct?

1 A. That's on the screen, yes.

2 Q. And that's the one that you had the monkey
3 emoji, correct?

4 A. That is correct. The monkey emoji was a
5 response to my overall concern about the new PRD.
6 It was not specifically related to the addictive
7 comment.

8 Q. Okay. And if we go back to this study we
9 see that 35 percent of respondents thought that
10 TikTok LIVE was addictive, correct?

11 A. That is what the survey says, correct.

12 Q. Okay. And then the next -- the next
13 dominant negative perception down is, "Negative
14 impact on minors." 32 percent had that perception,
15 correct?

16 A. Correct.

17 Q. All right. So let's turn to slide 22,
18 next slide.

19 Do you see that these are quotes from
20 people that were surveyed about TikTok?

21 A. Yes.

22 Q. First one says, "It feels like they are
23 just trying to make money or get famous." Right?

24 A. Yes.

25 Q. Second one is, "It's also very addicting

1 and harmful to everyone but especially seems to harm
2 teenagers." Correct?

3 A. Yes.

4 Q. And "addicting and harmful" were precisely
5 the words that Ms. O'Connor used in the e-mail -- in
6 the Lark message that we just talked about, correct?

7 A. I believe so, yes.

8 Q. And this is back to the present -- back to
9 the PowerPoint. This is an internal presentation in
10 TikTok from May of 2022, correct?

11 A. Yes.

12 Q. It says "addicting and harmful." Correct?

13 A. Yes, it does.

14 Q. And "addicting and harmful" are underlined
15 and in red, correct?

16 A. Yes, they are.

17 Q. And so somebody must have done that inside
18 TikTok, made them highlighted and -- I'm sorry --
19 red and underlined, correct?

20 A. Presumably, yes.

21 Q. So my question to you is, to the best of
22 your knowledge, ma'am, did TikTok or ByteDance tell
23 users/parents that TikTok LIVE was addicting and
24 harmful to underage users?

25 MR. SHUR: Objection as to form. Asked

1 and answered.

2 THE WITNESS: I've answered this question
3 several times. I will repeat.

4 I'm not familiar with any communications
5 from TikTok to parents about anything. Including
6 whether or not it is addicting and harmful.

7 BY MR. WEINKOWITZ:

8 Q. Have you ever been on the TikTok LIVE --
9 strike that.

10 Have you ever been on the TikTok Newsroom?

11 A. Yes.

12 Q. Do you ever read anything with TikTok
13 Newsroom?

14 A. On a few occasions.

15 Q. Okay. And the TikTok Newsroom is a place
16 where TikTok puts press releases that it
17 communicates with the public, correct?

18 A. Yes.

19 Q. Have you ever seen any TikTok TV ads?

20 A. Yeah, I think so.

21 Q. Okay. And on the TikTok Newsroom and in
22 the TikTok TV ads, have you ever seen TikTok or
23 ByteDance tell users or parents that TikTok LIVE was
24 addicting and harmful to underage users?

25 A. Not that I recall.

1 Evan, it's the slide that says "Project
2 Meramec & Forbes Response." It might be one up or
3 one back.

4 A. Yeah, I'm in it on my -- in my hard copy.
5 The screen was not showing the correct slide but now
6 it is.

7 Q. Now it is. There we go. Sorry about
8 that. Okay.

9 So this slide says "Project Meramec &
10 Forbes Response." Correct?

11 A. Yes.

12 Q. And under it, there are "Key Findings,"
13 correct?

14 A. Yes.

15 Q. And key means the most important findings
16 or the main findings from Project Meramec, right?

17 A. Correct.

18 Q. And you were the project leader on Project
19 Meramec, correct?

20 A. Correct.

21 MR. MATTERN: I'm sorry, Mike, sorry to
22 interrupt. You keep saying "Project Meramount." I
23 think you mean Meramec. Just wanted to --

24 MR. WEINKOWITZ: I'm saying Meramec. You
25 may not be hearing it but that's what I'm saying and

1 that's what's coming up on the record.

2 MR. MATTERN: Okay.

3 MR. WEINKOWITZ: So I'll try to be more
4 clear.

5 So I don't know where I was.

6 Q. You were the project leader on Project
7 Meramec, correct?

8 A. Yes.

9 Q. You helped prepare this slide?

10 A. Yes.

11 Q. And the notes say that you are -- you are
12 to present, correct?

13 A. Yes.

14 Q. Do you see that?

15 A. Yes.

16 Q. Okay. And did you ever make the
17 presentation?

18 A. Yes, I did.

19 Q. Who did you present to?

20 A. There were about 20 leaders from trust and
21 safety and livestream business team, as well as
22 V Pappas, the COO at the time.

23 Q. When did this presentation take place?

24 A. May 2022.

25 Q. And was it live or over Zoom or some other

1 form of --

2 A. It was live.

3 Q. It was live.

4 Where was it?

5 A. In L.A.

6 Q. And who was the highest level person from
7 the organization at that meeting? Was that
8 V Pappas?

9 A. Yes, V Pappas entered the room during my
10 presentation. She had not been there until then.

11 Q. Okay. So she had -- when your
12 presentation started V Pappas came in and heard your
13 entire presentation, correct?

14 A. She did not hear my entire presentation.
15 She came in sometime in the middle.

16 Q. Okay. And do you know if that
17 presentation was recorded in any way?

18 A. I don't think it was, no.

19 Q. Okay. So let's look at some of the key
20 findings.

21 In the first column, it's "Minor Safety."

22 Do you see that?

23 A. Yes.

24 Q. First bullet point, it says [as read]:

25 Signups via platform grant users 18-plus

1 experience enabling them to host and receive gifts.

2 Do you see that?

3 A. Yes.

4 Q. And that refers to users who sign up for
5 TikTok via Google or Facebook or Instagram, correct?

6 A. Correct.

7 Q. And do you know whether you recommended
8 that TikTok tell parents or users or the public that
9 kids could sign up via Google or Facebook or
10 Instagram and get access even if they were under the
11 age of 13?

12 A. I did not make that recommendation, no.

13 Q. Okay. The second bullet point, it says
14 "L1 hosts." So is that children under 15 or 16?

15 A. I believe --

16 Q. L1.

17 A. -- L1 is under 16. If I recall correctly.

18 Q. Okay. So it's -- reading it with that
19 interpretation, it says children under 16 who host
20 are at risk of grooming.

21 Do you see that?

22 A. Yes.

23 Q. Okay. Did you ever recommend to the
24 company, TikTok or ByteDance, that it tell parents,
25 users, or the public that children under the age of

1 16 who hosted livestreams were at risk for grooming?

2 A. No, I did not make that recommendation.

3 Q. Wouldn't it be a good thing to put on the
4 Transparency Center that we just looked at?

5 MR. SHUR: Objection as to form.

6 THE WITNESS: I don't make the decisions
7 on what's posted on the Transparency Center.

8 BY MR. WEINKOWITZ:

9 Q. But wouldn't it be a good idea to put that
10 information on the Transparency Center so that
11 parents could know that that's happening on TikTok?

12 MR. SHUR: Same objection.

13 THE WITNESS: I can't comment on whether
14 or not I think that that is the appropriate
15 mechanism for the Transparency Center.

16 BY MR. WEINKOWITZ:

17 Q. Are you a parent?

18 A. I am a parent, yes.

19 Q. If you knew that children, your children
20 under the age of 15 could be groomed on TikTok,
21 wouldn't you want TikTok to let you know that?

22 A. I feel that as a parent it's my
23 responsibility to protect my kids. And that there
24 are risks everywhere. It's my responsibility to
25 understand where they are and make sure my kids are

1 safe.

2 Q. You can't protect your children unless
3 TikTok tells you what those risks are, right?

4 MR. SHUR: Objection as to form.

5 THE WITNESS: I believe that these types
6 of risks can happen everywhere and it's not
7 reasonable in every single scenario in anyone's life
8 for them to be warned of a potential harm. Every
9 time I get in the car I'm not going to need someone
10 to tell me that I could get in a car accident.

11 BY MR. WEINKOWITZ:

12 Q. Okay. So you don't want to be warned if
13 your children could be groomed on TikTok, you think
14 that that's not reasonable for them to warn you?

15 MR. SHUR: Objection as to form.

16 THE WITNESS: Again, I think these risks
17 are everywhere, and it's not necessarily reasonable,
18 no, to expect a platform like TikTok to make that
19 warning.

20 BY MR. WEINKOWITZ:

21 Q. Understood.

22 Next key finding. "Transactional LIVE
23 Gifting."

24 Do you see that?

25 A. Yes.

1 Q. First one says, "Significant Revenue from
2 Transactional Gifting." Correct?

3 A. Yes.

4 Q. And that's -- revenue is money, correct?

5 A. Yes.

6 Q. That means that TikTok gets significant
7 revenue from transactional gifting, correct?

8 A. Yes.

9 Q. Now, if you go into the slide notes, the
10 notes for the slide -- sorry -- it says that TikTok
11 LIVE feature is causing kids who are hosting to be
12 exploited.

13 Do you see that?

14 A. Where exactly are you?

15 Q. I'm sorry.

16 It's -- if you go down it says "Live
17 Interaction Enables Exploitation of Live Hosts."

18 Do you see that?

19 A. Yes.

20 Q. Okay. And that is something that you
21 communicated during your presentation, correct?

22 A. Yes.

23 Q. And was V Pappas in the room when you
24 communicated that?

25 A. I don't remember when she walked in the

1 room.

2 Q. 20 other people from inside the company
3 that were in the room, correct?

4 A. Yes.

5 Q. And did -- that's sort of consistent with,
6 is it not, the Forbes article, "How TikTok [Live]
7 Became A Strip Club For 15-Year-Olds." Correct?

8 A. Yes.

9 MR. SHUR: Objection as to form.

10 BY MR. WEINKOWITZ:

11 Q. And did TikTok or ByteDance tell users or
12 parents or the public that there are risks of
13 exploitation for children that use the livestream
14 feature?

15 MR. SHUR: Objection. Asked and answered.

16 THE WITNESS: Yeah. No further comment on
17 that question.

18 BY MR. WEINKOWITZ:

19 Q. Well, you don't get to do that. You have
20 to answer the question.

21 MR. SHUR: She's answered the question
22 over a dozen times and you keep asking the same
23 question over and over again expecting a different
24 answer.

25 MR. WEINKOWITZ: I don't.

1 A. Yes.

2 Q. This is a -- Exhibit 14 is a Lark Chat
3 between you and Jamie Favazza, the Global Head of
4 Trust and Safety Communications, in late April of
5 2022.

6 Do you see that?

7 A. Yep.

8 Q. It was produced to us in this litigation
9 by ByteDance and TikTok out of your file.

10 Do you have any reason to dispute that?

11 A. No.

12 Q. And you were communicating in the Chat
13 with Ms. Favazza who is a TikTok or ByteDance
14 employee in the regular course of your work at
15 TikTok, correct?

16 A. Yes.

17 Q. You have no reason to believe that this
18 Chat was altered in it -- from its original form in
19 your file, do you?

20 A. No.

21 Q. Okay. Let's look at the very first two
22 messages.

23 It looks like on April 21, 2022, you sent
24 Jamie Favazza a document, PC and livestream
25 investigation point doc, right?

1 A. Yes.

2 Q. And you say, "We did this in Jan/Feb."

3 Right?

4 A. Yes.

5 Q. Okay. And that would be January/February
6 of 2021, correct?

7 A. Yes -- no.

8 Q. 2022?

9 A. 2022.

10 Q. '22. Sorry.

11 2022, correct?

12 A. Yes.

13 Q. And you refer to the Forbes article,
14 right?

15 A. Yes.

16 Q. And that's the Forbes article titled "How
17 TikTok [Live] Became A Strip Club Filled With
18 15-Year-Olds." Right?

19 A. Yes.

20 Q. And can you please read to the jury what
21 you said in the sentence -- second sentence of your
22 Chat starting with, "We did this."

23 A. [As read]:

24 We did this in Jan/Feb and everything this
25 Forbes article is addressing are things we already

1 knew, at least on my team, and that are absolutely
2 true.

3 Q. And you didn't just write that they were
4 true, you wrote that they were absolutely true,
5 correct?

6 A. Correct.

7 Q. Those were your words in 2022, correct?

8 A. Correct.

9 Q. All right. And if you go -- the next
10 sentence, it says [as read]:

11 It was elevated to Vanessa the first week
12 of March and then to Shou, Wenjia, and Adam a couple
13 weeks after that.

14 Did I read that correctly?

15 A. Yes.

16 Q. Those are the top executives at TikTok
17 that you are talking about, correct?

18 A. Yes.

19 MR. WEINKOWITZ: Let's pull up slide 21A,
20 which we'll mark as Exhibit 15.

21 (Whereupon, TikTok-Maher Exhibit 15 was
22 marked for identification.)

23 BY MR. WEINKOWITZ:

24 Q. At the top right is V Pappas. And that's
25 the COO of TikTok, correct?

1 A. Yes.

2 Q. And that's who you were talking about,
3 correct?

4 A. Yes.

5 Q. And to the left of her is Shou Zi Chew who
6 is the TikTok CEO, correct?

7 A. Yes.

8 Q. And that's who you were talking about,
9 correct?

10 A. Yes.

11 Q. And Adam Wang, who is below Mr. Chew, is
12 the Global Head of TikTok LIVE, correct?

13 A. Yes.

14 Q. And he was one of the executives you were
15 talking about in that text, right?

16 A. Yep.

17 Q. And Zhu Wenjia is the Global TikTok R&D
18 Chief, correct?

19 A. That's what the slide says. I don't
20 remember his exact title.

21 Q. Okay. Do you have any reason to dispute
22 that that was his title?

23 A. No.

24 Q. That he was one of the executives that you
25 were talking to, correct?

1 A. Yes.

2 Q. Talking about, correct?

3 A. Yes.

4 Q. Now, let's continue looking at your
5 message to Jamie Favazza.

6 We -- the second-to-last sentence you say
7 [as read]:

8 I've been on a crusade to fix this problem
9 for months now and honestly I'm frustrated to not
10 have succeeded before this article.

11 Did I read that correctly?

12 A. Yes.

13 Q. And that's what you wrote at the time,
14 correct?

15 A. Yes.

16 Q. And you were frustrated, correct?

17 A. Yes.

18 Q. You were trying to fix TikTok's -- TikTok
19 LIVE -- strike that.

20 You were trying to fix serious dangers for
21 kids from TikTok's -- TikTok LIVE, correct?

22 A. Yes.

23 Q. And some of those dangers were called out
24 in the Forbes article, right?

25 A. Yes.

1 Q. And that's a Forbes article that you said
2 was absolutely true, correct?

3 A. Yes.

4 Q. You say you were on a crusade for months,
5 right?

6 A. Yes.

7 Q. And part of that crusade was elevating
8 safety issues to the highest executives inside
9 TikTok, correct?

10 A. Yes.

11 Q. You even used the word "elevated."
12 Correct?

13 A. Yes.

14 Q. Because you cared about kids being harmed
15 on TikTok, did you not?

16 A. Yes.

17 Q. And you knew from your work on Project
18 Meramec that there was a risk of kids being groomed
19 and harmed by adult predators on TikTok, correct?

20 A. Yes.

21 Q. And you cared about underage children --
22 you cared -- strike that.

23 You cared about the fact that underage
24 children of 8, 9, 10, or 11 could get onto TikTok by
25 signing up through Google, Facebook, or Instagram,

1 correct?

2 A. My concern was more so on the teenagers.
3 We did not see 8-, 9-, 10-year-olds anywhere near as
4 often as we saw teens.

5 But yes, I was concerned about kids on
6 TikTok.

7 Q. And you just used the words "anywhere
8 near" so that means that you saw some 8-, 9-, and
9 10-year-olds, correct --

10 A. I don't --

11 Q. -- on TikTok?

12 A. I don't recall -- I don't recall ages in
13 any sort of numbers. There may have been a handful
14 that could have been eight. But I don't recall the
15 numbers.

16 Q. Understood.

17 Your job was to protect kids, and you were
18 frustrated, right?

19 A. My job was to investigate risks on TikTok
20 that could result in harms against all TikTok users.
21 And I was frustrated, yes.

22 Q. And you wouldn't have called it a crusade
23 unless it was a serious issue, right?

24 A. Yeah, that's correct.

25 Q. You personally pushed for action to fix

1 the serious dangers to kids that the Forbes article
2 was calling out, correct?

3 A. Yes.

4 Q. And it was so concerning to you that you
5 even escalate the issue to V Pappas, the chief
6 operating officer, correct?

7 A. I did not escalate it to V Pappas myself.
8 I sent my report to Eric Han, the head of trust and
9 safety, and I believe that he escalated it to
10 V Pappas.

11 Q. Okay. So that's what you mean when you
12 say it was elevated to V Pappas the first week of
13 March, correct?

14 A. Yes.

15 Q. All right. Let's look at the next text
16 down.

17 In this next message, which is about two
18 minutes after that first message, you explain more
19 about why you're so frustrated, correct?

20 A. Yes.

21 Q. You say [as read]:

22 Put simply, senior leaders know about this
23 issue. There are some ongoing projects to fix parts
24 of it, and frankly, I'm hoping this article --

25 And underline this part, Evan.

1 -- puts a fire behind other potential
2 solutions. I've been advocating for like not
3 allowing hosts whose livestream are closed to cash
4 out the gifts received during the livestream. You
5 recall me saying that during the Ukraine scam
6 problem.

7 Did I read that correctly?

8 A. Yes.

9 Q. And you do say "senior leaders know about
10 this issue." Correct?

11 A. Yes.

12 MR. WEINKOWITZ: And pull up 21A, please,
13 again. The last exhibit.

14 Q. Those are the senior leaders, correct?

15 A. Yes.

16 Q. Were you referring to any other senior
17 leaders?

18 A. Was I referring to them?

19 Q. To anybody else other than them?

20 A. I was probably referring to all the
21 leaders that I had sent it to directly, Eric Han and
22 his direct reports.

23 Q. Would it be fair to say that you brought
24 the dangers of TikTok LIVE features to the attention
25 because they had the power to implement the safety

1 changes?

2 A. Yes.

3 Q. You had already proposed specific fixes,
4 hadn't you?

5 A. Yes, I had.

6 Q. And you even used the word "fix" in your
7 message to Ms. Favazza, correct?

8 A. Yes.

9 Q. And one of those fixes was to stop closed
10 stream hosts from cashing out, correct?

11 A. Correct.

12 Q. You weren't just complaining, were you,
13 about actively pushing for change, correct?

14 A. Can you rephrase your question?

15 Q. Yeah, it's a bad question.

16 You hoped that the Forbes article would
17 spur action inside the company, correct?

18 A. Yes.

19 Q. And that's what you mean when you say [as
20 read]:

21 I'm hoping this article puts a fire behind
22 other potential solutions I've been advocating.

23 Correct?

24 A. Yes.

25 Q. And so from your perspective, the Forbes

1 article may have been a good thing because it might
2 put pressure on leadership to finally take action to
3 protect kids the way you were recommending, correct?

4 A. Yes.

5 Q. Let's look at -- continue on, as a matter
6 of fact, next Chat down, Ms. Favazza responds to
7 you, correct?

8 A. Yes.

9 Q. She thanks you. She says, "Thank you so
10 much," exclamation point, right?

11 A. Yes.

12 Q. She says, "The only silver lining in press
13 like this is that they do tend to spark a fire" --

14 Underline "spark of fire," please.

15 -- "so hopefully we can get things fixed
16 sooner." Right?

17 A. Yes.

18 Q. And what she's referring to is the -- is
19 the Forbes article, "How TikTok Live Became A Strip
20 Club With 15-Year-Olds." Correct?

21 A. Correct.

22 Q. She's referring to that and refer as a
23 silver lining, correct?

24 A. Correct.

25 Q. She actually wrote that the press coverage

1 tends to spark a fire, correct?

2 A. That's what it says, yes.

3 Q. To get things fixed sooner, correct?

4 A. That's what it says, yes.

5 Q. These -- she's sharing with you her
6 experience as the Global Head of Trust and Safety
7 Communications, right?

8 MR. SHUR: Objection as to form.

9 THE WITNESS: Jamie was the global head of
10 communications, yes.

11 BY MR. WEINKOWITZ:

12 Q. And she's -- okay.

13 And she's telling you the press coverage
14 tends to spark a fire, correct?

15 A. Yes.

16 Q. And as someone who handles press at TikTok
17 you would expect that Ms. Favazza understood how
18 TikTok responds to media scrutiny, correct?

19 MR. SHUR: Objection as to form.

20 THE WITNESS: I'd never worked in public
21 relations. So I don't know if I can comment or have
22 an opinion.

23 BY MR. WEINKOWITZ:

24 Q. Well, she's -- she's the person who works
25 in public relations, correct?

1 Q. And monetization means the process of
2 making money, correct?

3 A. Yes.

4 Q. Do you recall having a conversation with
5 [REDACTED] in March of 2022 about the Forbes
6 article?

7 A. No, because the Forbes article came out in
8 April.

9 Q. Okay. Do you recall having any
10 conversation with [REDACTED] in 2022 about issues
11 related or around the Forbes article?

12 A. In 2022, yes.

13 MR. WEINKOWITZ: Okay. Let's pull up
14 Tab G4.

15 Take your time. Let me know when you're
16 ready.

17 Thank you. 16.

18 (Whereupon, TikTok-Maher Exhibit 16 was
19 marked for identification.)

20 THE WITNESS: Okay. I'm ready.

21 BY MR. WEINKOWITZ:

22 Q. Okay. Have I given you a fair and
23 adequate opportunity to review Exhibit 16?

24 A. Yes.

25 Q. This is a Lark Chat between you and [REDACTED]

1 [REDACTED] starting in around March 21st, 2022, correct?

2 A. Yes.

3 Q. And this Lark Chat was produced in this
4 litigation by TikTok and ByteDance from your files.

5 Do you have any reason to dispute that?

6 A. No.

7 Q. And you were communicating in this Chat
8 with [REDACTED] and other TikTok -- well, [REDACTED]
9 [REDACTED] in the course of your regular work at TikTok,
10 correct?

11 A. Correct.

12 Q. And you have no reason to believe this
13 Chat was altered from its original form in your
14 file, do you?

15 A. No.

16 Q. All right. Turn to the fourth page, if
17 you would, it ends in Bates 8270.

18 Do you see your first Chat there, your
19 first communication?

20 A. Yep.

21 Q. It's on April 27, 2022, at 15:51:32.

22 You send [REDACTED] the Forbes article,
23 "How TikTok Live Became A Strip Club Filled With
24 15-Year-Olds." Correct?

25 A. Yes.

1 Q. And he responds, "Ugh." Right?

2 A. Yep.

3 Q. And then he asks you, "Has leadership said
4 anything about it?" Right?

5 A. Yes.

6 Q. And you responded, "Oh, yes, it's as if
7 they can't remember reading our Project Meramec
8 doc." Correct?

9 A. Project Meramec, yes.

10 Q. Sorry.

11 And when you answer, "Oh, yes" --

12 Evan, can you pull up G21A, whatever
13 exhibit number that is again.

14 When you say, oh, yes, that leadership had
15 something to say, you're referring to these
16 executives, correct?

17 A. I'm not sure if I was referring to them at
18 the time. I'm -- was probably more referring to my
19 direct leadership because at this point we were just
20 starting the sort of escalation response.

21 Q. Okay. And who is your direct leadership
22 that you are referring to?

23 A. Eric Han, head of trust and safety, and
24 his direct reports.

25 Q. And who are his direct reports?

1 A. [REDACTED] Tara Wadhwa. Maybe
2 [REDACTED] at the time because she was my
3 direct manager. I don't know if she had Tara
4 between her and Eric.

5 Q. Okay. Thank you.

6 And you say "they can't remember reading
7 our Project Meramec doc." That's the internal
8 project that you led that focused on understanding
9 the risks associated with TikTok livestream feature,
10 correct?

11 A. Correct.

12 Q. And particularly in younger users, right?

13 A. Right.

14 Q. All right. And then [REDACTED] says, "That or
15 if they've spent more than 30 seconds on LIVE."

16 Right?

17 A. Right.

18 Q. You do the "yes" emoji, right?

19 A. Yep.

20 Q. And then you say [as read]:

21 What blows my mind the most, the people
22 working in LIVE apparently don't spend any time on
23 the platform, correct?

24 A. Yes, that's what it says.

25 Q. Who are you referring to? Who are those

1 people?

2 A. I was probably referring mostly to the
3 policy team.

4 Q. Who are they? What are their names, the
5 policy team?

6 (Whereupon, a brief discussion off the
7 record.)

8 THE WITNESS: [REDACTED]
9 [REDACTED]

10 BY MR. WEINKOWITZ:

11 Q. Anyone else?

12 A. [REDACTED] led the policy livestream
13 team but she was as concerned as me. So that's not
14 who I'm referring to here.

15 Q. And then what you do is is you actually
16 post the findings from Project Meramec, correct?

17 A. Yes.

18 Q. Those were the findings that you shared
19 with senior leadership in February, correct?

20 A. Correct.

21 Q. And we're going to look at those in a
22 minute but I want to look at your next text.

23 On the next page, read what -- to the
24 ladies and gentlemen of the jury what you write.

25 A. [As read]:

1 Honestly, though, this was right up front
2 for Shou, Wenjia, and Adam in late February.

3 MR. WEINKOWITZ: Could you pull up -- I
4 forgot what number it was -- that slide again,
5 Evan -- actually, G4B, please.

6 Q. Is that who you're referring to, ma'am?

7 A. Yes.

8 Q. That's Wenjia, Zhu Wenjia, Global TikTok
9 R&D Chief, correct?

10 A. Yep.

11 Q. And that's Shou Zi Chew, the TikTok CEO,
12 correct?

13 A. Correct.

14 Q. And Adam Wang, the Global Head of TikTok
15 LIVE, correct?

16 A. Correct.

17 Q. And you say [as read]:

18 Honestly, though, this was right up front
19 for all of those executives on the slide.

20 Correct?

21 A. Yes.

22 Q. And you put "right up front" in capitals,
23 correct?

24 A. Correct.

25 Q. And you meant to emphasize those words,

1 correct?

2 A. Yes.

3 Q. And this is the second text messages we've
4 seen where you're saying that the top leaders at
5 TikTok knew about the harms to kids as your Project
6 Meramec found, correct?

7 A. Yes.

8 Q. After you say [as read]:
9 Honestly, this was right up front --
10 strike that.

11 Let's look at your next -- that message to
12 [REDACTED] after you say that this was right up
13 front to the executives.

14 You say [as read]:

15 And I have been fighting about fixing this
16 for months with people who didn't think the harms
17 are severe enough.

18 Correct?

19 A. Correct.

20 Q. And you say you were trying -- you were
21 fighting about fixing this with -- for months with
22 people.

23 Who are those people?

24 A. The primary individual was [REDACTED]

25 Q. And what was her title?

1 A. I believe she managed the ANSA policy
2 development work.

3 Q. And the harms that you were talking about
4 are harms to children and teenagers from hosting
5 livestreams, correct?

6 A. The harms were not solely children and
7 teenagers. It was my concern around the prevalence
8 of the transactional sexual content and any viewers.
9 That did include children and teenagers.

10 Q. And children who were under 13 who were
11 gaining access to TikTok by signing up using Google,
12 Facebook, Instagram and/or. Correct?

13 (Whereupon, a brief discussion off the
14 record.)

15 BY MR. WEINKOWITZ:

16 Q. And [REDACTED] responds [as read]:
17 Right, you mentioned this to me on like
18 day one of me being here.

19 Correct?

20 A. Correct.

21 Q. And you do a crying emoji, right?

22 A. Yes.

23 Q. And if you look to the very last page,
24 [REDACTED] says "can't say you didn't tell them."
25 Right?

1 A. Yes.

2 Q. And you understood the "them" to be the
3 senior leadership at TikTok, correct?

4 A. Yes.

5 MR. WEINKOWITZ: Okay. Let's take a
6 break.

7 THE VIDEOGRAPHER: The time is 11:40 a.m.
8 Pacific time. We're going off the record.

9 (Whereupon, a brief recess was taken.)

10 (Whereupon, TikTok-Maher Exhibit 17 was
11 marked for identification.)

12 THE VIDEOGRAPHER: The time is 12:35 p.m.
13 Pacific time. We're back on the record.

14 BY MR. WEINKOWITZ:

15 Q. Okay. Ms. Maher, thank you for coming
16 back. I appreciate it.

17 We are still going to be looking at
18 Exhibit 16. And we're still on page ending in
19 Bates 271, which is page 5.

20 All right. So before we broke and before
21 we read the rest of these Chats I indicated that we
22 were going to go back to your key findings that you
23 circulated in -- forwarded in this Chat. So let's
24 get back there.

25 You see that you write, right before the

1 Chat message where you write, "Honestly, though,
2 this was right up front for Shou, Wenjia, Adam in
3 late February," you forward your -- the key findings
4 for Project Meramec, correct?

5 A. Yes.

6 MR. WEINKOWITZ: And let's pull up G4A,
7 which we'll mark as Exhibit 18.

8 (Whereupon, TikTok-Maher Exhibit 18 was
9 marked for identification.)

10 BY MR. WEINKOWITZ:

11 Q. So what -- this is a more legible copy
12 that was attached to this Lark Chat so that it's a
13 little easier for everybody to read, okay?

14 A. Okay.

15 Q. And it was produced to us attached to the
16 Lark Chat that you were having with [REDACTED]

17 Any reason to dispute that?

18 A. No.

19 Q. All right. And these are the key findings
20 from Project Meramec that you forwarded in the Chat
21 conversation, correct?

22 A. Yes.

23 Q. And these are the ones that were right up
24 front for senior leadership in February 2022,
25 correct?

1 A. Yep.

2 Q. So let's take a look at the key findings.
3 We'll look at bullet point number one.

4 Bullet point number one reads [as read]:
5 Signups via Google, slash, Meta
6 automatically grant users an 18-plus experience.

7 Did I read that correctly?

8 A. Yes.

9 Q. So if a child signs up for TikTok via
10 Google or Meta, meaning Facebook or Instagram, they
11 are automatically given an 18-plus experience,
12 correct?

13 A. Yes.

14 Q. Even if that child is 10 or 11 years old,
15 correct?

16 A. Yes. The company was not aware that this
17 was happening.

18 Q. You were aware that this was happening,
19 correct?

20 A. I became aware of this happening through
21 my investigation, yes, and brought it to my --
22 brought it to leadership.

23 Q. Correct.

24 So you were aware, you worked for the
25 company, you were aware that this was happening, and

1 this was a finding in Project Meramec that you
2 brought to senior leadership, correct?

3 A. Correct.

4 Q. All right. Next sentence says "112K
5 L1-Hosted Lives in January."

6 Do you see that?

7 A. Yes.

8 Q. All right. That means L1 is kids under
9 16; is that right?

10 A. Yes.

11 Q. So that means 112,000 children under 16
12 posted TikTok LIVES in January, correct?

13 A. Correct. But I'll clarify that L1 was
14 for -- was 13- through 15-year-olds.

15 Q. Okay. So it was even younger. It could
16 have been 112,000 13- to 15-year-olds hosting TikTok
17 LIVE in January, right?

18 A. Yes.

19 Q. And that's 112,000 in one month, correct?

20 A. Correct. And then some of those --

21 Q. And that's --

22 A. One more point of clarification.

23 Many of those were the same hosts. So
24 that was a total count of livestreams. That is not
25 the total count of individuals.

1 Q. Understood.

2 Something that senior leadership was told,
3 correct?

4 A. Yes.

5 Q. Next [as read]:

6 We suspect many L1 hosts, which are kids
7 13 to 15, signed up for TikTok via Google/Meta
8 surpassing the age gate and getting an 18-plus
9 experience, correct?

10 A. Correct.

11 Q. That's something that senior leadership
12 was told, correct?

13 A. Yes.

14 Q. Next sentence [as read]:

15 The lack of an age gate does not prohibit
16 age-gated features, including host LIVES, sending
17 and receiving gifts, and direct messages.

18 Did I read that correctly?

19 A. Yes.

20 Q. So if you were a user that was 9, 10, or
21 11 years old and you signed up for TikTok through
22 Google or Meta -- Facebook and Instagram -- those
23 kids would not be redirected into Kids Mode,
24 correct?

25 A. I -- I believe that's the case.

1 Q. They would have access to the main 18-plus
2 TikTok platform, correct?

3 A. Correct.

4 Q. They would get the 18-plus TikTok LIVE
5 experience, correct?

6 A. I believe so. I -- yes, I think that's
7 right.

8 Q. And they were able to send and receive
9 gifts. That's what this quote means, correct?

10 A. Yes.

11 Q. And that -- they were able to -- they were
12 able to exchange direct messages, correct?

13 A. Yes.

14 Q. And that's something that senior
15 leadership was informed about, correct?

16 A. Yes.

17 Q. All right. The next bullet point under
18 key findings of Project Meramec. It says [as read]:
19 Significant revenue from gifting 1 million
20 gifts sent to violating livestreams in January.

21 Correct?

22 A. Yes.

23 Q. Revenue means money, correct?

24 A. Yes.

25 Q. Significant means a lot, correct?

1 A. Yes.

2 Q. And that money and revenue goes to TikTok,
3 right?

4 A. Through a revenue sharing process --

5 Q. Right.

6 A. -- we're part of the host, yes.

7 Q. TikTok makes money, correct?

8 A. Yes.

9 Q. And then it says [as read]:

10 LIVE primary line of business is live
11 gifting.

12 Does that mean TikTok LIVE's primary line
13 of business is live gifting?

14 A. Yes, the primary revenue stream and
15 livestream is the gifting feature.

16 Q. And at this time if a child of the age of
17 11 was on TikTok, they would be able to use this
18 gifting feature, correct?

19 A. Can you repeat the question?

20 Q. Yes, ma'am.

21 I said at this time if a child at the age
22 of 11 signed up for TikTok through Google or
23 Facebook, they would have access to this gifting
24 function?

25 A. Yes.

1 Q. And you brought that to senior
2 leadership's attention, correct?

3 A. I brought this to Eric Han and his
4 leadership team.

5 Q. Okay. And how many -- who is his
6 leadership team?

7 A. [REDACTED] Tara Wadhwa, and
8 [REDACTED]

9 Q. Next is [as read]:

10 Roughly 1 million gifts were sent to
11 livestreams that were closed as a result of
12 violation -- a violation in 2022 presenting a PR
13 risk that TikTok is profiting off violations.

14 Did I read that correctly?

15 A. Yes.

16 Q. And PR means public relations, correct?

17 A. Yes.

18 Q. And that means a risk of bad press, right?

19 A. Yes.

20 Q. Every time someone buys a gift on TikTok,
21 TikTok receives a portion of the money, right?

22 A. I believe so. I don't know all the
23 details of how it works. But I think that's right.

24 Q. Okay. Sorry. I didn't mean to cut you
25 off.

1 So for each of these 1 million gifts sent
2 in the one month of January 2022 to a stream TikTok
3 later closed for a violation, TikTok received money,
4 right?

5 A. Yes.

6 Q. And that's why it was a PR risk, that
7 TikTok might be profiting off of these violations,
8 correct?

9 A. Yes.

10 Q. And that PR risk actually came true with
11 the Forbes article, right?

12 A. Yes, I would say so.

13 Q. Do you recall in the Chat with [REDACTED]
14 when you said, "I've been fighting about fixing this
15 for months with people who didn't think the harms
16 are severe enough."

17 Do you remember that Chat?

18 A. Yeah.

19 Q. To the best of your knowledge, did TikTok
20 tell users, parents, or the public about the very
21 harms that you were referring to relating to a
22 livestream?

23 MR. SHUR: Objection as to form.

24 THE WITNESS: I'm not familiar with the
25 content or substance of any communications from

1 TikTok to parents.

2 BY MR. WEINKOWITZ:

3 Q. Those harms included children being
4 groomed by predators of TikTok, correct?

5 MR. SHUR: Objection as to form.

6 THE WITNESS: Can you rephrase the
7 question?

8 BY MR. WEINKOWITZ:

9 Q. Yes, ma'am.

10 The harms that you were referring to in
11 that particular Chat included the potential for
12 children to be groomed by predators on TikTok?

13 A. That was one of our concerns, yes.

14 Q. Now, not only did you communicate with
15 Jamie Favazza, [REDACTED] but there were other
16 employees that you expressed your frustration to,
17 correct?

18 A. Yes.

19 Q. [REDACTED] you worked with her at
20 TikTok, correct?

21 A. Yes.

22 Q. And she was a data -- data analyst,
23 product livestreams, correct?

24 A. Yes.

25 Q. Do you recall communications with

1 A. Yes, I believe I spoke about that with
2 them.

3 Q. And would you have done that over Lark
4 Chat?

5 A. Probably. I think we had some meetings,
6 too.

7 MR. WEINKOWITZ: Can we pull up G10, which
8 we'll mark as Exhibit...

9 MS. ARMSTRONG: 24.

10 MR. WEINKOWITZ: 24.

11 (Whereupon, TikTok-Maher Exhibit 24 was
12 marked for identification.)

13 BY MR. WEINKOWITZ:

14 Q. Take your time. Let me know when you're
15 ready.

16 A. Okay.

17 Q. Okay. Did I give you a fair and adequate
18 opportunity to review Exhibit 24?

19 A. Yes.

20 Q. This is a Lark Chat between you and [REDACTED]
21 [REDACTED]

22 Do you see that?

23 A. Yep.

24 Q. And you're chatting with your colleagues
25 at TikTok in the course of your regular work, right?

1 A. Yep.

2 Q. And no reason to believe that this Chat
3 was altered from its original form in your file, do
4 you?

5 A. No.

6 Q. Do you see that these communications are
7 between May 1 and 19 -- May 1 and May 19, 2022?

8 A. I think they start at May 18th, not
9 May 1st.

10 Q. Yeah, that's right. May 18th and -- let
11 me just ask that question again.

12 Do you see that these communications were
13 between May 18 and 19, 2022?

14 A. Yes.

15 Q. All right. Let's look at the first page,
16 if you would. The very first message.

17 In this first message you say that there
18 are 1,200 -- 122,806 LIVE rooms were closed for
19 violations in January.

20 Do you see that?

21 A. Yes.

22 Q. And that would have been January of 2022?

23 A. Yes.

24 Q. And there were 100,939 L1s, so kids under
25 16, right?

1 A. Yes.

2 Q. Hosted livestreams in January 2022,
3 correct?

4 A. Yes.

5 Q. And that could not just be kids that were
6 16, but as young as 11, correct, and even younger?

7 A. It's possible. But we also had L0s, which
8 were, I believe, meant for 13 and under. So the L1s
9 was assumed to be 13 through 15.

10 Q. Okay. Did you not look at the L0s?

11 A. I don't recall.

12 Q. [REDACTED] he's head of ecosystems for
13 TikTok. Did he report to you?

14 A. No.

15 Q. All right. So let's see what he says in
16 the next -- second -- the next -- not the next Chat
17 but the next one after that.

18 He says looking at the first and third
19 questions, L1 -- that's under 16, right?

20 A. Yes.

21 Q. -- hosted rooms -- "hosted room should be
22 treated as violation and closed, correct?"

23 And then he says, "Does it mean we only
24 have 22,000 other violative rooms in January?"

25 Do you see that?

1 A. Yes.

2 Q. And so you respond, if you look at the
3 next page, "No, because most of the L1-hosted LIVES
4 weren't violated."

5 Do you see that?

6 A. I do.

7 Q. And what that means is no, most of the 13-
8 to 15-year old hosted TikTok LIVES weren't violated,
9 right?

10 A. Yes, I believe so.

11 Q. And so that means that there are 13- to
12 15-year-olds on TikTok LIVE and TikTok didn't shut
13 those LIVE rooms down, correct?

14 A. I -- I believe that's the case.

15 Q. Go to Chat -- I'm sorry, go to page 3
16 ending in Bates 387. And if you would look at the
17 third-to-last Chat from you on May 19th -- hold on a
18 second -- yeah, on May 19, 2022, at 3:29:13.

19 Do you see that?

20 A. Yep.

21 Q. And you in that Chat say, "We did not
22 investigate the minor hosts beyond this."

23 And then it says, "54.3 percent of our L1
24 hosts" -- that's hosts that are 13 to 15, correct?

25 A. Yes.

1 Q. -- "signed up for TikTok through another
2 platform, Google, Meta, Twitter, Apple, and
3 Instagram."

4 Do you see that?

5 A. Yes.

6 Q. And here you say 54.3 percent of those
7 kids got on the platform those -- through those
8 other platforms, correct?

9 A. Correct.

10 Q. And those kids weren't age-gated, correct?

11 A. I believe that's correct.

12 Q. And so that means that 45.7 percent of the
13 users must have signed up for TikTok a completely
14 different way, right?

15 A. I -- I don't know.

16 Q. The 54.3 percent that signed up for TikTok
17 through another platform, they should have been
18 age-gated, correct?

19 A. Can you rephrase?

20 Q. Sure.

21 The 54.3 percent of children that got onto
22 TikTok through Google, Facebook, Twitter, or another
23 platform that were under 13, they should have been
24 age-gated, correct?

25 MR. SHUR: Objection as to form.

1 THE WITNESS: I think you're saying
2 under 13. But L1 is 13 through 15. I'm a little
3 confused.

4 BY MR. WEINKOWITZ:

5 Q. Okay. So if an 11-year-old gets onto
6 TikTok through Google, right, or Facebook, or
7 Meta -- I'm sorry -- or Instagram, that 11-year-old
8 should have been age-gated but was not, correct?

9 MR. SHUR: Objection as to form.

10 THE WITNESS: Everyone should be
11 age-gated. The product gap was that the age gate
12 was not pushed if anyone signed up via platform.

13 BY MR. WEINKOWITZ:

14 Q. Understood.

15 Look at the next Chat down, [REDACTED]
16 [REDACTED] he tells you that, "Adam
17 mentioned that L1" -- which is under 15 -- "model is
18 not currently accurate." Correct?

19 A. Yes.

20 Q. Who is Adam?

21 A. Adam Wang.

22 MR. WEINKOWITZ: Can you pull up G4B or
23 whatever that -- whatever the picture is with that
24 Mr. Wang so the jury can see.

25 Q. Adam Wang is to the right, right? He's

1 BY MR. WEINKOWITZ:

2 Q. And I will give you an opportunity to
3 review it. You tell me when you're ready to go.

4 A. Okay.

5 Q. Have I given you a fair and adequate
6 opportunity to review Exhibit 27?

7 A. Yes.

8 Q. All right. The title of this document is,
9 "Summary of Findings - TTN" -- that's TikTok Now,
10 right?

11 A. Yes.

12 Q. -- "30-Day Post-Launch Feature
13 Investigation [USDS TnS:TDP_PEx] 22 November 3."

14 Did I read that correctly?

15 A. Yeah.

16 Q. More or less.

17 And you updated this document on
18 November 3rd, 2022, correct?

19 A. I guess so. That's what it says there.

20 Q. Do you recognize this document?

21 A. Yes.

22 Q. And this was something that you either
23 created, in whole or in part, in the course of your
24 regular work at TikTok?

25 A. Yes, I reviewed this document. My direct

1 report wrote it.

2 Q. And you have no reason to believe it was
3 altered from how it existed in your files, do you?

4 A. No.

5 Q. All right. The first sentence says,
6 "TikTok Now (TTN) was launched on September 15,
7 2022, in the U.S. as an in-app feature."

8 Did I read that correctly?

9 A. Yep.

10 Q. And this is a report of 30 days
11 post-launch of TikTok Now, correct?

12 A. Yes.

13 Q. And what this is a report of -- strike
14 that.

15 So it says, in the first paragraph [as
16 read]:

17 Now that this feature has been launched,
18 PEx conducted a 30-day post-launch feature
19 investigation of TTN, TikTok Now, where we analyze
20 data, tested the features, reviewed public feed,
21 interviewed internal stakeholders, and scanned
22 online discussions and coverage.

23 Did I read that correctly?

24 A. Yes.

25 Q. What is PEx?

1 Q. TikTok learned that -- that kids were
2 chatting on TikTok Now to avoid parental
3 supervision, right?

4 MR. SHUR: Objection as to form.

5 THE WITNESS: Can you rephrase?

6 BY MR. WEINKOWITZ:

7 Q. Sure.

8 TikTok learned that kids were chatting on
9 TikTok Now to avoid parental supervision?

10 MR. SHUR: Objection as to form.

11 THE WITNESS: According to this report,
12 there was some comments that suggested some kids
13 were doing that.

14 BY MR. WEINKOWITZ:

15 Q. Okay. So let's look at the bottom of this
16 paragraph. It starts with, "Users discussed."

17 Do you see where I'm at?

18 [As read]:

19 Users discuss that their parents check
20 their messages on platforms such as Messenger but do
21 not check TikTok Now, TTN, comments and explain that
22 they are chatting on TTN to avoid parental
23 supervision.

24 Do you see that?

25 A. Yes.

1 Q. And then it gives specific examples, does
2 it not?

3 A. Yes.

4 Q. All right. Let's pull up the first
5 specific example. It says [as read]:

6 I say let's ease into it about texting.
7 I'll just mention your name a lot -- some emojis --
8 I'm too scared to actually text you cause of your
9 mom. Could easily text you on Insta or on iMessage
10 but your mom.

11 Did I read that correctly?

12 A. Yes.

13 Q. Now, let's look at the observation under
14 number 3 on the bottom of page 3.

15 Do you see where I'm at, "Observations"?

16 A. Yeah.

17 Q. All right. Number 3. "TTN Posting
18 Patterns." TTN, which is TikTok Now, right?

19 A. Yep.

20 Q. L1 to L2, which is 13 to 17 users, right?

21 A. Yep.

22 Q. "Were posting during school hours,
23 particularly in time zones on the West Coast and in
24 Hawaii."

25 Did I read that correctly?

1 A. Yes.

2 Q. As part of this investigation TikTok
3 learned that 13- to 15-year-old kids were posting
4 during school hours, correct?

5 A. Yes.

6 Q. So TikTok Now sends a daily notification,
7 right?

8 A. Yes.

9 Q. And what this found was those
10 notifications were happening during school hours,
11 correct?

12 A. First, yes, for some kids.

13 Q. For some kids.

14 And then that was compelling or prompting
15 those children during school hours to host on
16 TikTok, correct?

17 A. Yes.

18 Q. And according to this document, it is
19 generated randomly -- TikTok Now notifications "is
20 generated randomly once for the entire United States
21 between 8:00 a.m. and 10:00 p.m. Eastern."

22 Did I read that correctly?

23 A. Yes.

24 Q. And TikTok analyzed TikTok Now posting
25 times by kids under 18, right? In the two states

1 with the most TikTok Now users, California and
2 Texas, to see if kids under 18 were posting during
3 school and sleep hours, right?

4 A. Yes, that's what it says.

5 Q. All right. And you also looked at the
6 State of Hawaii, correct?

7 A. The State of Hawaii?

8 Q. Yes, ma'am.

9 A. I think so.

10 Q. All right. And then it says -- I'm sorry,
11 did I cut you off?

12 A. I just was looking for where we talked
13 about Hawaii.

14 Q. If you look at page -- I think it's
15 page 4, Bates 558, number 1 in the middle, sort of
16 halfway down the page, it talks about Hawaii,
17 California, and Texas.

18 Do you see that?

19 A. Yep.

20 Q. All right. And then number 2, it says [as
21 read]:

22 Although peak posting times generally
23 falls outside local school hours, we still observe
24 significant posting from kids under 18 during school
25 hours defined as 8:00 a.m. to 2:00 p.m.

1 Do you see that?

2 A. Yeah.

3 Q. Now, can you understand how distracting it
4 might be for a kid receiving a TikTok Now
5 notification during class?

6 MR. SHUR: Objection as to form.

7 THE WITNESS: Can you reframe?

8 BY MR. WEINKOWITZ:

9 Q. Sure.

10 And you understand that it might be
11 distracting for a kid to receive a TikTok Now
12 notification while at school during class?

13 MR. SHUR: Same objection as to form.

14 THE WITNESS: Assuming they have a phone
15 with them in the middle of class, yeah, that would
16 be distracting.

17 BY MR. WEINKOWITZ:

18 Q. And TikTok Now encourages immediate
19 engagement, does it not?

20 A. Within a few minutes, I believe.

21 Q. So if a kid gets a TikTok Now they are
22 encouraged to immediately respond, correct?

23 A. That's what the app is designed to do,
24 yes.

25 Q. And if that happens during school hours,

1 that could be very distracting for the child,
2 correct?

3 A. Again, assuming that's -- that they have
4 their phone with them. And a lot of schools don't
5 allow phones to be available to kids during the
6 school day.

7 Q. Understood.

8 But if they did allow kids to have the
9 phones during school day, a TikTok Now notification
10 would be distracting, would it not?

11 A. Yes.

12 Q. Teachers are trying to keep students
13 focused and must find it very difficult to deal with
14 such an interruption.

15 Would you agree?

16 MR. SHUR: Objection as to form.

17 THE WITNESS: I've never been a teacher so
18 I -- I'm not sure how many distractions they must
19 deal with.

20 BY MR. WEINKOWITZ:

21 Q. Well, adding one more would be -- make it
22 much more difficult to teach.

23 Would you not agree with that?

24 MR. SHUR: Objection as to form.

25 THE WITNESS: I think being a teacher is

1 hard no matter what.

2 BY MR. WEINKOWITZ:

3 Q. And TikTok Now shouldn't make it harder,
4 correct?

5 MR. SHUR: Objection as to form.

6 THE WITNESS: I think teaching is hard no
7 matter what.

8 BY MR. WEINKOWITZ:

9 Q. If a teacher has to stop class to
10 discipline a student from using TikTok Now, that
11 disrupts the entire class, does it not?

12 MR. SHUR: Objection as to form.

13 THE WITNESS: It may disrupt the entire
14 class.

15 BY MR. WEINKOWITZ:

16 Q. And if students are focused on TikTok Now
17 instead of their lessons, that takes away from
18 instructional time for the whole class, does it not?

19 MR. SHUR: Objection as to form.

20 THE WITNESS: Can you reframe?

21 BY MR. WEINKOWITZ:

22 Q. Yes, ma'am.

23 If a student is focused on responding to a
24 TikTok Now in the middle of the lesson, it directly
25 takes away from instructional time for that student

1 and for others, correct?

2 MR. SHUR: Objection as to form.

3 THE WITNESS: Yes, sure.

4 BY MR. WEINKOWITZ:

5 Q. All right. Let's go to -- back to the
6 document.

7 Number 2 under the paragraph we just read
8 starting with the word "Specifically."

9 It says, "Specifically, we" -- that is
10 TikTok Now, right? Do you understand that to be
11 TikTok or TikTok Now, "we"?

12 A. TikTok.

13 Q. Okay. "Specifically, we" -- TikTok --
14 "identified" --

15 A. It's specifically -- I'm sorry. It's
16 specifically "we" as in my team that wrote this
17 paper.

18 Q. Right. And your team works for TikTok,
19 correct?

20 A. Yes.

21 Q. So specifically your team that works for
22 TikTok identified more than 190,000 TikTok Now
23 posts, about 14 percent of the population by kids
24 under 18, on weekdays in California and Texas,
25 correct?

1 STATE OF CALIFORNIA)

2 COUNTY OF YOLO)

3 I, ELAINA BULDA-JONES, a Certified Shorthand
4 Reporter of the State of California, duly authorized
5 to administer oaths pursuant to Section 2025 of the
6 California Code of Civil Procedure, do hereby
7 certify that

8 REAGAN MAHER,
9 the witness in the foregoing deposition, was by me
10 duly sworn to testify the truth, the whole truth and
11 nothing but the truth in the within-entitled cause;
12 that said testimony of said witness was reported by
13 me, a disinterested person, and was thereafter
14 transcribed under my direction into typewriting and
15 is a true and correct transcription of said
16 proceedings.

17 I further certify that I am not of counsel or
18 attorney for either or any of the parties in the
19 foregoing deposition and caption named, nor in any
20 way interested in the outcome of the cause named in
21 said deposition dated the _____ day of
22 _____, 2025.

23
24 <%7056,Signature%>

25 ELAINA BULDA-JONES, CSR 11720