

AMENDED Exhibit 508

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

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

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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IN RE: SOCIAL MEDIA ADOLESCENT) MDL No. 4:22-md-
ADDITION/PERSONAL INJURY) 3047-YGR
PRODUCTS LIABILITY LITIGATION)

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)
This Document Relates to)
)
ALL ACTIONS)
)

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VIDEOTAPED DEPOSITION OF JULIA YAN

LOS ANGELES, CALIFORNIA

JUNE 18, 2025

9:12 A.M.

Job No.: 7375909

Pages: 1 - 389

Reported by: Leslie A. Todd, CSR No. 5129 and RPR

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1 point in between, you feel like you need a
2 break, you just let me know. Okay?

3 A. Okay.

4 Q. The only exception to that rule
5 is if there's a question currently pending,
6 we'll finish the question and then we'll take
7 the break.

8 A. Okay.

9 Q. Does that make sense?

10 A. Yes.

11 Q. Okay. You're comfortable with
12 all those ground rules?

13 A. Sorry?

14 Q. Are you comfortable with all
15 those ground rules?

16 A. Of course.

17 Q. Okay. I'm going to hand you two
18 documents. This is going to be the resume.
19 And these are going to be marked as Exhibits 1
20 and 2.

21 (Exhibit Nos. 1 and 2 were
22 marked for identification.)

23 BY MR. VERRIER:

24 Q. So we're going to mark this
25 document, which is your resume, as Exhibit 1.

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1 And we're marking this document as Exhibit 2.

2 Okay. So if I could turn your
3 attention to the document that's been marked as
4 Exhibit 1. This is, I believe, intended to be
5 your resume, up until the time you worked at
6 TikTok.

7 Is that right?

8 A. That's right.

9 Q. And does it accurately lay out
10 your work history prior to beginning at TikTok?

11 A. Yes.

12 Q. So from 2015 to '18, you were
13 senior product marketing manager at Amazon?

14 A. Correct.

15 Q. And then prior to that, you were
16 in consulting?

17 A. Yes.

18 Q. At the very bottom, under Skills,
19 I note that it says that you speak Chinese.

20 A. Yes.

21 Q. Are you fluent?

22 A. Yes.

23 Q. And if I could turn your
24 attention to what's been marked as Exhibit 2,
25 and this is some human resources information

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1 that's been provided by Bytedance.

2 Does that -- does that look
3 accurate?

4 A. Can I read through it?

5 Q. Yes, please, take your time.

6 A. (Witness peruses document.)

7 Okay. Yeah, based on -- some
8 of the dates I don't remember, quite frankly.
9 It's been a while, so -- the names should be
10 okay.

11 Q. So this indicates that you
12 started at Bytedance in October of 2018. Does
13 that sound right?

14 A. Yes.

15 Q. And then you remained there until
16 the end of the year 2018?

17 A. Yes.

18 Q. And then you started at TikTok on
19 January 1st, 2019; is that accurate?

20 A. Yes.

21 Q. And so beginning on January 1st,
22 2019, you were officially a TikTok employee?

23 A. Correct.

24 Q. And was that just a change on
25 paper or did something with your job change?

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1 A. Mainly change on entity on
2 paper.

3 Q. I'm sorry?

4 A. Mainly the change on paper.
5 The entity changing the company.

6 Q. The entity changed, and so your
7 job stayed the same, but you just moved from
8 one employer to the other?

9 A. Correct.

10 Q. Okay. And did you go directly
11 from your job at Amazon that ended sometime in
12 2018 to Bytedance in October of 2018?

13 A. Correct.

14 Q. So it notes here, if you look to
15 the third or fourth bullet point down, the
16 departments you worked in, that you originally
17 were in User Growth U.S. from October of 2018
18 through May 29th, 2023?

19 A. Correct.

20 Q. Is that accurate?

21 A. That should be accurate. I
22 don't remember the exact dates.

23 Q. And what was your job title?

24 A. I was leading the User Growth,
25 so it should be director of User Growth.

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1 Q. And did your job change -- your
2 job title change over the time that you were
3 working in User Growth?

4 A. Not that I remember.

5 Q. At any point, did you become the
6 head of User Growth?

7 A. The head was more of an
8 external/internal title, so yeah.

9 Q. So your internal title was --

10 A. The director of User Growth.

11 Q. -- director?

12 A. Yeah.

13 Q. And then to the outside world,
14 you were --

15 A. Correct.

16 Q. -- considered the head of User
17 Growth?

18 A. Mm-hmm.

19 Q. Was there anybody above you in
20 the -- for User Growth?

21 A. For globally, yes.

22 Q. Globally. So you were the top
23 person in the U.S. in User Growth?

24 A. For most of the time, yes.

25 Q. Okay. And then it indicates

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1 that, at some point, May of 20 -- May 29th,
2 2023, you went to TikTok User Growth AMS. What
3 is AMS?

4 A. I am not sure. Internal title.

5 Q. Nothing changed with your job?

6 A. Nothing changed.

7 Q. Okay. And you stayed in that
8 position from May 29th, 2023 to December 13th,
9 2023?

10 A. Yes.

11 Q. And during that time, you were
12 still the leader of User Growth in the United
13 States?

14 A. So during that time -- during
15 that time, I was taking a leave at that time.

16 Q. Okay. And that's from the period
17 May 29th, through -- of '23 through 12/13/23?

18 A. The leave started end of 2022.

19 Q. Okay. And did you cease working
20 at TikTok after December 13th, 2023?

21 A. That's right.

22 Q. Why did you leave TikTok?

23 A. It was in many years, I wanted
24 to change, so --

25 Q. Did you go to another job?

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1 LLC, TikTok, Inc., Bytedance Limited, and
2 Bytedance, Inc. Do you see that?

3 A. Yes.

4 Q. And they're collectively referred
5 to as TikTok in this notice.

6 A. Okay.

7 Q. Throughout the course of the
8 deposition, I'll probably just refer to TikTok,
9 unless it's obvious why we should do otherwise.
10 Is that okay?

11 A. Okay.

12 Q. And if you feel like you need to
13 distinguish between the entities, could you
14 just -- you can feel free to let us know.

15 A. Okay.

16 Q. All right. Thank you.

17 So you first started at TikTok in
18 2018. And that was fairly soon after they had
19 acquired Musical.ly; is that right?

20 A. Yes.

21 Q. And were you hired as part of the
22 effort to kind of turn Musical.ly into a new
23 entity that had broader appeal?

24 MS. LEE: Objection. Lacks
25 foundation.

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1 THE WITNESS: I was hired to be
2 part of the company.

3 BY MR. VERRIER:

4 Q. Was it TikTok at the time?

5 A. I believe the entity was called
6 Bytedance at that time.

7 Q. And then it turned into TikTok
8 right after you began?

9 A. Yes.

10 Q. And you were hired initially in
11 the growth area; is that right?

12 A. Yes.

13 Q. And you were looking to grow the
14 number of users on the app?

15 A. Yes.

16 Q. And what types of things -- does
17 that involve acquiring new users?

18 A. Yes.

19 Q. And then also it involves
20 retaining users; is that right?

21 A. Yes.

22 Q. And what types of things would
23 you do to acquire new users?

24 A. The type of things including
25 running marketing campaigns that will drive

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1 users to download the TikTok app to join the
2 platform.

3 Q. And would those be things like
4 advertising on other social media sites or
5 things like that?

6 A. Correct.

7 Q. Did you also advertise on TikTok
8 itself?

9 A. No.

10 Q. No. And what types of things
11 would you do to retain users?

12 A. On the retention side, it's
13 mainly through monitoring the user activity,
14 and that will drive campaigns within the --
15 for example, on figuring out what kind of
16 feature that we can build to have higher
17 retention.

18 Q. And when you first started at
19 TikTok, the app had a bit of a perception
20 problem, didn't it?

21 MS. LEE: Objection. Lacks
22 foundation.

23 THE WITNESS: I'm not aware of
24 the perception problem.

25 BY MR. VERRIER:

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1 BY MR. VERRIER:

2 Q. Okay. You can put that document
3 aside.

4 I am marking -- I am handing you
5 a document that I have marked as Exhibit 16.

6 (Exhibit No. 16 was marked for
7 identification.)

8 BY MR. VERRIER:

9 Q. This is an e-mail, the first page
10 bears the Bates number ending in 8836. Now,
11 Ms. Yan, this is an e-mail chain that includes
12 Alex Zhu, Vanessa Pappas, and yourself; is that
13 correct?

14 A. Correct.

15 Q. And the first e-mail in the
16 chain, if you turn to the second page, is on or
17 about March 15th, 2019. And then the last
18 e-mail in the chain is March 28th, 2019; is
19 that correct?

20 A. Yes, that's correct.

21 Q. And if we turn to the first
22 e-mail in the chain, it's written by somebody
23 whose name appears to be [REDACTED] is that
24 correct?

25 A. It seems to -- yes, based on the

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1 e-mail address.

2 Q. Do you know that person?

3 A. Yeah, he is from -- one of the
4 growth team member. Not under me, but a
5 different team.

6 Q. And you're -- Alex Zhu is one of
7 the recipients, right?

8 A. I see that.

9 Q. And also Vanessa Pappas and
10 yourself, correct?

11 A. Yeah, I was in the cc line.

12 Q. I see.

13 A. Mm-hmm.

14 Q. And [REDACTED] is writing, "Based on
15 our discussions about U.S. user growth meeting,
16 the goal for U.S. market is user
17 generalization." Did I read that correctly?

18 A. Yes.

19 Q. And on March 15th of 2019, I
20 assume you would have attended the U.S. user
21 growth meeting; is that right?

22 A. I wouldn't make that assumption,
23 because there are meetings -- I did not attend
24 many growth meetings. So it's hard for me to
25 tell which growth meeting he's referring to,

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1 based on what he says here.

2 Q. He then continues, "L2 male and
3 even other tribes would be our target users."
4 Did I read that correctly?

5 A. You read that correctly.

6 Q. "So we have aligned to do a test
7 on changing paid acquisition strategy. The age
8 targeting will be removed for paid ads
9 acquisition." Did I read that correctly?

10 A. Yes.

11 Q. So TikTok is going to test
12 removing age targeting in their paid ads? Is
13 that accurate?

14 MS. LEE: Objection. Lacks
15 foundation.

16 THE WITNESS: Hard for me to
17 make that conclusion here. I think
18 that's what [REDACTED] said here is to --
19 aligned to do a test to -- it's a
20 test, based on what he says here, that
21 they align on.

22 BY MR. VERRIER:

23 Q. I'm sorry, go ahead.

24 A. No, I'm good.

25 Q. And then under the next sentence,

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1 it says, "Adjustment Method." Do you see that?

2 A. Yes.

3 Q. It says, "Focus on our target
4 user's acquisition and CPI, removed user age
5 targeting." Do you see that?

6 A. Yes.

7 Q. And then he notes, in
8 parentheses, referring to the age targeting,
9 "Which means no longer limit ads exposure to
10 just 18 plus user." Did I read that correctly?

11 A. You read that correctly.

12 Q. And if you look at the next
13 e-mail up in the chain, March 15th, 2019, at
14 4:26, Alex Zhu writes, "Confirmed," right?

15 A. Yes.

16 Q. And if you move to the first
17 page, and you go two e-mails up, at March 27th,
18 2019, at 10:00 p.m., you wrote to Vanessa and
19 Alex; is that right?

20 A. Yes, based on the e-mail.

21 Q. And you say -- if you look at the
22 first sentence of your e-mail -- the first line
23 of your e-mail, the second sentence, which
24 begins about 80 percent of the way down the
25 first line, "Can you please confirm that we can

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1 start removing age filters on our paid channels
2 in the U.S. market?" Do you see that?

3 A. I see that.

4 Q. Moving one line up, do you see
5 Vanessa Pappas -- I should say, one e-mail
6 up -- Vanessa Pappas responds, "Approved,
7 assuming all existing assets go through new
8 policy"; is that right?

9 A. Yes.

10 Q. And then Alex Zhu also responds,
11 "Approved"; is that correct?

12 A. Yes.

13 Q. So that's actually all I have for
14 that document.

15 MR. VERRIER: Do you want to
16 take a -- I don't know what time
17 you're thinking lunch. I can do
18 another document or so, but --

19 MS. LEE: Up to -- if the court
20 reporter wants to take a break. Lunch
21 is ready. So it's up to you.

22 MR. VERRIER: We can do another
23 one unless everyone has -- I mean, I
24 don't know. How are you feeling?

25 THE WITNESS: Sure. We can

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1 Did I read that correctly?

2 A. You -- no, because it should
3 read as total -- I believe this one was the
4 total minus L1 minus L2F.

5 Q. Yeah, thank you. Okay. So that
6 says, "Optimize paid acquisition activities
7 across all channels to drive 70 percent daily
8 new users diversified percentage, total minus
9 L1 minus L2F, while meeting the return on
10 investment standard."

11 Is that accurate?

12 A. Yes.

13 Q. Okay. Thank you.

14 A. Mm-hmm.

15 Q. You can put that document aside,
16 too.

17 (Exhibit No. 23 was marked for
18 identification.)

19 BY MR. VERRIER:

20 Q. This would be -- okay. I'm
21 handing you an exhibit that has been marked as
22 Exhibit 23. And this is a document titled,
23 "L45 Key Points" -- "Tribes Key Points." Is
24 that correct?

25 A. Yes.

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1 of four primary tribes." Do you see that?

2 A. Yes.

3 Q. There's the "Sports meme gamer,"
4 right?

5 A. Yes.

6 Q. "Country" is the second one,
7 right?

8 A. Yes.

9 Q. "Daily life" is the third one,
10 right?

11 A. Correct.

12 Q. And "G Life" is a fourth one,
13 right?

14 A. Yes.

15 Q. And if you turn to the next page,
16 do you see the heading that says, "The
17 reptilian brain and TikTok content: A
18 metaphor"?

19 A. Yes.

20 Q. And reading from below the
21 graphic, it says, "The reptilian brain composed
22 of the basal ganglia, striatum, and brainstem
23 is involved with primitive drives related to
24 thirst, hunger, sexuality, and territoriality,
25 as well as habits and procedural memory, like

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1 putting your keys in the same place every day
2 without thinking about it, or riding a bike.
3 Avoidance of pain, repetition of pleasure,
4 repetitive evaluation of agreeable versus
5 disagreeable."

6 Did I read that correctly?

7 A. Yeah, you read that correctly.

8 Q. And then the next page asks, in
9 the first sentence, "Is TikTok content
10 reptilian?"

11 Did I read that correctly?

12 A. You read that correctly.

13 Q. And then right below that, it
14 says, "The tribes and the content they consume
15 perhaps are representative of the reptilian
16 brain or idiot brain, where quick impulse
17 rewards fuels consumption." Did I read that
18 correctly?

19 A. You read that correctly.

20 Q. "Journalists have called TikTok
21 digital crack cocaine with dopamine hits to the
22 brain in the pleasure center of the brain."
23 Did I read that correctly?

24 A. You read that correctly.

25 Q. You can put that document aside.

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1 remember the timeline exactly. I
2 believe Snapchat was involved in
3 TikTok prior to when I joined.

4 BY MR. MIGLIORI:

5 Q. Let me show you Exhibit 36. And
6 I use the word introduction, because the title
7 of this particular e-mail chain is "Snap
8 Introduction."

9 A. Mm-hmm.

10 Q. It's Bates number that is
11 TIKTOK3047MDL-023-00673467, and sequential.
12 The top e-mail is [REDACTED] from TikTok. Who's
13 [REDACTED]

14 A. [REDACTED] is a marketing manager.

15 Q. And it's dated June 21st of 2019,
16 so it's just maybe nine months or so after you
17 started, correct?

18 A. Yes.

19 Q. And [REDACTED] writes to several
20 people, including you, correct?

21 A. Correct.

22 Q. And the title is "Snap
23 Introduction." And it talks about various
24 things. When we do e-mails, we start from the
25 back. So let's just start -- you'll see on the

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1 last page, the metadata, this was a document
2 that was produced from your custodial file. Do
3 you see that?

4 A. Yes.

5 Q. You have no reason to doubt that
6 your counsel produced this to us from your
7 custodial file, correct?

8 A. Correct.

9 Q. You have no reason to doubt that
10 this was produced to us in this form without
11 any alteration, correct?

12 A. Correct.

13 Q. You have no reason to doubt that
14 this was kept in the ordinary course of
15 business at TikTok, correct?

16 A. Correct.

17 Q. All right. If you start from the
18 back to front, unlike the Lark conversations,
19 these go backwards/forwards. If you start on
20 page 3485, there's conversation back and forth
21 between [REDACTED] at TikTok. You said he's in
22 Marketing, correct?

23 A. Correct. He's under my Marketing
24 team.

25 Q. He's in your Marketing team?

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1 A. Yes.

2 Q. So he's within Growth, but on
3 your Marketing team?

4 A. Correct, correct.

5 Q. All right. So he actually
6 reports to you?

7 A. Yes.

8 Q. All right. So [REDACTED] writes
9 to [REDACTED] at TikTok. Do you remember [REDACTED]
10 [REDACTED]?

11 A. I don't remember.

12 Q. I'm sorry, at Snap.

13 All right. So [REDACTED]
14 are talking back and forth about starting this
15 strategy. Do you see that, back in June of
16 2019?

17 A. I see that.

18 Q. And part of the discussion back
19 and forth is defining, among things, how
20 Snapchat gets paid, right? If you look at the
21 top -- if you look at the bottom of page 3484,
22 [REDACTED] writes, "Happy Monday. To
23 clarify, by signing up to Snap Ads Manager,
24 Bytedance has agreed to both the Snap payment
25 and self-self advertising terms, a legally

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1 binding contract."

2 So that's the vendor relationship
3 that you were talking about earlier, correct?

4 A. Correct.

5 Q. All right. So in this context,
6 Bytedance and TikTok are the customer, and
7 Snapchat is the vendor, correct?

8 A. Correct.

9 Q. And what Snapchat is to do for
10 Bytedance and TikTok is put ads on its platform
11 to try to get users to TikTok using the Snap
12 platform as a way of reaching out to new
13 potential users, correct?

14 A. Correct.

15 Q. All right. Let's go forward a
16 little bit. If you go to the page that ends in
17 3480, there's an e-mail from [REDACTED]
18 dated June 14th, 2019, to [REDACTED] and the team,
19 including you. And in this, [REDACTED] from
20 Snapchat says, "It was great to connect earlier
21 this week. In summary, campaign highlights."
22 Do you see that?

23 A. I see that.

24 Q. "Age: 13 to 20 is the most
25 efficient age group. Consider breaking out 13

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1 to 20, and 21 plus."

2 Do you see that that was part of
3 the campaign highlight for this vendor
4 relationship within your department?

5 A. It's written in the e-mail.

6 Q. Yeah, okay. "Gender: Female
7 targeting is outperforming male targeting." So
8 in June of 2019, at least, in the Snap
9 analyses, female targeting was more successful
10 than male targeting. Do you see that?

11 A. Based on the e-mail, yes, that's
12 what he says.

13 Q. All right. "Androids are
14 slightly more efficient than Apple iOS
15 systems." Do you see that?

16 A. I see that.

17 Q. "Story ads are top performing ad
18 formats. Roll out more story ads." What's a
19 story ad?

20 A. I don't remember. It should be
21 one of the ad formats within Snapchat.

22 Q. It's one of these instances where
23 I'll show you a little later in the document to
24 help you refresh. And then "Bid type: Target
25 cost bid is driving the most efficient." And

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1 then it says, "Recent ad rejections." Do you
2 see here that there are a list of a few ads
3 that were suggested but rejected by Snapchat?
4 Do you see that?

5 A. I see that.

6 Q. The first one rejected is a
7 picture, it seems like, of a guy. It looks
8 like he may be making a handgun gesture. And
9 the document says that the ad was rejected:
10 "The ad seems to promote, glorify, or excel
11 feature weapons, ammunitions, or explosives."
12 I'm sorry, this is how it was produced to us,
13 so I don't know exactly how it's cut off.

14 "This may include physical
15 gestures that," something, "in the use of a
16 weapon. It's all happening on TikTok." Do you
17 see that that was one of the rejected ads that
18 was reported out by Snapchat early on?

19 A. That is what it shows in the
20 e-mail.

21 Q. Okay. Let's look at the next one
22 that's rejected. Snapchat says it was
23 rejected. It's an ad that says, "Guy who
24 misses his opportunity to own Gandalf's staff."
25 And it says, "This ad contains letterboxing

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1 (i.e., rectangular boxes without graphics,
2 animation, or located on the top or the bottom
3 of a creation), the majority of the ad. This
4 includes textured content. Please adjust and
5 encourage a vertical full screen."

6 One of the things that seems to
7 appear frequently is the importance of vertical
8 advertising in dealing with TikTok ads. Do
9 you -- is that something you recall?

10 A. I don't recall.

11 Q. And maybe because of mobile phone
12 use, that verticals were important. That is,
13 they fill the screen differently when it was a
14 vertical versus a horizontal ad or a cropped
15 ad?

16 A. I wouldn't want to make any
17 conclusion, because I think that's Snapchat
18 rule, not TikTok's rule.

19 Q. Okay.

20 A. It's on their platform.

21 Q. But you see at least,
22 formatting-wise, that ad was rejected, correct,
23 according to this?

24 A. That's what the explanation seems
25 to say.

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1 Q. Okay. And then there was a
2 TikTok ad that was rejected and said, "This ad
3 contains content that must be targeted for the
4 appropriate audience (includes ads related to
5 alcohol sales," something "services, gambling,
6 or other material that can only be shown to
7 individuals above a certain age.)"

8 Do you see that?

9 A. I see the notes.

10 Q. And so that's another TikTok ad
11 that, in the early stages of this relationship
12 with Snapchat, was kicked out because of the
13 imagery relating to alcohol use or gambling,
14 potentially. Do you see that?

15 MS. LEE: Objection. Lacks
16 foundation.

17 THE WITNESS: That's based on
18 what Snapchat's algorithm indicates.
19 I think that their moderation system
20 detects images different -- you know,
21 in a certain way. And so they made
22 certain conclusions. That's really --
23 yeah, that seems to be what they
24 indicate.

25 BY MR. MIGLIORI:

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1 Q. That was their prerogative,
2 right? If it's going to be on their platform,
3 they get to have their own moderation, too,
4 correct?

5 A. Right. That's their moderation.
6 But hard for me to make any conclusion on what
7 the ad really was.

8 Q. Yeah, and that's fine. It said,
9 "The ad seems to promote." I don't even know
10 that they're saying that it does. I think
11 they're saying, we're not going to use this
12 because we don't want the suggestion of it,
13 correct?

14 A. Right. This is mostly video,
15 based on the image.

16 Q. But in any event, the campaign
17 highlights that it's mostly female, and ages 13
18 to 20 is the most efficient age group so far in
19 the campaign. That's a summary of where they
20 are at, right?

21 A. Could you repeat that question?

22 Q. Sure. If you go to page 3481 --
23 at least 3481 -- I'm sorry, 80. My bad. I
24 keep saying the wrong number, and it won't be
25 right, no matter how loud I say it.

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1 "Campaign Highlights." 13 to 20
2 is still the most efficient age group for the
3 campaign, right?

4 A. That's what it says.

5 Q. And it's more effective for
6 females than males, correct? Correct?

7 A. That's what the message says.

8 Q. Let's go up. This is something
9 that's just a curiosity. In talking about the
10 billing, it says, "Bill to Musical.ly, Inc."

11 Do you see that above?

12 A. I see that.

13 Q. Do you know why, in June of 2019,
14 the billing was going to go to Musical.ly
15 Musical.ly has long since been converted to
16 TikTok USA, correct?

17 A. Correct. I'm not sure. It's
18 done by the Finance team, and -- that handles
19 this.

20 Q. If you go to page 3479, [REDACTED]
21 in your department, your marketing group within
22 Growth, writes to [REDACTED] and says, "Thank you
23 for the insights above. Very helpful. Will
24 ramp up on certain campaigns before the
25 weekend."

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1 So taking the advice about the
2 campaigns, there was at least, according to
3 this, a decision to ramp it up, to go further
4 with Snapchat, correct?

5 MS. LEE: Objection. Lacks
6 foundation.

7 BY MR. MIGLIORI:

8 Q. That's what it says here,
9 correct?

10 A. I'm reading the last sentence --
11 okay.

12 Q. It's on the screen, in case
13 you're not certain where I was.

14 A. That's what it says on the
15 e-mail.

16 Q. Okay. And like I said, [REDACTED] --
17 I'm sorry, [REDACTED] worked for you directly,
18 correct?

19 A. Correct.

20 Q. So this was a decision within
21 user group, correct -- User Growth?

22 A. Yes.

23 Q. All right. And if we go to the
24 page -- the next page, which is 3478, there's a
25 reference here to you. This is on Sunday,

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1 June 16th, 2019, "Hello, [REDACTED] will anyone
2 from Snap's sales team be at Cannes Mobile
3 Lions this upcoming weekend? It would be great
4 to put them in touch with Julia while she's
5 there."

6 Do you remember going to Cannes?

7 A. It was a marketing conference.

8 Q. Okay. And do you remember
9 meeting with anybody from Snapchat while you
10 were there?

11 A. I don't recall.

12 Q. If you look of the top line of
13 the same page, it says, "From my understanding,
14 [REDACTED] our chief business officer, will
15 be in attendance." Do you remember meeting

16 [REDACTED]

17 A. Not [REDACTED] I remember they had
18 an event there, but I don't remember meeting

19 [REDACTED]

20 Q. If you go to page 4, there is an
21 invite. They actually sent you an invite to a
22 party in Cannes. Do you see that, "Join us on
23 the terrace"?

24 A. I see that. It was not a party.
25 It was their open house. There was a lot of

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1 people there.

2 Q. Okay. Do you remember going to
3 it?

4 A. Yeah, going there.

5 Q. And then do you remember making
6 any decisions or having any substantive
7 conversations with anybody from Snapchat about
8 TikTok and its use of Snap as a platform to
9 increase growth?

10 A. Not at this specific event.

11 Q. Okay. If we go to the front of
12 the exhibit, sort of kind of wrapping this one
13 up. Let's see, if you go to page 3471, there's
14 a reference here that "Snapchat wants to scale
15 up as fast as possible." Do you recall sort of
16 -- you had [REDACTED] saying that he wants to ramp
17 up, you have Snapchat here saying, let's scale
18 as fast as possible.

19 Do you remember there being sort
20 of an urgency or a strong support of moving
21 full steam ahead with Snapchat at this stage?

22 A. I don't remember. I don't even
23 remember who [REDACTED] is here.

24 Q. Okay. So there is a back and
25 forth about maybe there being two accounts with

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1 TikTok. And it says that there may be an
2 account out of -- I'm going to say this wrong,
3 and forgive me, out of the Baidu account?

4 A. Baidu account.

5 Q. Baidu? Was there also a Snapchat
6 relationship at the same time through China?

7 A. Based on this message, it could
8 indicate that, because Baidu is a Chinese
9 company.

10 Q. Okay. Was it related to your
11 company?

12 A. Which company, Baidu or --

13 Q. Yes.

14 A. Baidu, no -- Baidu is like Google
15 for China, a search engine company. They --
16 from my memory, they do have ad sales
17 platform -- service.

18 Q. Got it. The page before that,
19 3468, [REDACTED] in your department says to
20 [REDACTED] "It's great to hear that Snapchat is
21 driving high quality users, strong ROI, high
22 LTV." What does that mean, LTV?

23 A. I believe we went over it
24 earlier, lifetime value.

25 Q. Okay. "We're excited to help you

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1 ramp up further." And then the decisions is
2 actually made. If you go to the first page,
3 there's actually a suggestion that the spend is
4 going to go from 50 to \$100,000 next week to
5 350 -- I'm sorry, \$300,000. So it's fair to
6 say that by June 21st, 2019, your department is
7 very actively pursuing its relationship with
8 Snapchat to promote new user growth, correct?

9 MS. LEE: Objection to form.

10 THE WITNESS: Can I read this
11 first?

12 BY MR. MIGLIORI:

13 Q. Sure. Take your time.

14 A. Could you repeat that question?

15 Q. The top line, it says, "Hi
16 [REDACTED] " this is from [REDACTED] at Snap,
17 "confirming your LOC has been increased to
18 \$300,000." What does LOC stand for, do you
19 know?

20 A. I'm thinking the same thing. I
21 don't know what LOC stands for.

22 Q. Okay. You see that below, [REDACTED]
23 says, "We are currently at 3,000 to 3,500
24 estimate of our daily spend, to be at 9,000 to
25 10,000 by next week. Could you confirm that

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1 the LOC ceiling can be raised? As you can see
2 in our dashboard, we need it raised to a
3 minimum of 50 to \$100,000 by next week."

4 So line of credit, maybe?

5 A. I wouldn't want to speculate
6 that. It could be a line of credit. It could
7 be something else.

8 Q. It seems pretty reasonable,
9 though, that what we're talking about is cash
10 flow, and what they are borrowing against in
11 order to keep this campaign moving quickly,
12 right?

13 MS. LEE: Objection. Lacks
14 foundation.

15 THE WITNESS: Again, it's more
16 a finance term, that we -- usually the
17 finance teams deal with.

18 BY MR. MIGLIORI:

19 Q. But this is coming right out of
20 your department, right?

21 A. Correct. And then we usually go
22 by the finance guidance on how we deal with
23 billings.

24 Q. Your department here is
25 representing to Snapchat that you're going to

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1 increase your daily spend from 3,000 to 9 to
2 \$10,000 next week. Do you see that?

3 A. Correct. That's what it says
4 here.

5 Q. All right. So that's at least --
6 in your cross-functionality, that's at least
7 coming out of your department. You're going to
8 start spending about \$10,000 a day -- up to
9 \$10,000 per day in Snapchat for this purpose,
10 correct?

11 A. Based on this sentence here.

12 Q. And Snapchat reports back and
13 says, we're going to increase your LOC, whether
14 it's a line of credit or not, to 300,000,
15 correct?

16 A. Yeah, based on the e-mail.

17 Q. So my question was simply, you're
18 ramping up at this point, right? Based on the
19 initial feedback of the campaign and the growth
20 from Snapchat, you're not backing off, you're
21 increasing your spend, correct?

22 MS. LEE: Objection to form.

23 THE WITNESS: Based on the
24 e-mail conversation, it -- it said
25 we're changing the 3,000 to 9,000,

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2 The undersigned Certified Shorthand Reporter
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4 That the foregoing proceeding was taken
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6 at which time the witness was duly sworn; That the
7 testimony of the witness and all objections made at
8 the time of the examination were recorded
9 stenographically by me and were thereafter
10 transcribed, said transcript being a true and
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14 In witness thereof, I have subscribed
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