

AMENDED Exhibit 445

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

Eric Ebenstein和[REDACTED]的单聊

[REDACTED] 2019-09-18 18:51:00

messages crossed.

EXHIBIT

4 TIKTOK EBENSTEIN 03/11/25 dv

exhibitclerk.com

Eric Ebenstein 2019-09-18 18:52:00

agreed though

[REDACTED] 2019-09-18 19:17:00

We also need to find out where this press release went, because it says we are participating.

Eric Ebenstein 2019-09-18 19:17:00

yeah. i mean if i have to, i have to. but its not a great thing.

[REDACTED] 2019-09-18 19:19:00

I just emailed to ask where this release went out.

[REDACTED] 2019-09-18 19:52:00

It's apparently not a press release. They are distributing only to people who are present. This means if we back out now, no one will know.

[REDACTED] 2019-09-18 20:11:00

Had a great call with FOSI. They're aligned with us using them as third party spokespeople...and will do what we want re: the press release, our top ten tips for parents and our parental portal / parental control blog :)

Eric Ebenstein THUMBSUP 2019-09-18 20:11:38

2019-09-20 00:15:00

Hey Eric, did the UN get officially called off?

Eric Ebenstein 2019-09-20 00:17:00

said she was taking care of it. Will confirm that she did but I think so.

2019-09-20 00:19:00

I'm glad. Just wanted to close the loop to make sure I didn't have any outstanding deliverables :)

Eric Ebenstein MUSCLE 2019-09-20 00:20:35

Eric Ebenstein 2019-09-20 11:05:00

let them know I'm out.

Eric Ebenstein 2019-09-20 11:05:00

However, They are aware that someone from TikTok will attend UN Climate UNICEF Panel and asked her to check with you. Any idea?

2019-09-20 14:03:00

Huh?

[REDACTED] 2019-09-20 14:04:00

I haven't heard anything. I don't even know who to ask about this...

Eric Ebenstein 2019-09-20 14:08:00

Yeah no clue either. I'll punt it back to [REDACTED]

[REDACTED] OK 2019-09-20 15:34:59

Eric Ebenstein 2019-09-20 18:33:00

Any thoughts on the PTA/NCMEC contracts?

[REDACTED] 2019-09-20 20:30:00

I haven't had a chance to review. It's on my to do for today though :)

Eric Ebenstein 2019-09-20 20:35:00

Groovy.

[REDACTED] 2019-09-20 22:10:00

Hey Eric, Just reviewed the PTA agreement. Everything is based on supporting events for Safer Internet Day. I'd love to include something along the line, of allowing us to provide 'Parents' Guide to TikTok' or some other collateral materials, that the PTA will give out to their local chapters, and the teachers of the schools to give to the kids parents on Parent Teacher days'. I also think we need to see if they are willing to do joint PR, / be a third person spokesperson for us with media.' Lastly, it would be great to have the PTA endorse our parents portal.' Looking at NCMEC now :)

[REDACTED] 2019-09-20 22:13:00

Does it make sense to loop Eric Han & [REDACTED] in to review the NCMEC SOW? It looks good to me, but they may have specific asks that make sense.

Eric Ebenstein 2019-09-20 22:14:00

Agree on both. Want to share ncmech with me and write me a quick note about pta concerns? I'll communicate back.

[REDACTED] 2019-09-20 22:15:00

Sure.

[REDACTED] 2019-09-20 22:23:00

done!

Eric Ebenstein 2019-09-20 22:24:00

Ty!

Eric Ebenstein 2019-09-24 15:00:00

in case you didn't see this - <https://parentology.com/why-is-tiktok-so-popular-and-is-it-safe-for-kids/>

[REDACTED] 2019-09-24 15:01:00

I saw it yesterday. Happy to chat through. We need to get out top ten pitch out and we need to do op-Ed's

Eric Ebenstein 2019-09-24 15:03:00

Just an interesting article. We'll have people to do our soon enough from what it sounds like. I'm talking with PTA this afternoon - there's plenty in there in Appendix A and B about the state and regional meetings, but I want to get a little more clarity and have them possibly structure the contract differently to highlight that. I'll let you know.

THUMBSUP 2019-09-24 15:04:06

Eric Ebenstein 2019-09-24 15:03:00

Are all of the VIPs out of your office now?

2019-09-24 15:04:00

I think so. It's hard to know for sure since no one is transparent about what is happening

Eric Ebenstein 2019-09-24 19:21:00

Talked to the PTA people again. They need a few months to plan good events, and safer internet day is kind of the huge bellweather in the beginning of next year. that makes sense. if we want, they'd deassociate some of the regional how-to tiktok events and have them be spaced out later in the year, but they argue against it.

Eric Ebenstein 2019-09-24 19:22:00

they'll also do whatever we want going forward in the fall after we're all signed off. they'll announce things publicly. their ceo will do press statements for us. they'll co-brand connect safely's how to tik tok guide. if we want them involved with a GLAAD project, they'll do that.

OK 2019-09-24 19:35:20

Eric Ebenstein 2019-09-24 19:22:00

they bring a lot of firepower to the table

Eric Ebenstein 2019-09-24 20:03:00

Here's their recap for me/you/us. Anyone else you think we should share the plan with? Let me know if your colleagues want to "unhook" some of the PTA TikTok-supported events from Safer Internet Day so that we can spread them out over a few months instead I can't recommend this myself, but I do respect your decision on this either way and we'll make it work! The first few months of our alliance mostly focuses on: Launching with fanfare, including a press release or newsroom post and across all of PTA's social channels Starting up a National PTA TikTok account and starting to post relevant content on that channel Selecting the 30 TikTok-supported event hosts and working closely with all of them to train them for hosting successful events Collaborating with ConnectSafely on the Parent Guide to TikTok and then figuring out what the PTA complement is (helping PTA leaders understand how to use/share the guide, the major talking points, etc.) Once the TikTok-supported events happen, we plan to do continuous storytelling across all our channels featuring the different event hosts, participants, etc., to raise the profile of the existence of the Parent Guide and create ongoing demand for it – the "live" events create a very long tail here. National PTA Convention Also don't forget we have set aside for us to do some state PTA events with you OR on your behalf, to further promote the Guide, and create positive conversation/understanding around TikTok

[REDACTED] 2019-09-24 20:45:00

Do we respond with what we'd like to do re: their National PTA convention? We should also talk about the states we need to do some PTA events in. I think they should be NY, CA & DC (since we have office space and they're politically important).

Eric Ebenstein 2019-09-24 20:46:00

those things we can decide on later, but yeah, we'll absolutely be able to work with them on both.

Eric Ebenstein 2019-09-24 20:46:00

the convention isn't until next summer

[REDACTED] 2019-09-25 02:52:00

Hey Eric, I'm going to put time in your calendar to discuss policy implications around location based features (i.e. tagging restaurant, tourist destinations etc.).

[REDACTED] 2019-09-25 18:18:00

Hi Eric, Has ConnectSafely officially become our partner? If so, can you do an e-intro?

Eric Ebenstein 2019-09-25 18:34:00

Yep. Sure.

Eric Ebenstein 2019-09-25 18:34:00

Can you call me before 530? That's a bad time for me.

[REDACTED] 2019-09-25 18:35:00

Absolutely. You can also just call me when you have time. I'm pretty open.

[REDACTED] 2019-09-25 19:59:00

Hi Eric, Reminder to send me links to bills re: facial recognition or location data. Thank you!

Eric Ebenstein 2019-09-26 18:33:00

If we're meeting now, you want to just call me or?

[REDACTED] 2019-09-26 18:33:00

I'll call you in a minute. Sorry, running late.

Eric Ebenstein 2019-09-27 20:41:00

as expected, FOSI only allows one person per member for members meeting next week, so i'm grabbing that seat. but for the annual meeting, here you go: https://www.eventbrite.com/e/fosi-2019-annual-conference-2020-vision-the-future-of-online-safety-tickets-64979860512?aff=odeimcmalchimp&utm_source=FOSI+Subscribers&utm_campaign=3f0ffbc056-EMAIL_CAMPAIGN_2018_AC_Registration_Open_COPY_01&utm_medium=email&utm_term=0_800d47c6d0-3f0ffbc056-302937433&mc_cid=3f0ffbc056&mc_eid=721fc4b52e

[REDACTED] 2019-09-27 21:04:00

Thank you. I emailed [REDACTED] earlier and she explained the situation. All good 😊

Eric Ebenstein 2019-10-02 15:21:00

fyi about covington - we've fired them. so they're only working for us through the end of october. so feel free to skip calls or use them if you think they're helpful

[REDACTED] 2019-10-02 16:33:00

How did that go?

Eric Ebenstein 2019-10-02 17:46:00

they knew it was coming. they basically fired themselves

[REDACTED] 2019-10-02 17:49:00

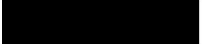
Got it.

[REDACTED] 2019-10-02 18:20:00

Wait, why did they fire themselves? Did they say it was a conflict of interest?

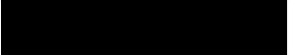
Eric Ebenstein 2019-10-02 18:27:00

i'll give you a call later to dish

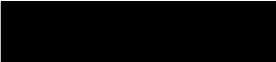
 THUMBSUP 2019-10-02 18:33:38

Eric Ebenstein 2019-10-07 17:50:00

this is cool! did we do this? <https://www.usatoday.com/story/life/parenting/2019/09/30/reese-witherspoon-tiktok-son-deacon-help-hilarious/3815018002/>

 2019-10-07 17:57:00

That was organic. She just joined on her own :)

 2019-10-10 00:01:00

Do we have a covington call tomorrow, or are they done now?

Eric Ebenstein 2019-10-10 00:01:00

Done. No point.

 OK 2019-10-10 00:01:30

 2019-10-10 17:38:00

Checking to see that we're still catching up today. Would love to discuss Connect Safely & PTA. LMK.

Eric Ebenstein 2019-10-10 17:44:00

yeah. just call me at our time.

OK 2019-10-10 17:45:47

2019-10-14 20:20:00

Eric do you have any comments / concerns about the new boost feature that may be launched?

Eric Ebenstein 2019-10-14 20:39:00

What's that one

2019-10-14 20:40:00

Paying to have views boosted by being put on the ForYou page

2019-10-14 20:40:00

I'll call you after 2:30pst, to give you more details

Eric Ebenstein 2019-10-14 20:41:00

I'll be at dinner for my moms bday. Won't be able to talk for a while.

2019-10-14 20:41:00

All good. let me know when you have time and I'll fill you in

Eric Ebenstein 2019-10-17 18:25:00

Hey. Have a 230 with the people in town here. Call you after if that's ok

THUMBSUP 2019-10-17 18:29:55

2019-10-17 19:57:00

Hey Eric, these are the new Safety blogs: <https://newsroom.tiktok.com/en-us/tag/safety>

Eric Ebenstein THUMBSUP 2019-10-17 20:05:37

2019-10-21 15:46:00

Sharing this tweet with you:

2019-10-21 15:46:00



Eric Ebenstein 2019-10-21 15:47:00

Yeah. Saw it. Thx. Man, we are in it.

[REDACTED] 2019-10-21 15:47:00

100%

[REDACTED] 2019-10-21 16:05:00

And this: <https://twitter.com/JackPosobiec/status/1185937703659036678>

Eric Ebenstein 2019-10-21 16:05:00

At least that guy is a certified lunatic.

[REDACTED] 2019-10-21 16:06:00

Another one: <https://twitter.com/descarteslover/status/1185912969986752512>

[REDACTED] 2019-10-21 20:56:00

Hey Eric, What did the final PTA contract work out to? I'm thinking that we should do a media tour with FOSI for parents and we can potentially leverage the PTA as a way to get to parents directly. What are your thoughts?

Eric Ebenstein 2019-10-21 20:57:00

Yes we should definitely work to combine assets. Finalizing it tmrw.

[REDACTED] 2019-10-22 17:42:00

Hey Eric, Are we doing a parent survey with Connect Safely? [REDACTED] just told me that she's looking at a marketing firm to get some research.

[REDACTED] 2019-10-22 17:54:00

Hi Eric, Making sure you saw this: <https://twitter.com/niubi/status/1186380538669604870>

[REDACTED] 2019-10-22 17:55:00

And this from Sleeping Giants: https://twitter.com/slpng_giants/status/1186349675336486912

Eric Ebenstein 2019-10-22 18:09:00

Direct her to me pls

[REDACTED] 2019-10-22 18:18:00

Let's schedule a call for the three of us. She needs direction...

Eric Ebenstein 2019-10-22 18:23:00

do you know who gave her that assignment?

[REDACTED] 2019-10-22 18:39:00

[REDACTED]

Eric Ebenstein 2019-10-22 18:41:00

yeah, i just reached out to her and sent her what i had.

Eric Ebenstein 2019-10-22 18:41:00

i'm kind of at full capacity right now, so happy to have her run with whatever

[REDACTED] 2019-10-23 16:29:00

Hi Eric, making sure you saw this tweet:
<https://twitter.com/richardbeales1/status/1186811890837721090>

[REDACTED] 2019-10-23 16:30:00

Here's another one: <https://twitter.com/courrielche/status/1186710913736273920>

Eric Ebenstein 2019-10-23 16:38:00

we got invited to the first event, as i recall.

[REDACTED] 2019-10-23 16:56:00

huh?

Eric Ebenstein 2019-10-23 17:32:00

from the tweet

Eric Ebenstein 2019-10-23 17:32:00

that discussion

[REDACTED] 2019-10-23 17:43:00

Ahh

Eric Ebenstein 2019-10-25 21:13:00

thanks for the info - quick question. do we have any stock language that's approved for use that describes bytedance versus tiktok and a quick description of the company?

Eric Ebenstein 2019-10-25 21:13:00

something that our outside lobbyists can use when asking for meetings with staffers?

[REDACTED] 2019-10-25 21:38:00

No. What I'd say is that TikTok is one of the portfolio companies under ByteDance, but that's not official language

Eric Ebenstein 2019-10-28 16:55:00

What's [REDACTED] at connect safely announcing next week?

[REDACTED] 2019-10-28 17:31:00

The doc we all reviews

[REDACTED] 2019-10-28 17:31:00

Reviewed

Eric Ebenstein 2019-10-28 17:32:00

it hasn't been made public that he's releasing something yet, right? we still have a ways to go before we're comfortable with it

[REDACTED] 2019-10-28 17:32:00

He's speaking at a conference

[REDACTED] 2019-10-28 17:32:00

About that doc

[REDACTED] 2019-10-28 17:32:00

And presenting it

Eric Ebenstein 2019-10-28 17:33:00

well then, i hope we agree with them on the final format and substance before then

Eric Ebenstein 2019-10-28 17:33:00

[what]

[REDACTED] 2019-10-28 17:34:00

The conf. is on cyberbullying...

Eric Ebenstein 2019-10-28 17:38:00

it make perfect sense. just hope we have our proverbial ducks in a row

[REDACTED] 2019-10-28 17:42:00

Me too.

Eric Ebenstein 2019-10-28 18:12:00

Next weds 12-2 we are doing a pta mtg. Want to join by phone? Anyone else to invite

[REDACTED] 2019-10-28 18:12:00

yes please!

Eric Ebenstein 2019-10-28 18:12:00

Done. Who else?

Eric Ebenstein 2019-10-28 18:12:00

Me and [REDACTED] in person

[REDACTED] OK 2019-10-28 18:13:03

DOCUMENT METADATA

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REDACTIONS:

REDACTION TYPE: