

AMENDED Exhibit 632

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

Jordan Furlong

1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No.
IN RE: SOCIAL MEDIA ADOLESCENT 4:22-MD-03047-YGR
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

MDL No. 3047

This Document Relates To:

ALL ACTIONS

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

Coordination Proceeding	Judicial Council
Special Title	Coordination Proceeding
(Rule 3.550)	No. 5255

SOCIAL MEDIA CASES	Judge: Carolyn B. Kuhl
	Dept. 12

REMOTE VIA ZOOM
VIDEOTAPED DEPOSITION OF
JORDAN FURLONG

April 11th, 2025
8:04 a.m.

Reported By:
MAUREEN O. POLLARD, CA CSR #14449, RDR

P R O C E E D I N G S

THE VIDEOGRAPHER: On the record. My name is James Vonwiegen. I'm a videographer for Golkow.

Today's date is April 11, 2025, and the time is 8:04 a.m.

This video deposition is being held in Los Angeles, California, in the matter of Social Media Adolescent Addiction/Personal Injury Products Liability Litigation for the United States District Court, Northern District of California.

The deponent is Jordan Furlong.

Counsel will be noted on the stenographic record.

The court reporter is Maureen Pollard, California CSR 14449, and will now swear in the witness.

* * *

Whereupon,

JORDAN FURLONG,
being first duly sworn to testify to the truth, the whole truth, and nothing but the truth, was examined and testified as follows:

EXAMINATION

BY MR. WEINKOWITZ:

Q. Okay. Good morning, Mr. Furlong. How are you?

A. I'm doing well. How are you?

Q. Very good. We met off the record. My name is Mike Weinkowitz. Along with my colleague, Joseph VanZandt, we will be taking your deposition this morning.

Do you understand that?

A. I do, yes.

Q. Okay. Can you state your full name for the record?

A. Jordan Furlong.

Q. And can you give us your current address?

A. Sure. [REDACTED]

Q. And do you own or rent your home -- a home there?

A. I rent an apartment.

Q. Do you plan on -- have any plans on moving within the next year?

A. No.

Q. What's your date of birth?

1 A. [REDACTED]

2 Q. Great. Thank you.

3 I know you were sworn in in the North
4 Carolina case against -- AG case against TikTok on
5 March 26, 2024, correct?

6 A. That sounds roughly right, yeah.

7 Q. And you were interviewed by the
8 California AG named Megan O'Neill in July of '24.

9 Do you remember that?

10 MS. FOURNIER: Objection to form.

11 THE WITNESS: I don't remember the
12 exact date, but yes.

13 BY MR. WEINKOWITZ:

14 Q. Okay. For that interview, were you
15 sworn in?

16 A. I don't think so. I don't remember.

17 Q. Okay. Other than your deposition with
18 the North Carolina AG, have you ever testified in a
19 deposition or a hearing or a trial before?

20 A. No.

21 Q. Okay. So I'm going to go through some
22 ground rules. I know that you heard sort of these
23 ground rules in the AG dep, but I'm going to go
24 through them now. Let me know if you have any
25 questions as we go through. Okay?

1 (TikTok-Furlong-1 was marked for
2 identification.)

3 BY MR. WEINKOWITZ:

4 Q. I am handing you, Mr. Furlong -- I will
5 represent to you that I went to your LinkedIn
6 profile probably last week, maybe the week before,
7 and I printed it out as a PDF. And when you print
8 out someone's profile as a PDF, it comes in this
9 r  sum   form.

10 Can you take a minute to look at
11 Exhibit 1, please?

12 A. Sure.

13 Q. And let me know when you're ready.
14 (Witness reviewing document.)

15 A. I'm ready.

16 Q. Okay. Does this appear to be from your
17 LinkedIn profile?

18 A. Yes.

19 Q. Can you confirm that it is -- can you
20 confirm that the information on this LinkedIn
21 profile is the information that you put there?

22 A. It looks like it, yes.

23 Q. Everything accurate?

24 A. It looks accurate, yes.

25 Q. Okay. Can you pull up exhibit A-1,

1 please? We'll mark this as Exhibit 2.

2 (TikTok-Furlong-2 was marked for
3 identification.)

4 BY MR. WEINKOWITZ:

5 Q. What this is, is a demonstrative that
6 we took -- that we put together showing the
7 information from your LinkedIn profile about your
8 employment at ByteDance and TikTok. Take a moment
9 to look at this. If you want to compare it to what
10 you put on your LinkedIn profile, that will be
11 great. I have a couple of questions for you.

12 A. Yeah, this looks like maybe -- I
13 actually ended up leaving TikTok in October of 2024,
14 but --

15 Q. Okay. All right. So other than -- so
16 let's just go back to your LinkedIn profile.

17 On your LinkedIn profile, you have that
18 you left TikTok in November of 2024, but you -- but
19 you're saying that that's inaccurate, it should be
20 October of 2024?

21 A. Yeah. I must have accidentally put the
22 wrong month.

23 Q. Okay. That's fine.

24 And so Exhibit 2 is correct except that
25 you left in October of 2024, correct?

1 A. Looking at it, yeah. That sounds
2 right, yeah.

3 Q. Okay. And that's your picture on the
4 top left. That's from your LinkedIn profile,
5 correct?

6 A. Yep.

7 Q. All right. So as depicted on
8 Exhibit 2, in April 2021 you started at TikTok,
9 correct?

10 A. Yes.

11 Q. And you worked at TikTok until October
12 of 2024, correct?

13 A. Yes.

14 Q. And we'll actually fix this exhibit so
15 that it says October 2024, and we'll swap it in if
16 that's okay with counsel.

17 MS. FOURNIER: That's fine.

18 MR. WEINKOWITZ: Great. Thank you.

19 BY MR. WEINKOWITZ:

20 Q. So you worked at TikTok for about three
21 years and eight months, correct?

22 A. I guess that would be April to October.
23 That would be three years and six months, if I'm
24 getting that right.

25 Q. Approximately three years and six

1 months, right?

2 A. Yeah.

3 Q. And before that you worked at
4 ByteDance, correct?

5 A. Yes.

6 Q. And were you employed -- and you
7 started at ByteDance in September 2019, correct?

8 A. Yes.

9 Q. And you moved to TikTok in April of
10 2021, correct?

11 A. Correct.

12 Q. And the entire time that you worked for
13 ByteDance and TikTok, you were employed by
14 ByteDance, correct?

15 A. Correct.

16 Q. And do you know that ByteDance is a
17 defendant in this case?

18 A. I did not know that. I did not know if
19 it was TikTok and ByteDance or just TikTok. But
20 that's good to know.

21 Q. Okay. And ByteDance is the Chinese
22 parent of TikTok, correct?

23 A. I don't know if the Chinese
24 characterization is correct, but they are the parent
25 company. TikTok is a business unit of ByteDance,

1 yes.

2 Q. But ByteDance is located in China,
3 correct?

4 A. They have offices there. They have
5 offices all over the place.

6 Q. Okay. So for slightly over nine years,
7 from September 2019 through November of 2024, you
8 worked for ByteDance. Initially, you worked on a
9 platform called Lark, and then you worked on the
10 TikTok platform, correct?

11 MS. FOURNIER: Object to form.

12 I think you meant five.

13 THE WITNESS: It wasn't quite nine
14 years.

15 BY MR. WEINKOWITZ:

16 Q. Sorry. Yeah. Got it.

17 But other than that, it wasn't quite
18 nine years, my question was accurate? You worked
19 for ByteDance, initially you worked on Lark, and
20 then you worked on the TikTok platform, correct?

21 A. Yes.

22 Q. Would you agree with me that Exhibit 2
23 is a fair and accurate depiction of your work
24 history at TikTok and ByteDance with the amendments
25 that we're going to make that you left in October of

1 2024?

2 A. Close enough. Yeah. I mean, similar
3 to like working on TikTok as a business unit, I was
4 working on Lark as a business unit within ByteDance.
5 But yeah, I think that's close enough.

6 Q. Now that we have an overview of your
7 employment, what I'd like to do is talk about the
8 specific positions that you held.

9 So from September 19, 2021 -- from
10 September '19 to April 2021, you worked at
11 ByteDance, correct?

12 A. Yes.

13 MS. FOURNIER: Object to form.

14 BY MR. WEINKOWITZ:

15 Q. Including -- strike that.

16 According to your LinkedIn profile, you
17 worked on Lark growth and core product, correct?

18 A. Yes.

19 Q. And would a good description of Lark be
20 it's like Microsoft Teams, it's an all-in-one sort
21 of collaboration tool?

22 A. Pretty good description, yes.

23 Q. Do you know who described it like that?

24 A. Maybe me.

25 Q. You did.

1 Lark had the chat function, correct?

2 A. Yes.

3 Q. It has e-mail function, correct?

4 A. Yes.

5 Q. Has a calendar, right?

6 A. Yes.

7 Q. It has -- you're able to create
8 documents through Lark, right?

9 A. Yep.

10 Q. And it has a video chat, right?

11 A. Yes.

12 Q. Was Lark your primary means of
13 communicating with your colleagues at TikTok and
14 ByteDance when you worked there?

15 A. Yes.

16 Q. Did you work on any other products from
17 September 2019 until April 2021 other than Lark?

18 A. The 0 to 1 initiatives mentioned is
19 related to, like, similar or complementary products
20 to Lark, like new products that we were trying to
21 incubate and prototype that were related to, like,
22 collaboration and communication software. So
23 technically, yes, but it was all within the Lark
24 innovation umbrella.

25 Q. Great. Thank you.

1 When you were working on Lark in those
2 new innovator products, where were you physically
3 located?

4 A. The Bay area.

5 Q. Did you have to travel anywhere outside
6 of the Bay area prior to April 2021 for your job?

7 A. Yes.

8 Q. Where did you travel to?

9 A. Let's see. So I went to China,
10 Singapore. Up until April 2021, I -- yeah, I spent
11 a little bit of time in the San Francisco office
12 aside from just working out of Mountain View out on
13 the Bay. I can't remember any other out of
14 California trips right now. But there's definitely
15 a China and Singapore trip.

16 Q. Do you speak and write Mandarin?

17 A. I wish. That would have been super
18 useful.

19 Q. Does Lark translate Mandarin to English
20 and English to Mandarin so that you are able to
21 understand if your colleagues in China and Singapore
22 were speaking to you in other languages?

23 A. It does, but not perfectly. So it was
24 only reliable for basic conversation, I would say.

25 Q. When you went from Lark -- strike that.

1 When you went from working on Lark to
2 TikTok, you went to the trust and safety team,
3 correct?

4 A. That's right.

5 Q. And that was in April of 2021, right?

6 A. Yes.

7 Q. And did you interview with anybody for
8 the new position at trust and safety for TikTok?

9 A. Yes.

10 Q. [REDACTED]? Is that who you
11 interviewed with?

12 A. I don't think so.

13 Q. Anybody else -- who did you interview
14 with?

15 A. [REDACTED]. And I
16 believe there was a third, but I don't remember.

17 Q. [REDACTED]?

18 A. I don't -- I'm not sure.

19 Q. So let's focus on TikTok, when you
20 worked at TikTok from April '21 to November 2024.
21 Would it be fair to say that the first time you did
22 actual work related to the platform was in April of
23 2021?

24 A. Yeah. That's the earliest that any
25 work would have happened, yes.

1 Q. Did you have -- do you have a TikTok
2 account?

3 A. I do.

4 Q. When was the first time you had a
5 TikTok account?

6 A. I'm not sure when I created my account.

7 Q. Would it be fair to say you had a
8 TikTok account the entire time you worked on the
9 TikTok platform, from April of 2021 to November of
10 2024?

11 A. Probably, yeah.

12 Q. Do you think you may have had a TikTok
13 account before then?

14 A. It's likely, yes.

15 Q. Did you ever have a Musical.ly account?

16 A. I don't think so, no.

17 Q. Okay. Do you have more than one TikTok
18 account?

19 A. I don't think so, but I may have
20 created multiple accounts to test features.

21 Q. Would it be fair to say that you're
22 familiar with how TikTok functions from a user point
23 of view?

24 A. Familiar with some of it. I wouldn't
25 say I'm like a power user. And I definitely focused

1 on certain parts of the platform related to my job.

2 Q. Sorry.

3 Okay. Did you use it for reasons other
4 than your job?

5 A. Yeah. It's just a fun app to use.

6 Q. Do you have any other social media
7 accounts?

8 A. Yes.

9 Q. Can you tell me what social media
10 accounts you have?

11 A. I don't -- let's see. Instagram,
12 Facebook. I don't really use Facebook, though. I
13 have a Snapchat account. Don't really use it. I
14 love Twitter. Twitter is my favorite.

15 Q. How about YouTube? Do you have a
16 YouTube account?

17 A. I do, but I rarely use it.

18 Q. When you transferred to TikTok in
19 April 2021, you started as a group product manager
20 for digital wellbeing, is that correct?

21 A. That was a role I eventually had, but I
22 kept it simple with one title. I mean, before
23 basically I wasn't a manager and then became a
24 manager, but I was still working on the same things
25 the whole time.

1 Q. Okay. So did you have a title when you
2 first started?

3 A. I was just a product manager.

4 Q. And how long did you hold that
5 position?

6 A. I don't remember exactly when I became
7 a manager right now.

8 Q. Okay. So I'm a little confused.

9 In April '21 when you went to TikTok
10 and you started working on the TikTok platform, were
11 you then a product manager, or did you become a
12 product manager later?

13 A. Yes, I was a product manager before on
14 Lark and my previous companies, was a product
15 manager when I started, but I just wasn't managing a
16 team of PMs until a little bit later.

17 Q. Understood. So I'm sorry. I didn't
18 mean to cut you off.

19 At a later point in time, you were a
20 product manager who managed other product managers,
21 correct?

22 A. Yep, a product manager manager.

23 Q. Right.

24 So that's when you became a group
25 product manager for digital wellbeing, correct?

1 A. Yes.

2 Q. And do you remember when that was?

3 A. I don't right now off the top of my
4 head.

5 Q. Okay. When you joined -- when you went
6 from working at ByteDance, working on Lark, to
7 working at TikTok, were you in the Bay Hub?

8 A. I believe, yes, yes.

9 Q. And was the name of your department
10 trust and safety?

11 A. Yes.

12 Q. And was there a minor safety team in
13 trust and safety that you were working on?

14 A. When I first joined?

15 Q. Yeah.

16 A. It was structured a little bit
17 differently then.

18 Q. Okay.

19 A. But we -- minor safety was a common
20 topic in things that we were working on, yes.

21 Q. When you say it was structured a little
22 differently then, what do you mean specifically?

23 A. At the beginning, there was like a
24 safety tools team. And so part of that was related
25 specifically to minor safety issues. Some parts

1 were a little bit more broad, like what digital
2 wellbeing was referring to. And then eventually the
3 team I was on was referred to as the minor safety
4 team. So there was a specific team carved out for
5 that within product management.

6 Q. Okay. So let's talk about your
7 departure in October of 2024. Why did you leave
8 ByteDance and TikTok?

9 A. I felt like I had accomplished a lot,
10 and that I was proud of, and I was ready for a new
11 chapter and ready to learn something new.

12 Q. Okay. So your departure was voluntary?

13 A. Yes.

14 Q. You weren't terminated or laid off?

15 A. No.

16 Q. At the time that you departed TikTok,
17 were you reporting up to Sandeep Grover?

18 A. No.

19 Q. Who were you reporting to?

20 A. [REDACTED].

21 Q. And who did [REDACTED] report to?

22 A. [REDACTED]

23 Q. All right. Before [REDACTED], did you
24 report to Sandeep Grover?

25 A. No.

1 money, right?

2 MS. FOURNIER: Object to form.

3 THE WITNESS: I actually do not know
4 how the monetization for users works and,
5 like, how closely that's tied to time spent
6 on the platform.

7 MR. WEINKOWITZ: Can we pull up and
8 mark as Exhibit 3 the deposition transcript
9 from the State of North Carolina Department
10 of Justice in re matter of State versus --
11 North Carolina versus TikTok, Mr. Furlong's
12 deposition? And can we hand him a copy of
13 this transcript?

14 (TikTok-Furlong-3 was marked for
15 identification.)

16 BY MR. WEINKOWITZ:

17 Q. Mr. Furlong, I think you're about to be
18 handed the transcript of your deposition in North
19 Carolina AG versus TikTok matter.

20 Do you have that?

21 A. I do.

22 Q. And do you see that you were deposed --
23 if you look at the front page, this is your
24 transcript from March 26, 2024?

25 A. Yes, I see that.

1 Q. All right. So if you could turn -- and
2 you were under oath, correct, in this deposition,
3 right?

4 A. Yes.

5 Q. If you could turn to page 34, and look
6 at line 20. The question you were asked was, "As a
7 general principle TikTok makes money from people
8 being on the app," right?

9 And then your answer was -- can you
10 read your answer to the jury?

11 A. "TikTok makes money when people view
12 ads or I guess when they are paid by advertisers,
13 yeah."

14 Q. Okay. The next question is, "So
15 fundamentally when someone spends more time on the
16 app, TikTok gets more money, right?"

17 And can you read your answer?

18 A. "I believe so as a general principle,
19 but I think it's a lot more nuanced than that.

20 Q. So do you see that you said as a
21 general principle when someone spends more time on
22 the app TikTok gets more money? You said that as a
23 general principle, that's right, but it's more
24 nuanced than that, correct?

25 A. The nuance I was referring to is I

1 don't know exactly how monetization works, if it's
2 tied directly to the amount of time spent or not.
3 So, yeah, just not something I really worked on.

4 Q. Thank you.

5 Motion to strike the last part of your
6 answer. I didn't ask you what you meant. I asked
7 you if that's what you said.

8 A. I'm just trying to provide some
9 context.

10 Q. Understood. Your attorney will have
11 plenty of chance to ask you to follow up and give
12 any context you need. I would -- I think the jury
13 would appreciate just to get an answer to my
14 questions. Okay?

15 MS. FOURNIER: Objection. You don't
16 need to lecture him, Mr. Weinkowitz.

17 MR. WEINKOWITZ: I wasn't lecturing. I
18 was just explaining the process.

19 BY MR. WEINKOWITZ:

20 Q. Internally there was -- the idea that
21 TikTok made money from advertising was referred to
22 as the advertising business model, correct?

23 MS. FOURNIER: Object to form.

24 THE WITNESS: Sorry. What are you
25 referring to?

1 BY MR. WEINKOWITZ:

2 Q. Yeah. I'm not in the transcript
3 anymore.

4 A. Oh, okay.

5 Q. Just generally inside TikTok, the idea
6 that Tik ■ k made money from advertising, that was
7 referred to inside TikTok as the advertising
8 business model, correct?

9 MS. FOURNIER: Same objection.

10 THE WITNESS: Colloquially, yeah.

11 BY MR. WEINKOWITZ:

12 Q. And you were aware that the advertising
13 business model encouraged TikTok to design its
14 platform to optimize user time spent on that
15 platform, correct?

16 A. That's a pretty broad question. Can
17 you rephrase it or ask something more specific,
18 please?

19 Q. Sure. I'll get to a document in a
20 minute.

21 Mr. Furlong, who is Michael Beckerman?

22 A. He is a VP of public policy for the US,
23 I believe, or -- yeah.

24 Q. Right. He is a lobbyist that was hired
25 by TikTok, correct?

1 A. I don't know if -- yeah, I just know he
2 was like a head of a public policy team.

3 Q. You don't know that he was a lobbyist?

4 A. I don't know enough to characterize him
5 that way.

6 Q. He's based in DC, correct?

7 A. I believe that's right, yes.

8 Q. He reports directly to TikTok's CEO
9 Shou Chew, correct?

10 A. I'm not sure who he reports to today.
11 From what I remember, that's who he reported to
12 before, yes.

13 Q. Would you recognize him if you saw him,
14 Mr. Beckerman?

15 A. Yes.

16 MR. WEINKOWITZ: Can you pull up tab
17 D4, please? We'll mark tab D4 as
18 Exhibit 4.

19 (TikTok-Furlong-4 was marked for
20 identification.)

21 BY MR. WEINKOWITZ:

22 Q. That's Mr. Beckerman sitting right
23 behind the shoulder of Mr. Chew as he testifies
24 before Congress, correct?

25 A. That's right.

1 Q. And do you recall working with
2 Mr. Beckerman on trust and safety digital wellbeing
3 strategy?

4 A. Can you be more specific what you mean
5 by that?

6 Q. Sure.

7 MR. WEINKOWITZ: Can you pull up tab
8 A1, which we'll mark as Exhibit 5?

9 (TikTok-Furlong-5 was marked for
10 identification.)

11 BY MR. WEINKOWITZ:

12 Q. I am going to give you an opportunity
13 to review this document. Let me know when you're
14 ready to testify about it. Okay?

15 A. Okay.

16 MS. FOURNIER: Mike, just so you know,
17 we don't have anything on the screen or
18 handed to us quite yet.

19 MR. WEINKOWITZ: Okay. Take your time.

20 MS. FOURNIER: I just wanted you to
21 know.

22 MS. CLARK: Did you say A1 or AD-1(A)?

23 MR. WEINKOWITZ: AD-1(A). I'm sorry.
24 I probably said the wrong thing, I'm sure.

25 (Witness reviewing document.)

1 THE WITNESS: So you want me to review
2 all of this?

3 BY MR. WEINKOWITZ:

4 Q. I want you to familiarize yourself. I
5 can tell you the pages that I'm going to talk to you
6 about. If you would sort of -- for the Lark chat,
7 if you would just kind of generally familiarize
8 yourself with it. I'm going to take you to the
9 specific messages that I'm going to ask you
10 questions about. And then just eyeball it and let
11 me know when you're ready. And I'll walk you
12 through it, I promise.

13 A. I'm seeing the Lark chat through, I
14 don't know, the first however many seven pages or
15 so. So I'll read through that.

16 Q. Sure. Let me explain to give you
17 context, then, what this document is.

18 This is a Lark chat that was produced
19 to us by ByteDance and TikTok. And you will notice
20 that the seventh page in is a document that says
21 Document Metadata.

22 A. Yeah.

23 Q. That metadata is the metadata that
24 TikTok produced to us with this document, okay?

25 A. Okay.

1 Q. All right. Then what I'll say is the
2 next document, starting on page 9, was a document
3 that was hyperlinked in the Lark chat that was
4 produced to us by TikTok and ByteDance.

5 And then attached to that document is
6 the document metadata, which is the metadata that
7 came with that document from TikTok to ByteDance,
8 okay.

9 Now, I'm going to walk you through
10 this, but I just want you to be comfortable with
11 what I handed you. So just let me know when you're
12 ready to go and we'll walk through it together,
13 okay?

14 A. Yeah. You mentioned the second
15 document metadata is at the very end then?

16 Q. No. What we've done is we've attached
17 the metadata after each document. So there will be
18 the Lark, the metadata, the hyperlink document and
19 the metadata to that.

20 A. Sounds good.

21 Q. All right. So you let me know when
22 you're ready. If you're ready, let me know and I'll
23 go now.

24 A. Review the chat, you mean?

25 Q. Review anything you want to make

1 yourself comfortable with the document so I can ask
2 you questions.

3 A. Okay. I'll need a little while to read
4 through it all because there's a lot of pages here.

5 Q. Yeah. And I'm going to take you
6 paragraph by paragraph by what I want. So take your
7 time and let me know.

8 A. Okay. Sounds good.

9 (Witness reviewing document.)

10 Q. Mr. Furlong, can I just interrupt you
11 for one second?

12 A. Sure.

13 Q. I'm happy to give you time to read the
14 document, but if you read the whole thing for a
15 really long time, we're going to be here for a
16 really long time.

17 A. Yeah.

18 Q. But I'm not going to discourage you.
19 Just keep reviewing. I'm going to take you through
20 the parts that we need to take you through. But if
21 you want to get out of here --

22 A. All right. I just read through the
23 chat. Why don't we stop there, and we can go from
24 there.

25 Q. Sure. That sounds good. All right.

1 So let's start.

2 This is a Lark chat between you and
3 Michael Beckerman produced to us by TikTok and
4 ByteDance from your work file.

5 Do you have any reason to dispute that?

6 A. No.

7 Q. And you were chatting with
8 Mr. Beckerman in the regular course of your job at
9 TikTok and ByteDance about TikTok and ByteDance
10 business, correct?

11 A. Looks like it, yes.

12 Q. Do you have any reason to believe that
13 the content of this document was changed or altered
14 in any way since it left your file at TikTok?

15 A. I have no idea. It was so long ago.

16 Q. Okay. There are questions that I'm
17 going to ask you for every document. It's sort of
18 routine.

19 Let's go to the third chat down. It's
20 a message from you on August 30th, 2021.

21 Do you see that?

22 A. Yes.

23 Q. Do you see that you reach out to
24 Mr. Beckerman in this chat on August 30, 2021,
25 right?

1 A. Yes.

2 Q. And you forward by hyperlink -- you
3 forward him by hyperlink two documents, correct?

4 A. Correct.

5 Q. And you tell him you got looped in to
6 helping work on the document, right?

7 A. Yeah.

8 Q. And you say you heard from [REDACTED] that
9 Mr. Beckerman was working on the wellbeing sections,
10 correct?

11 A. Correct.

12 Q. You tell him you're happy to work on
13 aligning the document with a wellbeing document you
14 had presented two weeks prior?

15 A. Yes.

16 Q. All right. And remember that I had
17 asked you whether you worked with Michael Beckerman
18 on a trust and safety digital wellbeing product
19 strategy, and you asked me for a little more detail.
20 This is what I'm referring to.

21 Does this refresh your recollection?

22 MS. FOURNIER: Object to form.

23 THE WITNESS: I need to see, like, what
24 the documents are to actually understand
25 that. But, yeah.

1 BY MR. WEINKOWITZ:

2 Q. Okay. But do you understand that
3 around this time, August 30th, 2021, you were
4 talking and working with Mr. Beckerman on a
5 wellbeing section and a wellbeing document?

6 A. I can see from here that I was talking
7 to him about these two different documents that we
8 had.

9 Q. Okay.

10 A. Yeah.

11 Q. Mr. Beckerman isn't a mental health
12 professional, correct?

13 A. I don't believe so.

14 Q. And he's not a doctor or a
15 psychologist, is he?

16 A. I don't believe so.

17 Q. He doesn't have a Ph.D in any sort of
18 field related to wellbeing, does he?

19 A. Not to my knowledge.

20 Q. All right. So let's look at the
21 hyperlinked document that you sent to him. It is
22 attached. It is -- it starts at page 9.

23 And when I call out a Bates number, I
24 will call out the last three digits of the number
25 that are at the bottom of the page. So the Bates

1 number here is 166.

2 Do you see that?

3 A. I do, yeah.

4 Q. The title of this document is Trust &
5 Safety Digital Wellbeing Product Strategy.

6 Do you see that?

7 A. Yes.

8 Q. And the product that's being referred
9 to here is the TikTok platform, correct?

10 A. Yes.

11 Q. This was produced by TikTok and
12 ByteDance in this litigation from your file.

13 Do you have any reason to dispute that?

14 A. No.

15 Q. And this was the document that you
16 forwarded to Mr. Beckerman by hyperlink, correct?

17 A. If this is the same link, maybe. I
18 assume so.

19 Q. I'll represent to you that it was
20 produced to us by TikTok and ByteDance as that
21 hyperlink. Do you have any reason --

22 A. Yes. I can't verify the link maps to
23 this, but that seems to be that document, yes.

24 Q. All right. If we could turn to
25 page 19, please.

1 A. What's the Bates number?

2 Q. Bates number -- I'm sorry. You're
3 right. I should have called that out.

4 Ending in 176.

5 And just so you know, Mr. Furlong, you
6 have the paper document in front of you. Everything
7 that we're going to be talking about is going to be
8 highlighted and shown on the screen so you can get a
9 good reference point, okay?

10 A. Okay.

11 Q. All right. In the middle of this page
12 is a section called Risks.

13 Do you see that?

14 A. Yes.

15 Q. All right. And the first sentence
16 says -- first bullet point under risks is, "The
17 advertising-based business model encourages
18 optimization for time spent in the app."

19 Did I read that correctly?

20 A. Yes.

21 Q. And that's a reference to TikTok's
22 business model, correct?

23 A. Yes.

24 Q. And "time spent in the app" means how
25 much time a TikTok user spends on TikTok, correct?

1 A. Correct.

2 Q. All right. Now, the second sentence,
3 it says, "In a user," and then there's a hyperlink,
4 of over 2,300 -- "In a user" hyperlink "of over
5 2,300 users in February 2020, when respondents were
6 asked to give a score out of 5 to indicate strength
7 of agreement with the statement 'I spend too much
8 time on TikTok,' the average response was 4.0."

9 Did I read that correctly?

10 A. Yes.

11 Q. And is that basically saying that in
12 February 2020, TikTok surveyed over 2,300 TikTok
13 users?

14 A. It looks like that's what that's
15 suggesting, yeah.

16 Q. And when asked whether they spent too
17 much time on TikTok, four out of five of them, or
18 80 percent of them, said yes, correct?

19 A. Four out of five, 80 percent. Yes.
20 Whatever is in that document, yes.

21 Q. I'm sorry. I didn't mean to cut you
22 off.

23 And of those 2,300 users, 1,840 thought
24 they spent too much time on TikTok, correct?

25 A. I don't think that's accurate. I think

1 A. I was on the minor safety team.

2 Q. Okay. Let's go back to Exhibit 5,
3 which is the document we've been working.

4 MR. WEINKOWITZ: You know what, why
5 don't we take a break because I need to get
6 something to drink because my voice is
7 cracking. So can we take a minute, take a
8 break? We'll be back in five.

9 THE WITNESS: Sounds good.

10 THE VIDEOGRAPHER: 9:21, going off the
11 record.

12 (Whereupon, a recess was taken.)

13 THE VIDEOGRAPHER: The time is 9:31.
14 We're back on the record.

15 MR. WEINKOWITZ: Okay. Just before we
16 start, I was reminded I forgot to mark the
17 clip of the Reagan Maher deposition as
18 Exhibit 6. So I'm marking the Maher video
19 clip as 6.

20 (TikTok-Furlong-6 was marked for
21 identification.)

22 BY MR. WEINKOWITZ:

23 Q. Okay. Let us go back to Exhibit 5, and
24 we're on -- still on Bates 176, and we are going to
25 look at the second bullet point which I will read to

1 you. The second bullet point under Risks in this
2 internal company document says, "The TikTok product
3 experience utilizes many coercive design tactics
4 that detract from user agency such as infinite
5 scroll, constant notifications, and the 'slot
6 machine' effect."

7 Did I read that correctly?

8 A. Yes.

9 Q. And this was a document that you sent
10 to Mr. Beckerman in August of 2021, correct, by
11 hyperlink?

12 A. If that's the same hyperlink in the
13 chat we were looking at, then yes.

14 Q. And let's focus specifically on this
15 paragraph in detail. It says, "many coercive design
16 tactics," and that specifically refers to the TikTok
17 product experience, correct?

18 A. Yes.

19 Q. And the adjective that you chose to put
20 in front of "design tactics" is the word "coercive,"
21 correct?

22 A. Yes.

23 MR. WEINKOWITZ: Can we pull up AD-C1
24 which we'll mark as Exhibit 7?

25 ///

1 that we approached that.

2 BY MR. WEINKOWITZ:

3 Q. Okay. Do you know whether TikTok or
4 ByteDance ever communicated to parents, to users, or
5 to the American public that there was, in fact, a
6 slot machine effect for certain features on TikTok?

7 A. It's not as -- I don't know. I can't
8 speak for the comms team. I'm not sure.

9 Q. Okay. All right. Let's go back to
10 Exhibit 5 which we started talking about, and back
11 to page Bates 176. I still have more questions
12 about this. Actually, no. Let's go to page 185,
13 Bates ending in 185, which would be PDF 1A.

14 MS. ARMSTRONG: I just want to clarify
15 for the record, AD demonstrative 1 is
16 Exhibit 11. AD demonstrative 2 is Exhibit
17 12.

18 MR. WEINKOWITZ: Thank you.

19 (TikTok-Furlong-11 and
20 TikTok-Furlong-12 were marked for
21 identification.)

22 MS. FOURNIER: One minute, Mike.

23 MR. WEINKOWITZ: I'm sorry. I confused
24 everybody. Sorry.

25 ///

1 BY MR. WEINKOWITZ:

2 Q. All right. We are on PDF 28, page
3 Bates 185. We're back in the document that you
4 hyperlinked and sent back in 2021 called Trust and
5 Safety Wellbeing Product Strategy, right? We're on
6 pages Bates 185.

7 Are you with me?

8 A. Yes.

9 Q. All right. There's a section there
10 called "Industry Shift Preparation."

11 Do you see that?

12 A. Yes.

13 Q. First paragraph, "Mistakes made by
14 first generation social media companies have become
15 clear as we...uncovered that ad-based business
16 models create incentive for companies to grow at the
17 expense of their users."

18 Did I read that correctly?

19 A. Yes.

20 Q. And the second sentence says, "Infinite
21 scroll, video auto-play, and constant notifications
22 are some of the powerful coercive design tactics
23 that we" realize are -- I'm sorry -- "that we are
24 realizing tend to benefit companies and advertisers
25 more than users."

1 Did I read that correctly?

2 A. Yes.

3 Q. So it's the second time in this
4 document that we've seen the phrase "coercive design
5 tactics," correct?

6 A. Sounds right.

7 Q. And this time it says that coercive
8 design tactics benefit companies and their
9 advertisers more than users, right?

10 A. That's what this is saying.

11 Q. And here it lists the same three
12 examples that we saw before, but it adds one, right?

13 A. Are you referring to video autoplay?

14 Q. I am.

15 A. Then yes.

16 Q. That's a new one, right?

17 A. I believe so, yes.

18 Q. And the adjective you chose here for
19 the coercive design tactics was --

20 MR. WEINKOWITZ: And underline this in
21 red.

22 Q. -- powerful, right?

23 A. Yes.

24 MR. WEINKOWITZ: Can you pull up tab

25 AD-1A demonstrative 2.

1 Musical.ly was rebranded and then became the TikTok
2 that was available in the US?

3 A. My understanding was that Musical.ly
4 was acquired by ByteDance, and then they did
5 something to the app to make it into TikTok. I
6 don't know if it was just a rebrand. I assume
7 there's a lot more that went into it than just that.
8 But yeah.

9 Q. All right. So let me see if I can save
10 us a lot of time. It will depend on your answers to
11 your questions here.

12 Do you know whether when TikTok
13 launched in the United States it had filters and
14 effects?

15 A. I don't know. That's so far before my
16 time. That was before I was even at ByteDance. So
17 I don't know.

18 Q. So let me -- let's pull up A-5, and I
19 will explain what A-5 is.

20 MS. ARMSTRONG: Exhibit 15.

21 (TikTok-Furlong-15 was marked for
22 identification.)

23 MR. WEINKOWITZ: Thank you.

24 BY MR. WEINKOWITZ:

25 Q. A-5 are the TikTok defendants' answers

1 and objections -- supplemental answers and
2 objections to a set of interrogatories. So let me
3 explain what that means.

4 In litigation the parties get to ask
5 each other questions. You may know this. I don't
6 know. But the parties get to ask each other
7 questions, and those questions are called
8 interrogatories. And then the parties get to object
9 to each other's interrogatories. And then after
10 time eventually they answer each other's
11 interrogatories.

12 And what I've handed you is a set of
13 answers by TikTok and the ByteDance defendants in
14 this case to certain questions that we asked them in
15 the litigation.

16 And so I want to -- I want to -- you
17 don't have to read the whole thing. I mean, there's
18 all kinds of -- there's all kinds of stuff in here,
19 objections and yada-yada-yada. What I want to do is
20 I want to ask you about one of their answers to the
21 question and see if you have anything to say about
22 it.

23 All right. So if we can go to page --
24 first off, if we could go to the very last page of
25 the document. There's a verification by a [REDACTED]

1 [REDACTED] on behalf of the TikTok defendants.

2 Do you see that?

3 A. Yes.

4 Q. The only reason I'm showing you this is
5 to show that the TikTok defendants have sworn under
6 the penalty of perjury that what they say in these
7 documents are accurate.

8 Do you see that?

9 A. Yeah, I do.

10 Q. All right. Let's go to page 44. All I
11 want to ask you about is number 7 at the bottom of
12 the page. It says "Image Filters."

13 Do you see that?

14 A. Yeah, I do.

15 Q. It says, "This feature has been
16 available since the TikTok Platform launched in the
17 US."

18 Do you see that?

19 A. Yes.

20 Q. All right. Do you have any reason to
21 dispute what the TikTok and ByteDance defendants
22 have answered about image filters, that they've been
23 available since the TikTok platform launched here in
24 the United States?

25 A. No.

1 A. I don't know what my opinion on that
2 was in early 2024.

3 Q. Let me see if I can refresh your
4 recollection.

5 MR. WEINKOWITZ: Can we turn -- can we
6 pull up DF-1.

7 MS. ARMSTRONG: Exhibit 16.

8 (TikTok-Furlong-16 was marked for
9 identification.)

10 MR. WEINKOWITZ: DF-1, D as in dog.

11 BY MR. WEINKOWITZ:

12 Q. Same drill. Take a look. Let me know
13 when you're ready.

14 (Witness reviewing document.)

15 A. All right. I have it.

16 Q. Okay. I've given you a fair and
17 adequate opportunity to read the document, right?

18 A. No, but happy to just go through it
19 with your questions.

20 Q. Well, let me give you a fair and
21 adequate opportunity. I don't want to be unfair to
22 you, Mr. Furlong.

23 A. No. I just meant like of how we were
24 doing it before.

25 Q. Okay.

1 A. Like read through everything, I thought
2 we could just jump to, like, your question --

3 Q. Okay.

4 A. -- just give it context, yeah.

5 Q. Good. Okay. Got it. I just didn't
6 want to be unfair to you.

7 This is a Lark chat produced to us by
8 TikTok and ByteDance titled "Jordan Furlong - [REDACTED]
9 [REDACTED]"

10 Do you see that?

11 A. Yes.

12 Q. And TikTok and ByteDance produced this
13 document from your work file. Do you have any
14 reason to dispute that?

15 A. No.

16 Q. All right. [REDACTED] was a
17 co-worker of yours at TikTok, correct?

18 A. Yes.

19 Q. I think at the time, according to at
20 least his LinkedIn profile, he was [REDACTED]
21 [REDACTED]

22 Does that sound about right?

23 A. Yes.

24 Q. And this is a chat conversation between
25 you and [REDACTED] in January and February of 2024

1 about work-related issues at TikTok and ByteDance,
2 right?

3 A. Looks like it.

4 Q. And no reason to believe that this
5 document was altered in any way since it left your
6 file at TikTok or ByteDance, right?

7 A. I can't speak to what other people
8 think about this document.

9 Q. No, no. When I ask that question, what
10 I'm asking you is do you think that after TikTok
11 sent this document to us we altered or did anything
12 crazy to it. That's what that --

13 A. I have no reason to think that, no.

14 Q. All right. So let's go to PDF 4 which
15 ends in Bates 555. And I am going to look at the
16 chat that's sort of in the middle of the page after
17 where you say "1 sec." Okay? It's a message on
18 February 20 -- I'm sorry, February 21, 2024, at
19 20:48:44.

20 Do you see where I'm at?

21 A. Yes.

22 Q. [REDACTED] asked you, "What's the current
23 topic of discussion?", and whether it was about
24 beauty filters, right?

25 A. Yes.

1 Q. And you confirmed that the topic
2 involved beauty filters and social comparison,
3 correct?

4 A. Yes.

5 Q. Then you state that Ryn had suggested
6 disclosing use of beauty filters to viewers, right?

7 A. Yes.

8 Q. And Ryn is Ryn Linthincom --

9 A. Yes.

10 Q. -- one of your colleagues at TikTok,
11 right?

12 A. Yes.

13 Q. And their title was trust and safety
14 global issue policy lead.

15 Does that sound about right?

16 A. Something like that, yeah.

17 Q. And was the suggestion that TikTok
18 label when a user is using a beauty filter so that
19 another person knows that the filter is being used?

20 A. Sorry. Can you repeat that question?

21 Q. Yes, sir.

22 Was Ryn's suggestion to you that TikTok
23 label when a filter, a beauty filter, was being used
24 so that somebody seeing it would know that a filter
25 was being used?

1 A. That's what I take from the message.
2 Ryn offered the idea of disclosing beauty filters to
3 viewers.

4 Q. All right. Now let's go to page 5.
5 And remember I asked you if you thought in 2024 that
6 TikTok was behind industry standard, and you said
7 you didn't remember what you thought at that time.

8 Let's look at what you write on
9 February 21, 2024. You respond and say, "With the
10 context that we are behind the industry in this
11 problem space and there has been a lot of back and
12 forth with Herman's team on this subject."

13 Did I read that correctly?

14 A. Yes.

15 Q. And you do say that TikTok was behind
16 industry, correct?

17 A. Looks like that's what I said, yeah.

18 Q. Meaning addressing this issue which is
19 about beauty filters, correct?

20 A. Sounds like that's what I'm saying,
21 yes.

22 Q. So let me just -- if TikTok was
23 launched in 2018, this is nearly seven years after
24 TikTok was launched, correct?

25 A. 2018 to 2024, six years, yeah.

1 Q. Yeah. So it's -- and TikTok at this
2 point six years later is behind industry standards.
3 That's what you say, correct?

4 A. That doesn't mean any progress wasn't
5 made. Just means that we're maybe not where we want
6 to be in the industry.

7 Q. Understood.
8 Before you left TikTok, you were aware
9 that TikTok and ByteDance were considering
10 restricting some appearance filters for users under
11 the age of 18, were you not?

12 A. Sorry. Can you say that one more time?

13 Q. Yes, sir.
14 Before you left TikTok, you knew -- you
15 were aware that TikTok and ByteDance were
16 considering restricting some appearance filters for
17 users under the age of 18, right?

18 A. There was -- yeah, I was aware of,
19 like, debate going on about that, yes.

20 Q. You are familiar with TikTok's
21 Newsroom, right?

22 A. A bit, yeah.

23 Q. Well, that's where TikTok publishes
24 press releases and other things about -- I mean the
25 platform, right?

1 Q. She was a colleague of yours at TikTok?

2 A. Yes.

3 Q. Sound about right that in 2023 she was
4 global program manager, youth safety trust and
5 safety? Does that sound about right?

6 A. Yes.

7 Q. And do you recall in 2023 [REDACTED]
8 informing you about an increase in proposals at
9 TikTok related to launching artificial intelligence
10 generated filters and effects?

11 A. I do not remember that.

12 Q. Okay. Do you recall any concerns that
13 she expressed to you about that?

14 A. Not right now. That's like two years
15 ago.

16 Q. Can you pull up tab DF-9, please?

17 MS. ARMSTRONG: Exhibit 20.

18 (TikTok-Furlong-20 was marked for
19 identification.)

20 BY MR. WEINKOWITZ:

21 Q. Take a look. Let me know when you're
22 ready.

23 A. Let's do it.

24 Q. All right. This is a chat -- a Lark
25 chat that was produced by TikTok and ByteDance in

1 this litigation as part -- from your file. Do you
2 have any reason to dispute that?

3 A. No.

4 Q. And the title of the chat is "MS
5 filters & effects," right?

6 A. Yes.

7 Q. Any reason to believe that this chat
8 was altered in any way from when it left your file?

9 A. No.

10 Q. All right. And you're chatting with
11 two of your colleagues at TikTok, right, [REDACTED]
12 [REDACTED] and Christina Crimmins, about the TikTok
13 platform, right?

14 A. Yes.

15 Q. Christina Crimmins, at this point was
16 she your supervisor?

17 A. I believe so, yes.

18 Q. Was her title global issues owner,
19 minor safety?

20 A. We weren't big on titles, but that
21 sounds roughly right.

22 Q. Was she also [REDACTED] s supervisor?

23 A. Yes.

24 Q. Okay. Let's go to page -- let's look
25 at page 1 ending in Bates 295, and let's look at the

1 very first message. It looks like [REDACTED]
2 invited you and Ms. Crimmins to a chat on April 28th
3 of 2023, correct?

4 A. I'm sorry. April 28th or February?

5 Q. Sorry. February. You're right. Let
6 me reask the question.

7 It looks like [REDACTED] invited you
8 and Ms. Crimmins to a chat on February 28, 2023,
9 right?

10 A. Yes.

11 Q. And then the second message, it looks
12 like it's a recalled message, right?

13 A. I don't know.

14 Q. Okay. Third message down, it says,
15 "hey guys!" This is [REDACTED] on February 28,
16 2023.

17 She says, "hey guys! tl;dr."

18 What does tl;dr mean? Do you know?

19 A. Too long, didn't read. In other words,
20 a summary.

21 Q. "We've been experiencing an increase in
22 proposals that are related to AI filters and effects
23 that can be damaging user's wellbeing,"
24 specifically --

25 MR. WEINKOWITZ: Underline this in red,

1 please.

2 Q. -- "minors and I would like to
3 understand 1. your plans @Jordan Furlong and 2. how
4 we can collaborate to come up with strategies to
5 influence developing safer effects and recommending
6 some improvements."

7 Did I read that correctly?

8 A. Yes.

9 Q. And so she's asking you how the two of
10 you can collaborate on coming up with strategies to
11 influence and develop safer effects, right?

12 A. Yes.

13 Q. And this is in February of 2023,
14 correct?

15 A. Yes.

16 Q. She's clearly concerned that AI filters
17 and effects are being developed that can be damaging
18 to users' wellbeing, specifically minors, right?

19 A. Yeah. I'm just not clear what she
20 means by an increase in proposals.

21 Q. Understand.

22 Minors are children under the age of
23 18, correct?

24 A. Yes. And above -- 13 and above, 13 to
25 18.

1 Q. Understood. So let's start --

2 A. 13 to 17.

3 Q. Got it. 13 to 17.

4 All right. So let's read the last
5 sentence. It says -- and this might answer your
6 other question, what you raised -- "Relevant thing
7 to mention, that influencing the effects team has
8 been a challenging experience due to the risks of
9 negatively impacting UG metrics."

10 Did I read that correctly?

11 A. Yes.

12 Q. So in the first sentence she's asking
13 you to come up with strategies to influence and
14 develop safer effects, and she uses the word
15 "safer," right?

16 A. Yep.

17 Q. And then she tells you that she's been
18 having -- her team has been experiencing an increase
19 in proposals related to AI filters and effects,
20 right?

21 A. Yes.

22 Q. And she's talking about the effects --
23 the effects team, right?

24 A. I think she's talking about the
25 effects, like in the product experience that would

1 be, yeah, worked on be the effects team.

2 Q. Right.

3 And she says -- she tells you that she
4 believes that the filters can be damaging to users'
5 wellbeing, specifically minors, right?

6 A. They can be, yes.

7 Q. And then she explains further in the
8 last sentence that she has -- it "has been a
9 challenging experience," right?

10 A. She says "challenging experience," yes.

11 Q. [REDACTED] is in trust and safety,
12 right?

13 A. Yes. We're on the same team.

14 Q. And she's trying to work with the
15 effects people on the product side of the business,
16 right?

17 A. Yes.

18 Q. And she's explaining her experience
19 with them as challenging, correct?

20 A. On this topic, yes.

21 Q. And she's coming to you and hoping that
22 you will collaborate with her, correct?

23 A. Yes.

24 Q. And she specifically explains why it's
25 challenging in the last sentence of her message,

1 Q. And you know that it was noted that the
2 filter uses machine-learning technology to alter
3 faces making them resemble supermodel-like features,
4 right?

5 A. Yes.

6 Q. The press reports about bold glamour
7 were not good, correct?

8 A. Correct.

9 Q. Do you recall approximately the date
10 that the bold glamour filter was released?

11 A. No.

12 MR. WEINKOWITZ: All right. Can we
13 pull up Tab BF-7 and hand the witness a
14 copy of BF-7, which is a large document.

15 MS. ARMSTRONG: Exhibit 23.

16 (TikTok-Furlong-23 was marked for
17 identification.)

18 MR. WEINKOWITZ: Thank you.

19 BY MR. WEINKOWITZ:

20 Q. When you get that, I'm going to have to
21 do some explaining. Okay?

22 A. That's a large one.

23 Q. All right. What I have handed you, let
24 me explain this, and I'm going to give you plenty of
25 time with it.

1 What TikTok produced and ByteDance
2 produced to us was an Excel spreadsheet. What we --
3 they have also produced to us metadata that went to
4 that Excel spreadsheet.

5 What you have in front of you,
6 Exhibit 23, let me sort of just explain it, the top
7 page is what's called a slipsheet that has the Bates
8 number and shows that it was an Excel spreadsheet.

9 Do you see that?

10 A. Yes.

11 Q. All right. Second page is the --
12 second and third pages are the metadata that came
13 with the Excel spreadsheet. Okay?

14 A. Yes.

15 Q. If you look at the second page of the
16 metadata, you can see that you are the custodian of
17 this spreadsheet. It came out of your file.

18 Do you see that?

19 A. Yes.

20 Q. All right. So then what we did was we
21 were able --

22 A. What does "custodian" mean?

23 Q. That's something you'll have to talk to
24 your lawyers about, but basically it means it came
25 out of your file.

1 A. Okay.

2 Q. All right. So then what we did was we
3 print -- and we needed to use this size paper to
4 make this readable -- but we printed all of the
5 sheets in the Excel spreadsheet out, and that's what
6 you have.

7 And what I've done is, to help you and
8 help me, is there are -- is a color sticky tab to
9 the left for each of the sheets with their name on
10 it. The first sheet that you can see in blue is
11 called "New." The second sheet was called "Net."
12 The third sheet was called "Old 2023."

13 Then we -- those tabs there, 69, 286,
14 and 300, are what I'm going to talk to you about.
15 The next one is in pink, the next sheet, you know,
16 etcetera, etcetera. Right? That's how this is
17 organized so that we can sort of quickly get through
18 this.

19 So what I'm going to do is I'm going to
20 let you -- the next thing I'm going to do is I'd
21 like to pull up --

22 MR. WEINKOWITZ: Vince, what is the
23 PowerPoint that we have that summarizes the
24 rows? I don't have --

25 TRIAL TECH: That would be BF-7A.

1 MR. WEINKOWITZ: Can you pull up BF-7A
2 for me? All right. And hand this to the
3 witness.

4 MS. ARMSTRONG: Do you want to mark
5 this as an exhibit?

6 MR. WEINKOWITZ: Yes, please. Thank
7 you.

8 MS. ARMSTRONG: It will be Exhibit 24.

9 MR. WEINKOWITZ: You know, actually
10 what I'd like to do with this is I'd like
11 to mark this as Exhibit 23A.

12 (TikTok-Furlong-23A was marked for
13 identification.)

14 MS. FOURNIER: I can take parts of
15 this and just put it up on --

16 THE WITNESS: I don't know if I've ever
17 seen this spreadsheet before. So that
18 might preempt some questions.

19 MR. WEINKOWITZ: It doesn't, but --

20 MS. FOURNIER: I'm sorry, Mike. So I
21 understand, I think, what you're doing, but
22 I just want to confirm.

23 So I assume this is pieces of -- these
24 are things that are in the tab. You pulled
25 them out together and put them in a line so

1 it's on a single page so that you can
2 actually look at them.

3 MR. WEINKOWITZ: If you let me finish
4 and mark -- I'm going to mark the whole
5 package, you'll know precisely what I'm
6 doing.

7 MS. FOURNIER: Okay.

8 MR. WEINKOWITZ: So Tab 23A are the
9 rows 69, 286, and 300 marked in yellow on
10 23 from the sheet called "Old 2023" that I
11 am going to ask the witness about. They
12 are the only rows that I'm going to ask the
13 witness about. And they include the header
14 row so that it's easy for the witness to
15 answer my questions.

16 MS. FOURNIER: Okay.

17 BY MR. WEINKOWITZ:

18 Q. So what I would ask you to do,
19 Mr. Furlong, is if you could have 23 with you and
20 23A with you, familiarize yourself with 23, if you
21 could, and familiarizing yourself with 23 look at
22 the rows I'm going to ask you about. And they
23 are -- they have yellow tabs on 23. And make sure
24 that they're the same. Okay? And then I'll ask you
25 questions.

1 I really don't like using spreadsheets,
2 but sometimes you've got to do what you've got to
3 do.

4 (Witness reviewing document.)

5 A. You said this corresponds to the "Old
6 2023" tab in the bigger spreadsheet, right?

7 MS. FOURNIER: That's what he said.

8 BY MR. WEINKOWITZ:

9 Q. Yes.

10 MS. FOURNIER: Yep. Go to the next
11 one.

12 THE WITNESS: I don't see the -- I
13 don't see the filters listed in this 23A on
14 that page.

15 MS. FOURNIER: Well, here's -- okay.

16 Mike, would you let us take a
17 five-minute break? I am following you. I
18 think it will help me show him what we're
19 doing, and we can come back on the record.

20 MR. WEINKOWITZ: Yes.

21 MS. FOURNIER: I'll leave the
22 microphone on so you can hear it, though.

23 MR. WEINKOWITZ: Yes. Thank you.

24 Off the record.

25 THE VIDEOGRAPHER: The time is 11:19.

1 We're off the record.

2 (Discussion off the record.)

3 THE VIDEOGRAPHER: The time is 11:21.

4 We're back on the record.

5 BY MR. WEINKOWITZ:

6 Q. Okay. Mr. Furlong, I've handed you
7 Exhibit 23 which we've explained on the record, and
8 I've also handed you Exhibit 23A. And your counsel
9 was remarkably gracious and professional and
10 explained to you what Exhibit 23A was in relation to
11 23.

12 Do you understand that Exhibit 23A are
13 the rows of the spreadsheet in Exhibit 23 that I'm
14 going to ask you about?

15 A. Yes.

16 Q. And definitely would you agree with me
17 it would be more useful to look at 23A than having
18 to deal with the big 23 to talk about those rows,
19 right?

20 A. I'm staying with 23A.

21 Q. Okay. So let me go back and sort of
22 qualify the document. I want to talk about 23 and
23 let you know what it is, and we'll go from there.

24 Exhibit 23 was a document that was
25 produced to TikTok and ByteDance as an Excel

1 spreadsheet that came out of your file.

2 Do you have any reason to dispute that?

3 A. No.

4 Q. All right. And do you have any reason
5 to believe that Exhibit 23 was in any way altered or
6 fussed with by us or anybody after it left your file
7 at TikTok?

8 A. No.

9 Q. All right. I am going to attach as
10 part of Exhibit 23 the paper copy that you've been
11 handed and the actual Excel spreadsheets in their
12 native format that were produced to us by TikTok,
13 and so let me now ask you some questions about 23A.

14 Looking at 23A, the first thing that I
15 would like to look at is PDF 19, row 26. Do you see
16 where I'm at? The effects name is Bold Glamour.

17 Do you see that?

18 A. I see it.

19 Q. And under the column that says Release
20 Date, do you see that it says February 24, 2023?

21 Do you see that?

22 A. Yes.

23 Q. Under the column that says USCAAU,
24 there is a Y for yes, correct?

25 A. Yes.

1 Q. Is it a fair reading of this document
2 to conclude that TikTok released the bold glamour
3 filter in the United States, Canada, and Australia
4 on February 4, 2023?

5 A. If this spreadsheet is accurate, then I
6 would agree, yes.

7 Q. Okay. I'm going to do the same
8 exercise for the next two filters.

9 The next filter, page 20, row 300 is a
10 filter called Teenage Look.

11 Do you see that?

12 A. Yes.

13 Q. And under Release Date, which is column
14 E, it says February 17, 2023.

15 Do you see that?

16 A. Yes.

17 And my answer will be the same for the
18 next two, by the way.

19 Q. Okay. I have to do this. I appreciate
20 that, and I appreciate you wanting to get us out of
21 here, but I have got to do this for technical
22 reasons, unless, of course, TikTok lawyers want to
23 stipulate that they released these -- that TikTok
24 released these filters on these dates. Maybe?

25 A. If these are accurate, then I would

1 agree with you that that -- that it's accurate. I
2 just didn't manage this spreadsheet. I haven't seen
3 it before. So I don't know. All I can tell you is
4 what's on here.

5 MR. WEINKOWITZ: Ms. Fournier, can you
6 stipulate?

7 MS. FOURNIER: I cannot at this moment
8 do that.

9 BY MR. WEINKOWITZ:

10 Q. Okay. So according to the document it
11 looks as though on February 17, 2023 Teenage Look
12 launched in the United States and Canada, correct?

13 A. According to this spreadsheet, yes.

14 Q. And according to this spreadsheet the
15 Body Shrinking effect was released on April -- I'm
16 sorry, August 2, 2023 in the United States and
17 Canada and Australia, correct?

18 A. Yes.

19 Q. All right. And does it -- would it
20 surprise you, sir, if you go to TikTok.com that
21 there's an entire page for the bold glamour filter?

22 A. Right now?

23 Q. Yes.

24 A. Right now, I mean, it would be
25 surprising to see a full page for any filter, yeah.

1 Q. Let's go. Let's go to the page.

2 A. All right.

3 MR. WEINKOWITZ: Do you need -- can you
4 X out of that?

5 Q. All right. Did you notice that I
6 didn't need to put my date of birth in to access
7 this page? Did you notice that?

8 A. No, I wasn't looking.

9 Q. Yeah. I didn't put my date of birth
10 in, right, and I'm able to access the page, right?

11 A. I didn't see what you did before
12 opening the page.

13 Q. Okay. Do you see that the URL is
14 TikTok.com, and the effect is Bold Glamour?

15 A. Yeah, looks like a standard page we'd
16 have for every effect.

17 Q. Right.

18 Okay. And do you see that there are --
19 under the Bold Glamour title, there's 274,900,000
20 videos?

21 A. 274.9 million videos, yes.

22 Q. And there's an icon that shows the bold
23 glamour filter, correct?

24 A. Yes.

25 MR. WEINKOWITZ: Can we pull up Tab

1 BFB -- I'm sorry, BF-7B1?

2 MS. ARMSTRONG: Exhibit 24.

3 (TikTok-Furlong-24 was marked for
4 identification.)

5 MR. WEINKOWITZ: Thank you.

6 BY MR. WEINKOWITZ:

7 Q. BF-7B1 is a screenshot of the filter.
8 Do you see that at the left is the same -- what do
9 you call it -- icon with an example of the bold
10 glamour filter?

11 A. Yes. Yeah.

12 Q. On the bottom it's the same URL number?

13 A. Maybe. Probably.

14 Q. All right. And would it be -- would it
15 surprise you, sir, that the teenage look filter has
16 a page on TikTok.com

17 A. No. It looks like there's a page for
18 every filter.

19 Q. All right. So let's go to the teenage
20 look filter on TikTok.com which is B -- we're going
21 to the live page. Again, we're not -- I'm not
22 putting in my birth date. I'm just closing this.
23 And I can see the filter, right? Right?

24 A. Yeah, it looked like you just went to a
25 different web page, yeah.

1 Q. And I didn't have to put my date of
2 birth in to see this page, right?

3 A. I didn't see you do that, no.

4 Q. Okay. And up at the top is Teenage
5 Look, and then there's a different sort of cartoon
6 icon. And there's a bunch of videos that show the
7 teenage look effect, right?

8 A. Yes. Www.

9 All right. Can you pull up BF-7B?

10 MS. FOURNIER: Exhibit 25.

11 (TikTok-Furlong-25 was marked for
12 identification.)

13 BY MR. WEINKOWITZ:

14 Q. What we did is we screenshot it off the
15 TikTok.com, the Teenage Look page, and we were able
16 to download one of the videos. So let's take a look
17 at one of the videos that depicts the Teenage Look
18 filter.

19 (Video clip played.)

20 BY MR. WEINKOWITZ:

21 Q. All right. We just saw a picture
22 depicting both the Bold Glamour and Teenage Look
23 filters.

24 Do you see that?

25 A. Yes.

1 Q. And we're going to mark as the next
2 exhibit number the clip that we downloaded for that.

3 MS. ARMSTRONG: Exhibit 26.

4 (TikTok-Furlong-26 was marked for
5 identification.)

6 BY MR. WEINKOWITZ:

7 Q. Thank you.

8 In that video, Zhangsta explains how
9 the new video filters works, does she not?

10 A. Based on her understanding, yes.

11 Q. Based on her experience she was
12 actually showing it, right, showing the filters?

13 A. I don't know if she can speak to how it
14 was implemented by the TikTok engineering team.

15 Q. Do you have any reason to believe that
16 what she said was wrong?

17 A. No. I'm just saying that was her
18 understanding.

19 Q. Understood. We have pulled up BS-73,
20 which we'll mark as Exhibit --

21 MS. ARMSTRONG: 27.

22 (TikTok-Furlong-27 was marked for
23 identification.)

24 BY MR. WEINKOWITZ:

25 Q. I stopped the clip. What we did was we

1 stopped at video at 4:61 and 22:90, and we clipped
2 them onto this exhibit.

3 Do you see that?

4 A. Yes.

5 Q. And if you look at the top of the clip,
6 the first one, on 4:61, she says was created using
7 machine learning, right?

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

9 Q. And then it shows the bold glamour
10 filter, right?

11 A. On the right, it looks like it, yeah.

12 Q. Any reason to dispute that, right? No
13 reason to dispute that, right?

14 A. No.

15 MR. WEINKOWITZ: All right. Can you
16 pull up BF-7B4, which we'll mark as the
17 next exhibit?

18 MS. ARMSTRONG: Exhibit 28.

19 (TikTok-Furlong-28 was marked for
20 identification.)

21 BY MR. WEINKOWITZ:

22 Q. In this exhibit we have a screenshot
23 from the video of Zhangsta without any filter, with
24 the bold glamour filter, and then with the teenage
25 look filter.

1 Any reason to dispute that?

2 A. Not based on the video I just watched.

3 Q. This is a reasonable and accurate
4 depiction of the video, correct?

5 A. It seems so, yes.

6 Q. Remember we talked about the body
7 shrinking filter a little bit earlier?

8 A. Yeah.

9 Q. Would it surprise you that TikTok.com
10 has a body shrinking filter page?

11 A. Like I said, there's probably a page
12 for every filter.

13 Q. Let's look at the body shrinking page
14 -- filter page.

15 All right. I'm not putting in my birth
16 date. Can you X out of that? And we are at the
17 body shrinking filter page.

18 Do you see that?

19 A. Yes.

20 Q. You can see that by looking at the URL,
21 right?

22 A. Yes.

23 Q. All right. Do you see the second row
24 down, first video over, a young woman in a pink
25 shirt?

1 A. Yes.

2 Q. All right. Can we go -- can we pull up
3 tab BF-7B5?

4 MS. ARMSTRONG: Exhibit 29.

5 (TikTok-Furlong-29 was marked for
6 identification.)

7 BY MR. WEINKOWITZ:

8 Q. This is a screenshot of the body
9 shrinking filter page. Remember we saw the young
10 woman in the pink shirt? We were able to download
11 the video showing the effect.

12 MR. WEINKOWITZ: Can you play the
13 video?

14 (Video clip played.)

15 Q. Any reason to believe that that's not
16 an accurate depiction of the body shrinking filter
17 that appears on TikTok.com

18 A. No.

19 Q. These three filters we looked at were
20 released after the TikTok document we saw about the
21 ugly side of beauty filters, were they not?

22 A. I need to double-check the dates. But
23 yeah, that other call was in 2022, or whenever it
24 was, and this is 2023, then yes.

25 Q. We just talked about three filters --

1 about the ugly side of beauty filters, correct?

2 A. Yes.

3 Q. All right. So now what we're going to
4 do is we're going to focus on 2022, the year before
5 those filters were launched. Okay?

6 A. Sounds good.

7 MR. WEINKOWITZ: Pull up tab BF-6,
8 please.

9 MS. ARMSTRONG: Exhibit 30.

10 (TikTok-Furlong-30 was marked for
11 identification.)

12 BY MR. WEINKOWITZ:

13 Q. Thank you.

14 Same deal. Take your time. Let me
15 know when you're ready to go.

16 A. Let's do it.

17 Q. Okay. Let's do it. This is a document
18 produced by TikTok in this litigation and ByteDance
19 from your file. Any reason to dispute that?

20 A. No.

21 Q. All right. Any reason to think that it
22 was altered or fussed with in any way prior --
23 strike that -- after it left your file?

24 A. No.

25 Q. Can you turn to PDF 5, which ends in

1 Bates 106?

2 A. Yes. I'm there now.

3 Q. Thank you.

4 Do you see that your name appears at
5 the end of the document?

6 A. Yes.

7 Q. And if you look at the metadata page,
8 you see that you are the custodian of this document.
9 So that means it came out of your file.

10 A. I see that.

11 Q. All right. So let's go back to the
12 front of the first page of the document ending in
13 Bates 215.

14 A. Sorry. I don't -- you mentioned my
15 name at the end of the document. It's essentially
16 Chinese characters. I don't know what that means.
17 But that seems like relevant context, if you're
18 referencing my name back there.

19 Q. I can tell you what it means is it's
20 the Chinese thumbs-up emoji.

21 A. I see.

22 Q. Would that make sense to you?

23 A. Yeah, yeah.

24 Q. Okay. All right. So title of the
25 document, first page, is Filters & Effects: advice

1 from EU/US GR/PR.

2 Did I read that correctly?

3 A. Yes.

4 Q. All right. And what is EU/US? Is that
5 the European Union and the United States?

6 A. Yes.

7 Q. And GR/PR, you tell me what that is.

8 A. Government relations and public
9 relations.

10 Q. Okay. And if we look at the Background
11 section, it says, "In Europe and US, platforms
12 (including TikTok) are under scrutiny from the media
13 and policymakers about the type of filters and
14 effects that lead to a negative body image."

15 Do you see that?

16 A. Yes.

17 Q. Okay. And again, this document is
18 dated -- and if you look at the metadata, you will
19 see that the document was created on January 27,
20 2022, and last modified on January 27, 2022,
21 correct?

22 A. Yeah, it looks like they were created
23 and modified at the same time. But that's what it
24 says.

25 Q. So this document existed before the

1 body shrinking, bold glamour, and teenage look
2 filters were launched if this was in 2022, correct?

3 A. And if that spreadsheet was correct,
4 yes.

5 Q. And we saw press reports, right, about
6 the bold glamour filter, and they were from 2023.

7 You recall that, right?

8 A. Yeah.

9 Q. Okay. So let's go to the second
10 sentence. It says -- after it says, "It is
11 important to understand this issue and to ensure the
12 filters and effects we offer our community do not
13 perpetuate a narrow and unattainable standard of
14 beauty."

15 Do you see that?

16 A. Yes.

17 Q. And that was written in this TikTok
18 document before bold glamour, body shrinking, and
19 teenage look were launched in 2023, correct?

20 A. Yes.

21 Q. Now, if you go to --

22 A. I just want to be clear that those are
23 done by a separate team. I never worked directly on
24 the filters. So I want to make sure you understood
25 that.

1 Q. I understood that. But you are on all
2 of these documents that I'm using, correct? You are
3 on this document, correct?

4 A. I believe I'm on it to the extent that
5 the thumbs-up meant that I read it.

6 Q. And this document came out of your
7 file, correct?

8 A. I guess so. I don't know what my --
9 yeah.

10 Q. All right. And this document in 2022
11 is two years before November 2024 when TikTok
12 announced it would take action, put age restrictions
13 for certain filters, appearance filters for teens
14 under 18, right?

15 A. Right. And that was after I left and
16 done by another team that I did not work on.

17 Q. Understood.

18 Let me ask you a question. In the
19 break, did you speak with your lawyers about your
20 testimony at all?

21 A. I don't think so.

22 Q. Did you speak with your lawyers about
23 how you were testifying or what you were testifying
24 about?

25 A. I think that's privileged information,

1 right?

2 Q. No, it's not, because I'm not asking
3 you about the content. You can answer that
4 question.

5 A. Yes. I talked to them about how I was
6 testifying, yes.

7 Q. Let's go back to the document.
8 The next section is a section about
9 What is self-image?, right? After Background is
10 What is self-image, right?

11 A. I see it on the screen.

12 Q. And the next section after that is What
13 is body image?, right?

14 A. Yes.

15 Q. And the next section discusses Who is
16 most likely to experience...body image?, right?

17 A. Yes.

18 Q. And we can't read the whole thing
19 because we don't have all day, but if you look at
20 the second bullet point under Who is most likely to
21 experience negative body image?, it says,
22 "Adolescents," right?

23 A. Yes.

24 Q. "Body image and appearance concerns are
25 particularly prevalent during adolescence which is a

1 critical moment of intense identity exploration and
2 development."

3 Did I read that correctly?

4 A. Yes.

5 Q. "The messages teens receive about how
6 they should (and shouldn't) look become integrated
7 into their self identity and negative feedback can
8 be hard to move past."

9 Did I read that correctly?

10 A. Yes.

11 Q. The next -- and we can't spend all day
12 reading the whole document, but it often talks about
13 the other categories or groups of folks that are
14 most likely to experience negative body image,
15 right?

16 A. Yeah. It talks about other potential
17 people, yes.

18 Q. Like women and girls are more
19 disproportionately affected by body image. That's
20 the first bullet point, right?

21 A. Yes.

22 Q. And then "Sexual orientation," it says
23 that folks that are in sexual minority groups tend
24 to experience poorer body image than heterosexuals,
25 right?

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

2 Q. And there's a bullet point for
3 Ethnicity, Certain ethnic groups or people of color,
4 they experience additional appearance pressure due
5 to racialized appearance standards, right?

6 A. That is what it says.

7 Q. And folks with disabilities, folks that
8 have weight issues that are larger than other
9 people, they experience poorer body image, right?

10 A. I can see the full page.

11 Q. Right.

12 And I just want the jury to understand
13 what TikTok understood in 2021 as to who filters
14 could create negative body self-image for, right?
15 Not just young people, right?

16 A. I can't speak for TikTok, but yeah.

17 Q. Well, this is a TikTok internal company
18 document, correct?

19 A. Yes. Everything we're looking at is.

20 Q. Right.

21 Okay. Let's look at some of the
22 impacts, which is on page 3 ending in Bates 104.
23 That's right. I'm sorry. I'm in the wrong place.

24 Let's go to page 2 ending in 103. Here
25 in this internal company document from TikTok it

1 talks about What impacts can negative self-image
2 have, right?

3 A. Yes.

4 Q. First bullet point, "Mental health and
5 wellbeing: body dissatisfaction is associated with
6 increased risks of depression, anxiety and eating
7 disorders. There are" some -- "there are also some
8 links to suicidal ideation."

9 Do you see that?

10 A. Yes. I see the full page that you have
11 shown right now.

12 Q. Do you know that some of the plaintiffs
13 in this case are claiming injuries, including
14 depression, anxiety, eating disorder, suicidal
15 ideation and suicide? Do you know that?

16 A. I've heard that it's related to these
17 topics, yes. I don't know the specifics about all
18 of the complaints.

19 Q. Understood.

20 Next section down, How are filters
21 connected to negative self-image for young people?
22 Right?

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

24 Q. It says, "As discussed above, young
25 people (especially girls) are at heightened risk of

1 experiencing negative body image. Whilst the causes
2 are multifaceted, the digital environment has
3 created additional challenges for young people."

4 Correct?

5 A. Yep, I can see the whole paragraph.

6 Q. Right. And that's what's written here.

7 And TikTok operates in the digital
8 environment, correct?

9 A. Yes.

10 Q. Next sentence, "Through photo editing
11 tools and public approval systems through the form
12 of 'likes', social media provides young people with
13 the opportunity to hone their image, curating a
14 version of themselves that they think will be
15 acceptable in the digital world - typically highly
16 idealized." Correct?

17 A. Yes.

18 Q. And this was written in this TikTok
19 document before bold glamour, teenage look, and body
20 image -- I can't remember the name of the filter
21 now -- before those three filters were launched in
22 2023, correct?

23 A. It appears so from the metadata date.

24 Q. All right. Let's -- now we can turn to
25 page 3, which ends in Bates 104.

1 A. 10 what?

2 Q. 104. Sorry. Middle, first section,
3 full section of this -- on this page is about --
4 it's about, Filters that negatively impact
5 self-image for other high risk groups?

6 Do you see that?

7 A. I see it, yes.

8 Q. Okay. And there are examples of
9 filters that negatively impact self-image for other
10 high risk groups that are in this document listed,
11 correct?

12 A. Yeah, I see all of them.

13 Q. Second bullet point is "'Thin' filters
14 which imply being thinner (often hyper thin) is
15 aspirational," correct?

16 A. Yes.

17 Q. That is a type of filter that is
18 identified in this TikTok document in 2022 that is
19 an example of a filter that negatively impacts
20 self-image for other high risk groups, correct?

21 A. Yes.

22 Q. And after thin filters was identified
23 as one, TikTok launched the body shrinking filter,
24 correct?

25 A. Yes.

1 Q. And even today, anyone can go to the
2 body shrinking filter page on TikTok.com to see
3 examples, correct?

4 A. I guess so.

5 Q. Even children, because it doesn't ask
6 anybody for a date of birth or have an age gate,
7 correct?

8 A. They can go to a page where they see
9 videos that use those filters, yes.

10 Q. Third bullet point down, "'Beautifying'
11 filters that enhance lips, narrow chins and noses
12 and slim cheeks etc which imply that changing these
13 features is aspirational."

14 That is an example of a filter that
15 negatively impacts self-image as set forth in this
16 TikTok document in 2023, correct?

17 A. Yes, that's what's written here.

18 Q. And we saw earlier that the bold
19 glamour filter was launched a year after this
20 document, correct?

21 A. Yes.

22 Q. And even today anyone can go to the
23 bold glamour filter page on TikTok.com and see
24 examples of the bold glamour filter, right?

25 A. Yes.

1 Q. And that includes children because
2 there is no age gate to access that material on
3 TikTok.com, correct?

4 A. Yes. They can see a page where it
5 clearly labels that there's a bunch of videos there
6 using that filter, yes.

7 Q. The fourth bullet point that has an
8 example of filters that negatively impact self-image
9 for other high risk groups, it says, "'Age' filters
10 which imply wrinkles and other signs of aging are
11 unattractive or even scary," correct?

12 A. You cut out for a second.

13 Q. Let me then start over again.

14 The last bullet point, which has an
15 example of a filter that negatively impacts
16 self-image for other high risk groups is, "'Age'
17 filters which imply wrinkles and other signs of
18 aging are unattractive or" are scary, correct?

19 A. Yes.

20 Q. And it was after this document that
21 identifies age filters as negatively impacting
22 self-image that TikTok launched the teenage looks
23 filter in 2023, correct?

24 A. Yeah. The filters we were talking
25 about before, yes.

1 Q. And you can even today go to
2 TikTok.com, as we saw, and see examples of the
3 teenage look filter, correct?

4 A. Yes.

5 Q. And you don't need -- there's no age
6 gate. So somebody as young as 10 years old can go
7 to that page and they can see examples of that
8 filter, correct?

9 A. That's right.

10 Q. Let's turn to the very last page of the
11 document, which is 5. That's at 106, Bates 106.
12 Are with you me?

13 A. Yes.

14 Q. I'm sorry.

15 On this page of the document there is a
16 series of Examples of negative media/policy
17 attention.

18 Do you see that?

19 A. Yes.

20 Q. And what's -- there are a series of
21 hyperlinks to articles and news reports about beauty
22 filters and their dangers, correct?

23 A. Yes.

24 MR. WEINKOWITZ: All right. Let's look
25 at -- let's pull up BF -- sorry -- yeah,

1 BF-6, hyperlink 6.

2 MS. ARMSTRONG: Exhibit 31.

3 (TikTok-Furlong-31 was marked for
4 identification.)

5 BY MR. WEINKOWITZ:

6 Q. Take your time and let me know when
7 you're ready.

8 A. I'm ready.

9 Q. Okay. Hyperlink 6, if you -- and if
10 you could keep Exhibit 30 next to you so that you
11 can see that I'm referring to the correct document.
12 Do you see that the sixth hyperlink down is an
13 article from the -- I'm sorry, is an article from
14 the Telegraph in the UK, "Social media giants
15 accused of fueling body dysmorphia filters"?

16 Do you see that on Exhibit 30?

17 A. Yeah.

18 Q. And the document that we just marked is
19 that article, correct?

20 A. Yep.

21 Q. And the title of the article again is
22 "Social media giants accused of fueling body
23 dysmorphia with filters tell MPs they are
24 'playful.'"

25 Do you see that?

1 A. I see what you have on the screen,
2 yeah.

3 Q. And the article was published
4 December 16th of 2020, correct?

5 A. Yes.

6 Q. 2020 was four years before November of
7 2024 when TikTok restricted filters for underage
8 users, correct?

9 A. Yep.

10 Q. 2020 is three years before TikTok
11 released the bold glamour, teenage look, and body
12 shrinking filters in '23, correct?

13 A. Yep.

14 Q. 2020 is one year before the date of the
15 internal TikTok document that we saw that describes
16 the ugly side of beauty filters, correct?

17 A. Yes.

18 Q. If you look at the first -- on the
19 first page, second paragraph, it mentions the Women
20 and Equalities Committee.

21 Do you see that?

22 A. Yes.

23 Q. And according to this 2020 article,
24 that committee told TikTok, Snapchat, and Facebook
25 that their filters had impacted young people's

1 mental health, right?

2 A. It says "a young person's mental
3 health."

4 Q. "A young person's mental health," okay.
5 And TikTok was specifically included in
6 those concerns, correct?

7 A. Spelled wrong, but yes.

8 Q. Fourth paragraph down, the article
9 talks about how the popular filters allow users to
10 change their appearance, right?

11 A. Sorry. Say that again.

12 Q. The fourth paragraph down, in the
13 fourth paragraph down, the article talks about how
14 the popular filters allow users to change their
15 appearance, correct?

16 A. Yes.

17 Q. Such as removing blemishes, right?

18 A. Yes.

19 Q. Changing skin tone and slimming the
20 face, right?

21 A. Yes.

22 Q. That sounds somewhat familiar to the
23 body -- to the bold glamour filter that TikTok
24 launched three years later in '23, right?

25 A. Yes.

1 Q. If you look at the article's title, one
2 of the concerns about the body -- about the filter
3 is that it is fueling body dysmorphia, correct?

4 A. That's what this article says, yes.

5 Q. Remember on December 2021 in the
6 internal TikTok document about the ugly side of
7 beauty filters we saw the word "body dysmorphia"
8 specifically mentioned?

9 A. Maybe. I don't remember, yeah.

10 Q. Okay. And it also included Snapchat
11 dysmorphia, correct?

12 A. Yes.

13 Q. At the time this article was published
14 in December 2020, TikTok was aware of the Telegraph
15 article, was it not?

16 A. Based on that document, it being
17 listed, then someone who wrote that was aware of it,
18 yes.

19 Q. And the concerns in this document --
20 strike that.

21 And TikTok was aware in December of
22 2020 about the concerns raised in this document that
23 filters were fueling body dysmorphia, correct?

24 A. I can't speak for TikTok in December of
25 2020 because I wasn't working on it and I don't know

1 who might have seen this article when it came out.

2 Q. Do you know [REDACTED]

3 A. Yes.

4 Q. Look at the fourth paragraph of the
5 article. It quotes [REDACTED] as a TikTok --
6 who was a TikTok colleague of yours, correct?

7 A. Yes.

8 Q. [REDACTED] must have been aware of this
9 article if she was quoted in the article, correct?

10 A. Like I said, I wasn't working on
11 TikTok, so, you know, I can't speak for [REDACTED]
12 [REDACTED]. But it looks like she was aware at that
13 time, yes.

14 Q. And according to this article she was
15 the [REDACTED]
16 correct?

17 A. That's what it says.

18 MR. WEINKOWITZ: Can we go -- all
19 right. Let's go back to where all the
20 hyperlinks are listed in the other
21 document, and we're going to look at the
22 eighth hyperlink now.

23 Can you pull up the eighth hyperlink.

24 MS. ARMSTRONG: Exhibit 32.

25 Q. The eighth hyperlink -- well, let's

1 look at this first. The eighth hyperlink is another
2 Telegraph article, "Reality bound jarring digital
3 filters makes easy appear beautiful."

4 Do you see that, December 20?

5 Strike that.

6 MS. FOURNIER: What number is this?

7 MR. WEINKOWITZ: Strike it, strike it,
8 I'm screwed up here. Give me a minute.

9 Let's go off the record for a second.
10 I got my numbers all screwed up. Give me
11 one minute.

12 THE VIDEOGRAPHER: 12:11. We're off
13 the record.

14 (Pause.)

15 THE VIDEOGRAPHER: The time is 12:12.
16 We're back on the record.

17 BY MR. WEINKOWITZ:

18 Q. Okay. We're in Exhibit 30 which is the
19 internal TikTok document called "Filters & Effects:
20 advice from EU/US GR." We are on pages Bates ending
21 in 106. We are discussing all of the examples of
22 negative media policy attention that were
23 hyperlinked in the back, and I'd like to talk about
24 hyperlink number 8. It is a November 2020 argument
25 from an article in -- called TikTok Time Warps Body

1 Shaming.

2 Do you see that, Mr. Furlong?

3 A. I see that URL, yeah.

4 MR. WEINKOWITZ: All right. Can we
5 pull up Tab BF-68, hyperlink 8, please.

6 MS. ARMSTRONG: Exhibit 32.

7 (TikTok-Furlong-32 was marked for
8 identification.)

9 MR. WEINKOWITZ: Thank you.

10 BY MR. WEINKOWITZ:

11 Q. Let me know when are ready, sir.

12 A. Yeah, I have it now.

13 Q. This is a title -- do you see that this
14 is the hyperlinked article from the eighth hyperlink
15 in Exhibit 30?

16 A. Yeah, it looks like the same one, yeah.

17 Q. The title of the article is "TikTok's
18 TimeWarpScan Is Just Another Body-Shaming Tool."

19 Do you see that?

20 A. Yes.

21 Q. It says, "The Effect Allows Users to
22 Distort the Proportions of Their Bodies," correct?

23 A. Yes.

24 Q. Sounds a lot like the body shrinking
25 filter that we saw, doesn't it?

1 MS. FOURNIER: Object to form.

2 THE WITNESS: Yes.

3 BY MR. WEINKOWITZ:

4 Q. Did you say -- I didn't hear the
5 answer. You said yes. Okay.

6 And the date of this article is
7 November 18th of 2020, correct?

8 A. Yes.

9 Q. If you turn to page 2. It says, "Since
10 the filter distorts proportions, some people are
11 warping themselves to create 'perfect noses,' larger
12 butts, and flatter stomachs."

13 Did I read that correctly?

14 A. Yes.

15 Q. "By dragging the phone along to create
16 larger body parts or sucking in their stomachs,
17 TikTokers can reimagine their feature - and it's not
18 healthy," correct? Did I read that --

19 A. Yeah, you read it correctly.

20 Q. And this article was published in 2020,
21 correct?

22 A. It looks like it, yeah.

23 Q. Four years before November of 2024 when
24 TikTok restricted filters for under 18 users,
25 correct?

1 A. Yeah, before they made that
2 announcement, yes.

3 Q. And three years after this article was
4 published, TikTok released filters like bold
5 glamour, teenage look, and body shrinking, correct?

6 A. Yes.

7 Q. Turn to page 6 of the article, please.
8 Underneath the picture, do you see that the article
9 specifically refers to body dysmorphia?

10 A. Yes.

11 Q. And it mentions -- turn to page 7. The
12 article mentions that these type of filters promote
13 eating disorders and unhealthy eating habits.

14 Do you see that?

15 A. Yeah, I do.

16 Q. That was written in 2020, correct?

17 A. Still is, yeah.

18 Q. We're going to look at the -- go back
19 to Exhibit 30, please. We're going to look at the
20 tenth hyperlinked article. It's an article from
21 thequint.com, "TikTok beauty feature extremely
22 problematic."

23 Do you see that?

24 A. I see the hyperlink, yeah.

25 MR. WEINKOWITZ: Can you pull up Tab

1 BF-6 which is hyperlink 10?

2 MS. ARMSTRONG: Exhibit 33.

3 (TikTok-Furlong-33 was marked for
4 identification.)

5 BY MR. WEINKOWITZ:

6 Q. Do you see Exhibit 33 is the article
7 that was hyperlinked from thequint.com about "Why
8 TikTok's 'Enhanced Beauty' Feature Is Extremely
9 Problematic"?

10 A. Yes.

11 Q. And this is published June 11, 2020,
12 right?

13 A. Yes.

14 Q. Again, another article raising concerns
15 about TikTok's filters in 2020, right?

16 A. Yes.

17 Q. And the article is about a new enhanced
18 beauty feature that TikTok released, right?

19 A. Sounds like it, yeah.

20 Q. Last paragraph, first page says, This
21 is Not my face - but TikTok makes it easy to pretend
22 otherwise. The app released an update with Enhanced
23 Beauty features. Now it's possible to instantly
24 change your jaw structure and nose, to smooth out
25 All your pores, to allow on layers of makeup with

1 the click of a button, to make your eyes brighter,
2 teeth whiter, even shinier. In an instant, I can be
3 a whole new me.

4 TikTok has nearly 800 million monthly
5 active users. About 41 percent of those are even
6 between 16 to 24 years. My instinct is a lot of --
7 my instinct is a lot are younger - they just don't
8 have the stats, she wrote.

9 Did I read that correctly?

10 A. Almost, but yeah, in general, yeah.

11 Q. Well, the way that filter it described,
12 does it not sound like the bold glamour filter that
13 was released in 2020?

14 A. It does.

15 Q. And this was written in 2020, correct?

16 A. Yes.

17 Q. Let's look at the second hyperlink on
18 Exhibit 30 which is to an article in the MIT
19 Technology Review.

20 Do you see that?

21 A. Yeah, I see it.

22 MR. WEINKOWITZ: All right. Pull up

23 BF-6.

24 MS. ARMSTRONG: Exhibit 34.

25 ///

1 (TikTok-Furlong-34 was marked for
2 identification.)

3 BY MR. WEINKOWITZ:

4 Q. Do you see that I've handed you,
5 Exhibit 34, which is the hyperlinked article from
6 Exhibit 30?

7 A. Yeah, I have it now.

8 Q. And it's an article that was published
9 on April 2, 2021.

10 Do you see that?

11 A. Let me pull -- I don't see the date.

12 Q. Look at the screen. Look at the
13 screen, sir. I'm sorry.

14 A. Yeah, I see it there, yeah.

15 Q. All right. And the article was
16 published in the MIT Technology Review, correct?

17 A. I think so.

18 Q. Look at --

19 A. Yeah, I see it on the top now, yeah.

20 Q. Sorry about that.

21 The title of the article is "Beauty
22 filters are changing the way young girls see
23 themselves," right?

24 A. Yes.

25 Q. And the subtitle is "The most

1 widespread use of augmented reality isn't in gaming:
2 it's the face filters on social media. The result?
3 A mass experiment on girls and young women."

4 Did I read that correctly?

5 A. Yes.

6 Q. And that article was in 2021, correct?

7 A. Yes.

8 Q. Turn to page 3. If you look at the
9 third full paragraph down, last sentence, do you see
10 that TikTok's beauty filters are mentioned in this
11 article?

12 A. Yes.

13 Q. "TikTok's beauty filter, meanwhile, is
14 part of a setting called 'Enhance,' where users can
15 enable a standard beautification on any subject."

16 Do you see that?

17 A. Yes.

18 Q. Right above that it refers to Snapchat,
19 correct?

20 A. Yes.

21 Q. "Snapchat offers a gallery of filters
22 where users can swipe through beauty-enhancing
23 effects on their selfie camera," correct?

24 A. Yes.

25 Q. And this is 2021, three years before

1 TikTok released bold glamour, teenage look, and body
2 shrinking, right?

3 A. Yeah.

4 Q. All right. I'm not going to go through
5 all of those hyperlinks, which I'm sure you're very
6 happy about.

7 I'm almost done with my part. So if
8 you'll bear with me?

9 MR. WEINKOWITZ: What we're going to do
10 is if you could pull up BF-31, please,
11 slide 1.

12 MS. ARMSTRONG: Exhibit 35.

13 (TikTok-Furlong-35 was marked for
14 identification.)

15 MR. WEINKOWITZ: Thank you.

16 BY MR. WEINKOWITZ:

17 Q. What we're going to do, sir, is we're
18 going to build a timeline with the documents that
19 we've talked about in your testimony. Okay? We
20 start with a blank timeline.

21 MR. WEINKOWITZ: If you pull up Tab
22 BF-31, slide 2.

23 BY MR. WEINKOWITZ:

24 Q. Do you see that we have an
25 August 18th -- August 2018, TikTok launched in the

1 United States back in August of 2018, is that
2 correct?

3 A. I believe so, from what we talked
4 before, yeah.

5 Q. Okay. And so in this Lark message from
6 June of -- I'm sorry, strike that.

7 In this Lark message which is dated
8 June 2021, this would have been less than three
9 years after TikTok launched in the US, correct?

10 A. Yeah. If it launched in 2018, it would
11 have been about three years, yeah.

12 Q. Okay. So less than three years after
13 TikTok launched in the US, you were being hired to
14 address user addiction and safety problems, correct?

15 A. That's what he wrote, yes.

16 Q. Okay. So what I'd like to do next is I
17 want to discuss some of the problems that you were
18 hired to address.

19 MR. VANZANDT: If we can go to Tab

20 JV-A2.

21 MR. YANG: Exhibit 39.

22 (TikTok-Furlong-39 was marked for
23 identification.)

24 BY MR. VANZANDT:

25 Q. It will be Exhibit 39.

1 A. I have it here now.

2 Q. Okay. Please feel free to review and
3 familiarize yourself with the document, and I will
4 be kind of pointing you to certain parts of the
5 document. Okay?

6 A. Sounds good. Okay.

7 Yeah, this looks like a very old, early
8 days document, yeah. But yeah, let's go ahead.

9 Q. Okay. I think you're right about that,
10 about it being a very old document. So let's look
11 at it.

12 I will represent to you that TikTok and
13 ByteDance's lawyers produced that document to us
14 from your work files as part of this litigation. Do
15 you have any reason to dispute that?

16 A. No.

17 Q. Okay. And if you can -- if you look at
18 the screen here, we're displaying the metadata for
19 this document. And do you see that the date it was
20 created was February 7th of 2021?

21 A. Yeah.

22 Q. Okay. And that was about two months
23 before you officially joined TikTok, is that
24 correct?

25 A. That's right.

1 Q. Okay. What I do want to point your --
2 I'm sorry, point your attention to page 2 of the
3 document, Bates ending 109. Do you see on the right
4 side there's a comment box? Looks like there's your
5 name in the comment box.

6 Do you see that?

7 A. Yes.

8 Q. It says -- it looks like there -- it
9 looks like you left a comment to that, a thumbs-up.
10 And it says the date of that is February 13th of
11 2021.

12 Do you see that?

13 A. Yeah.

14 Q. So that would have been before you
15 joined the TikTok team, is that correct?

16 A. That's right.

17 Q. Okay. And so you would have reviewed
18 and commented on this document before you were part
19 of the TikTok team?

20 A. So if I remember correctly, I believe
21 this is, like, the document I wrote to, like, pitch
22 my role and that it should exist on the TikTok team.
23 This is like a proposal or an application as like an
24 internal transfer that ended up making its way to
25 the team who works on these things. And after they

1 read it and we talked, they ended up deciding to
2 create a role for me to, like, pursue these things.

3 So that's why it was before I moved
4 over because this was me hoping that I could go and
5 work on these -- you know, this work, yeah.

6 Q. Okay. Thank you for that
7 clarification.

8 So let's look at the document itself.
9 If we could go back to the first page, please.

10 Do you see at the top the title of the
11 document is "Digital Wellbeing on TikTok"?

12 A. Yeah.

13 Q. And below that it says, "Define and
14 validate TikTok's digital wellbeing problems."

15 Do you see that?

16 A. Yes.

17 Q. So I want to now skip to the bottom of
18 the page.

19 Do you see where it says "Validation"?

20 A. Yes.

21 Q. And then it lists, starting there and
22 then going over to the next page, a few studies and
23 research related to the topic of digital wellbeing,
24 is that fair?

25 A. Yeah.

1 Q. Okay. So I actually want to look on
2 the next page, the top of page 2. Do you see that
3 it lists a -- it quotes actually some research
4 conducted by Pew Research?

5 A. Mm-hmm.

6 Q. Pew Research is not part of TikTok,
7 correct?

8 A. Correct.

9 Q. Pew Research is an independent research
10 organization, is that right?

11 A. That's correct.

12 Q. And do you understand that Pew's
13 findings are frequently cited by scholars and
14 policymakers and the media?

15 MS. FOURNIER: Objection to form.

16 THE WITNESS: I could say it's like a
17 reputable source of information that, you
18 know, I think is like helpful to reference,
19 consider as an input, yeah.

20 BY MR. VANZANDT:

21 Q. Okay. Thank you.

22 I want to look at the quote here that's
23 included in this TikTok internal document. It says,
24 "The long-term effects of children growing up with
25 screen time are not well understood but early signs

1 are not encouraging: poor attention spans, anxiety,
2 depression and lack of in-person social connections
3 are some of the correlations already seen, as well
4 as the small number of teens who become addicts and
5 non-functioning adults."

6 Did I read that correctly?

7 A. Yes.

8 Q. And just below that statement there's
9 another section of the document in bold that says
10 "User addiction to TikTok."

11 Do you see that?

12 A. Yes.

13 MR. VANZANDT: Vince, could you
14 underline "User addiction to TikTok,"
15 please?

16 Q. And the first sentence of that section
17 says, "Addiction to technology is a ubiquitous
18 problem that TikTok and most other platforms deal
19 with today."

20 Did I read that correctly?

21 A. Yeah.

22 Q. Mr. Furlong, do you understand the word
23 "ubiquitous" to mean widespread?

24 A. Yes.

25 Q. And then the paragraph then goes on to

1 say, "Addiction takes many forms such as overall
2 time spent on an app, deprioritizing other important
3 areas of life, and generating self-worth based on
4 number of likes."

5 Do you see that?

6 A. Yes.

7 Q. And then it continues, "all of which
8 and countless others have made us realize the
9 consequences for optimizing for engagement and"
10 user -- I'm sorry -- "for engagement and retention
11 metrics," is that correct?

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

13 Q. Now I want to skip down to the Priority
14 Justification, and it's the section just below that.
15 And the priority that we're talking about is digital
16 well-being, is that correct?

17 A. Right.

18 And again, this is like a proposal I'm
19 making as an outsider working on Lark. You know, I
20 don't have any inside TikTok information, just
21 saying here is what I'm finding as I search the
22 internet and watch this documentary. So I think
23 that context is pretty critical for this too. It's
24 an outside of TikTok document when it was written.

25 Q. Right.

1 would be considered the social media industry, is
2 that correct?

3 A. I suppose so. I'm not sure who wrote
4 it and if that's what they meant.

5 Q. Okay. As you discussed with
6 Mr. Weinkowitz earlier, because of TikTok's
7 advertising-based business model, the more time
8 TikTok users spend on TikTok the more money TikTok
9 makes from advertisements, is that correct?

10 A. I think it's more about viewing ads,
11 which is probably correlated with more time spent
12 but not directly related. But, so, yeah, that's my
13 understanding.

14 Q. Okay. But as we discussed before,
15 Mr. Furlong, you joined the company to address
16 TikTok user addiction problems, right?

17 A. It's more broad than that. It was like
18 how do we improve people's digital wellbeing with
19 the amount of time spent on the platform being one
20 of the areas that bubbled up.

21 MR. VANZANDT: I want to now go to tab

22 JV-A4. This is going to be Exhibit 42.

23 (TikTok-Furlong-42 was marked for
24 identification.)

25 A. I have it here now.

1 BY MR. VANZANDT:

2 Q. Okay. Do you see that this is a
3 document entitled "Digital Wellbeing Product
4 Strategy"?

5 A. Yes.

6 Q. Okay. And I'll represent to you that
7 TikTok and ByteDance's lawyers produced this to us
8 in this litigation from -- as being from your work
9 files. Any reason to dispute that?

10 A. No.

11 Q. Okay. And if you see the metadata page
12 that's on the screen here, the date of this document
13 is September 23, 2021.

14 Do you see that?

15 A. Yes.

16 Q. Okay. And so this would have been --
17 strike that.

18 This would have been about six months
19 after you joined the company, is that correct?

20 A. About five months after I joined
21 TikTok, yes.

22 Q. Okay. Thank you for that
23 clarification.

24 So let's go back now to the first page
25 of the document. Do you see there under the title

1 it asks the question "What is Digital Wellbeing"?

2 A. Yes.

3 Q. I want to go down to where it says "DW
4 Hierarchy," just below that.

5 And "DW" there would be digital
6 wellbeing, correct?

7 A. Yes.

8 Q. And so number 1 listed there in the
9 hierarchy says "Safety," and it equals "safety by
10 design."

11 Do you see that?

12 A. Yes.

13 Q. Do you agree, Mr. Furlong, that if a
14 social media company is going to value the digital
15 wellbeing of its users, the first priority should be
16 a safely designed platform?

17 A. I think it's very important, yes.

18 Q. And then number 2 in the hierarchy
19 there is the word "Agency."

20 Do you see that?

21 A. Yes.

22 Q. And this document defines agency. It
23 says, "Agency equals the capacity of individuals to
24 act independently and to make their own free
25 choices."

1 Do you see that?

2 A. Yes.

3 Q. So according to this document,
4 developing a responsible digital wellbeing approach
5 requires, first, prioritizing safety and, second,
6 prioritizing agency, correct?

7 A. According to this. That was like the
8 proposal I was making as a way to carve out like
9 what does digital wellbeing mean, since it's such a
10 large term, versus what the rest of trust and safety
11 was doing at the time.

12 Q. Thank you.

13 So you personally wrote this document?

14 A. Yes.

15 Q. Okay. So let's go over to the next
16 page. It's Bates ending 040.

17 A. I guess just to clarify, it looks like
18 this is the external version, which is, more than
19 anything, a copy that was produced for probably a
20 meeting with a partner. So I think in general the
21 information is the same. But some of the
22 information from the original version may have been
23 tweaked or something if we didn't want to share that
24 with them, yeah.

25 Q. Okay. Understood.

1 Let's go to the bottom half of this
2 second page, please.

3 A. Sure.

4 Q. Do you see the title of that section
5 called "User Problems"?

6 A. Yes.

7 Q. And then underneath it, it says, "1.1.
8 Compulsive Usage and Lack of Agency."

9 Do you see that?

10 A. I do.

11 Q. Okay. So we just discussed agency.
12 This is the first time we're seeing the term
13 compulsive use or compulsive usage. So I want to
14 just pause and talk about those terms for a moment.
15 Okay?

16 A. Okay.

17 Q. As we just saw, the word agency is
18 defined in this document as "the capacity of
19 individuals to act independently and make their own
20 free choices," right?

21 A. Mm-hmm.

22 Q. And therefore, would you agree that the
23 lack of agency is when users do not have the
24 capacity to act independently and make their own
25 free choices?

1 Q. Okay. We can pull this down. Thank
2 you.

3 Mr. Furlong, whether you call it
4 addiction or compulsive use or lack of agency,
5 during your time at TikTok you understood there were
6 people who spent more time than they would like on
7 TikTok, is that correct?

8 A. Yes.

9 Q. Okay. So let me go back to the prior
10 exhibit I had up, I think Exhibit 40, under the User
11 Problems that we were looking at before.

12 A. Yes.

13 Q. Okay. So I want to look back at some
14 of this text. Under the bold heading there,
15 Compulsive Usage and Lack of Agency, it says, "We
16 have learned from," and then you see that there's a
17 hyperlink. That hyperlink would have been a link to
18 an internal study, is that right?

19 A. I'm not sure.

20 Q. Okay. So let's skip the link.

21 It says, "We have learned from"
22 hyperlink "that our users' biggest usage deterrent
23 is that they think the platform is addictive."

24 Do you see that?

25 A. I do.

1 Q. Okay.

2 MR. VANZANDT: Vince, can you underline
3 the word addictive? Thank you.

4 Q. And then do you see a reference to the
5 app store reviews that we looked at earlier?

6 A. Yes.

7 Q. Okay. Going down to the next
8 paragraph, it says, "This issue is further supported
9 by external research and reveals other more
10 concerning effects as well."

11 Do you see that?

12 A. Yes.

13 Q. It goes on to say -- well, let me say
14 this.

15 Do you see that it next cites research,
16 external research from Common Sense Media?

17 A. I see that link, yes.

18 Q. Okay. And so the sentence before that
19 says, "According to a study of 1,600 8 to 18 year
20 olds, 8 to 12 year olds use almost 5 hours of
21 entertainment screen media per day and teens use
22 over 7 hours per day, with 62 percent over 4 hours
23 and 29 percent over 8 hours."

24 Did I read that correctly?

25 A. That's correct, yes.

1 Q. And the next sentence says, "This
2 compulsive usage correlates with a slew of negative
3 mental effects like loss of analytical skills,
4 memory formation, contextual thinking,
5 conversational depth, empathy, and...anxiety."

6 Did I read that correctly?

7 A. Yes.

8 Q. And that is -- that's referring to the
9 use of screen media in general, correct, not just
10 TikTok?

11 A. It looks like it's just citing
12 information from that report, from Common Sense
13 Media.

14 Q. Okay.

15 A. Or in the Pew Research one, in that --
16 yeah, it's probably the Pew Research one.

17 Q. Yeah. I'm sorry if I misread that one
18 before.

19 So the last sentence we just read was
20 citing Pew Research there, correct?

21 A. It looks like it, yeah.

22 Q. Okay. Now, the next sentence that I
23 want to look at I believe refers specifically to
24 TikTok. It says -- I'm sorry. Strike that.

25 The next sentence after the Pew

1 Research article there says, "Various similar
2 studies to Pew's also conclude that compulsive usage
3 interferes with essential personal responsibilities
4 like sufficient sleep, work/school responsibilities,
5 and connecting with loved ones."

6 Do you see that?

7 A. Yes.

8 Q. So I want to go down to the very next
9 sentence, the top of the next paragraph. There do
10 you see that you wrote in this document, "In sum,
11 compulsive usage on TikTok is rampant and our users
12 need better tools to understand their usage, manage
13 it effectively, and ensure being on TikTok is time
14 well spent."

15 Do you see that?

16 A. Yes. And I would have loved to have
17 included actual data from TikTok on this rather than
18 referencing third-party research. So that would
19 have been a great addition.

20 Q. Okay. And you actually do in the
21 hyperlink -- just after that you provide a hyperlink
22 to something, ByteDance dot something something.
23 That appears to be an internal link, correct?

24 MS. FOURNIER: Object to form.

25 THE WITNESS: It looks like an internal

1 Q. And this is a document that you
2 co-wrote back in June of 2022, correct?

3 A. I don't know who wrote that.

4 Q. Okay. Do you acknowledge that on the
5 front -- the first page of this, it notes that it
6 was co-produced by you and two other individuals?

7 A. That's what's written, yes.

8 MR. VANZANDT: Okay. So we can pull
9 that down.

10 Let's go to Tab JV-A9. This is going
11 to be Exhibit 46.

12 (TikTok-Furlong-46 was marked for
13 identification.)

14 BY MR. VANZANDT:

15 Q. Do you see that this is a document
16 titled "Screen Time Management One Pager"?

17 A. Yes.

18 Q. And do you see at the top there that it
19 says @Jordan Furlong with a date of July 6, 2022?

20 A. I do.

21 Q. Does that mean that you wrote this
22 article -- or this document?

23 A. Yes.

24 Q. Okay. And I'll represent to you TikTok
25 and ByteDance's lawyers produced this to us from

1 your work files. Any reason to dispute that?

2 A. No.

3 Q. I want to look at page 2 of the
4 document. It's the second page, Bates ending 815 at
5 the bottom. It says, "Description: What is it?"

6 A. Yep.

7 Q. And this is really just -- I'm trying
8 to get a sense of what this document is about. And
9 so if you look at the second sentence, it says,
10 "This one pager refers to a suite of screen time
11 management features to help users be more mindful
12 and controlling of their time spent on TikTok."

13 Do you see that?

14 A. Yes.

15 Q. So that gives an overview as to what
16 this document is going to talk about?

17 A. Yeah.

18 And I would just add that it just --
19 for someone who cares about what's going on with
20 that project or area of work, this is where they can
21 get the most important information.

22 Q. Okay. Thank you.

23 Let's go now to the next page, please.

24 The top part there where it says, "Problem: What
25 problem is this solving?"

1 Do you see that?

2 A. Yeah.

3 Q. It says, "Some users spend more time on
4 TikTok than they would like to, interfering with
5 important areas of personal life like work, school,
6 family time, and sleep."

7 Did I read that correctly?

8 A. Family time and sleep. But yeah.

9 Q. Thank you for that.

10 It then says, "We can break down this
11 problem into two areas." If we zoom out, we can see
12 what those two areas are on this page.

13 Do you see that the first area
14 reference is controlling the amount of time spent on
15 the app?

16 A. Yes.

17 Q. Okay. And then under number 1 there it
18 says, "Objective harmful usage (6 hours plus per day
19 = 99th percentile)."

20 It goes on to say "Currently this is
21 10" -- is this 10 million?

22 A. Yes.

23 Q. -- "10 million users/1.3 percent daily
24 active users," is that correct?

25 A. That's what I wrote, yes.

1 Q. Okay. And so the amount of time spent
2 on the app is listed under the -- is listed as one
3 of the two problems that this is seeking to address,
4 correct?

5 A. Yes. And in this section, controlling
6 the amount of time spent on the app was an attempt
7 to say what are, like, the specific problems we're
8 trying to solve as it relates to screen time
9 management.

10 One is someone just has a sense of
11 using the app too much, which is number 2.

12 Number 1, I would say, is an attempt to
13 say that there should be a ceiling. You know, at a
14 certain point, like this is just too much time.

15 But that is a very controversial topic
16 that did not have any sort of answer across all the
17 people we spoke with. And so this was just a stab
18 at that based on two research articles that I had
19 looked at for the sake of the thought experiment.
20 But not because this was an established standard
21 that was accepted outside of, like, basically this
22 document. So, yeah.

23 MR. VANZANDT: Okay. Move to strike as
24 nonresponsive.

25 I want to move on down to -- if we

1 could zoom out of that document. Let me
2 see the whole document, please. Okay.
3 Appreciate that. Strike that.

4 Q. Let's go now to point number 2, the
5 bullet point number 2. It says, "Controlling when
6 the app is used at night."

7 Do you see that?

8 A. Yeah.

9 Q. And below that it says, "Screen time
10 can interfere with essential personal
11 responsibilities like sufficient sleep, work/school
12 responsibilities, and connecting with loved ones."
13 And then it cites some research article.

14 Do you see that?

15 A. Yes. Some article, it looks like.

16 Q. Okay. Okay. Then it then goes on to
17 say -- strike that.

18 Would you agree that if screen time
19 interferes with essential personal responsibilities
20 like work, school and sleep, that can be problematic
21 for users?

22 A. I would say that if you're doing
23 anything -- you know, you're watching TV, you're
24 going for a walk, you're reading a book, that
25 there's a possibility that interferes with time that

1 could be otherwise spent, spending time with people
2 you care about. Maybe those things are late at
3 night and it conflicts with your sleep schedule or
4 you should be doing homework. So I think it's --
5 yeah, that's how I think about this.

6 Q. Okay. So the next sentence says, "We
7 know that TikTok contributes to this problem
8 anecdotally, but we have low confidence that we can
9 solve for this problem throughout the day."

10 Is that what that says?

11 A. Yes.

12 Q. Okay. So if we look at the bullet
13 points below --

14 MR. VANZANDT: Vince, you can back out
15 of that?

16 Q. -- there's some bullet points below
17 that. The first bullet point says, "Screen time and
18 social media use at night are associated with
19 delayed and inadequate sleep."

20 Is that what you wrote?

21 A. It's what I wrote. And yeah, if screen
22 time is going to conflict with sleep, then obviously
23 you need not to be using your screen -- your phone
24 at night. So kind of an obvious statement.

25 Q. Okay. And then the next statement you

1 wrote is, "Screen time before bed is linked with
2 inadequate sleep."

3 Do you see that?

4 A. That's what's written, yes.

5 Q. Okay. And then the next bullet point
6 says, "External research suggests a causal
7 relationship between social media use at night and
8 delayed sleep." Correct?

9 A. Right. Again, like if you're using
10 your phone at night and it goes past your bedtime,
11 then obviously that will delay your sleep.

12 Q. Mr. Furlong, would you agree that it's
13 important for minors especially to get adequate
14 sleep?

15 A. Yes. Sleep is important. I love
16 sleeping.

17 Q. Is it important for minors that are in
18 school to do their schoolwork?

19 A. Of course.

20 Q. And do you agree that it's important
21 for minors to be focused on school when they are at
22 school?

23 A. Yes, I do.

24 Q. Would you agree that if a student is
25 tired at school because they stayed up too late on

1 TikTok the night before that that can be problematic
2 for the student?

3 A. Yeah, definitely.

4 Q. And that can be problematic for the
5 school, correct?

6 A. Could be.

7 Q. So let's go down below that on the
8 second main bullet point where it says, "Users are
9 active on TikTok."

10 Do you see that?

11 A. Yes.

12 Q. So it says, "Users are active on TikTok
13 when they should be sleeping. Usage data indicates
14 this is an issue for more than 20 percent of minors,
15 and suggests adults are impacted as well."

16 Do you see that?

17 A. Yes.

18 Q. And then just below that it lists
19 19 percent of L1 -- and it defines that as users
20 between the age of 13 and 15.

21 Do you see that?

22 A. Yes.

23 Q. So that's 19 percent of users between
24 13 and 15 and 25 percent of users between 16 and 17,
25 daily active users, are active on TikTok between

1 careful to not hurt too much, correct?

2 A. Yeah. Guardrails can either be
3 referred to as things that you actively don't want
4 to move down or things that you want to monitor and
5 have a good sense of what the impact was in case
6 there was some effect to it.

7 Q. Okay. So some of the -- well, strike
8 that.

9 MR. VANZANDT: Let's go to Tab JV-A --
10 actually, I think it's the prior exhibit.
11 Give me just one second.

12 THE WITNESS: Yeah, we reviewed this
13 already.

14 BY MR. VANZANDT:

15 Q. What exhibit is that?

16 A. 46.

17 Q. 46. Thank you. Appreciate that. So
18 that is Exhibit 46. I want to go back to that.

19 If we could go to -- it's the second
20 page of the document Bates ending 815.

21 A. Yep.

22 Q. Well, actually let's go to the third
23 page. I'm sorry. I'm screwing this up.

24 Page 7, how about that, page ending
25 820.

1 A. Sounds good.

2 Q. Trying to get to what I'm talking about
3 here. There we go. Perfect.

4 The bottom half of that document there,
5 do you see where it says "Core Target Metrics"?

6 A. Yes.

7 Q. And then below that there's something
8 called "Drag Metrics."

9 Do you see that?

10 A. Yeah.

11 Q. And are drag metrics the same thing as
12 guardrails that we just discussed?

13 A. Yes. It seems similar enough, yeah.

14 Q. Okay. And so this document as we
15 talked about before was discussing TikTok's screen
16 time management features at that time, right?

17 A. Yes.

18 Q. And here under Drag Metrics -- or
19 beside Drag Metrics in brackets it says, "Metrics
20 you don't want to hurt, which will be monitored post
21 launch."

22 Do you see that?

23 A. Yes.

24 Q. And the first metric there is
25 "Retention," is that right?

1 A. Yes.

2 Q. And retention is a metric that refers
3 to people coming back to use the app again, is that
4 correct?

5 A. That's right.

6 Q. And the next one listed is "Stay
7 Duration."

8 Do you see that?

9 A. I see that, yeah.

10 Q. And stay duration is how long a user
11 stays on the app, is that correct?

12 A. Yes.

13 Q. And beside stay duration, in
14 parentheses it says, "Don't want to hurt too much."
15 Correct?

16 A. Correct.

17 Q. And then beside that it says, "Previous
18 discussions with" -- is that -- do you know how to
19 pronounce that?

20 A. Wenjia.

21 Q. Wenjia. "Previous discussions with
22 Wenjia about this resulted in guidance to accept up
23 to 5 percent decrease for extreme users and minors."

24 Do you see that?

25 A. Yes.

1 Q. Okay. Who was Wenjia?

2 A. He was a head of product.

3 Q. Okay. His name was -- was it Zhu
4 Wenjia?

5 A. Yeah, his last name was Zhu.

6 Q. Okay. His last name was Zhu. Okay.
7 So that's Z-H-U.

8 MR. VANZANDT: So let's pull up Tab
9 JV-D7, please. This will be Exhibit 49.

10 (TikTok-Furlong-49 was marked for
11 identification.)

12 BY MR. VANZANDT:

13 Q. This is a demonstrative exhibit that
14 I've created. Do you see that? Do you recognize
15 that to be an image of Zhu Wenjia?

16 A. Yep, that's him.

17 Q. Now, Mr. Zhu reports directly to the
18 CEO and founder of ByteDance, correct?

19 A. Sounds right, but I'm not 100 percent
20 sure, yeah.

21 Q. Okay. And is he based out of Beijing,
22 China?

23 A. I don't know where he's based.

24 Q. Okay.

25 A. I have think he's in Singapore, but

1 could pin it to that month necessarily, but yeah.

2 MR. VANZANDT: Okay. Let's pull up Tab
3 ST5. This is going to be Exhibit 58.

4 (TikTok-Furlong-58 was marked for
5 identification.)

6 THE WITNESS: All right. I have it.

7 BY MR. VANZANDT:

8 Q. Do you see that this is a Lark message
9 chain titled "Minor Screen Time Analysis"?

10 A. Yes.

11 Q. Okay. I'll represent to you that
12 TikTok and ByteDance's lawyers produced this to us
13 as being part of your work file. Any reason to
14 dispute that?

15 A. No.

16 Q. Do you see that you actually started
17 this message chain there on December 15th of 2022?

18 A. Yes.

19 Q. And you invited several people to the
20 chat, do you see on there?

21 A. I do.

22 Q. Okay. We'll talk about some of those
23 as we go, but we'll just skip -- we'll skip
24 identifying who they are right now.

25 MR. VANZANDT: Let's go to the first

1 part of the substantive message. Scroll
2 down just a little bit, please. There we
3 go. Thank you.

4 Q. You say, "Hi All, after discussing this
5 with [REDACTED] -- and is that a reference to [REDACTED]
6 [REDACTED]?"

7 A. Yep.

8 Q. What was [REDACTED]'s role?

9 A. Another product manager.

10 Q. Okay. Was he part of trust and safety?

11 A. No.

12 Q. Okay. What division was he in?

13 A. He was on the privacy and
14 responsibility team.

15 Q. Okay. "After discussing this with
16 [REDACTED], hoping we can quickly pull together an impact
17 analysis of more aggressively curbing minors' screen
18 time on TikTok. I quickly jotted down some simple
19 ideas of how we could do this for us to consider,
20 but wanted to suggest we first evaluate the impact
21 of turning on the daily screen time limit."

22 Do you see that?

23 A. Yep.

24 Q. Okay. Now, you note turning on the
25 daily screen time limit, and I believe that's a

1 function we discussed earlier. But by your
2 indication that that's something that can be turned
3 on, that was a capability TikTok already had at this
4 time in 2022, right?

5 A. Correct.

6 Q. Okay. But up to this point it was a
7 function that was not turned on?

8 A. Right. And we had to change it because
9 before you had to set up a PIN code. So we couldn't
10 turn it on because -- or it would be strange to turn
11 it on because we would be defining a PIN code for
12 people and we needed a good way for them to remember
13 it. So it wasn't just as simple as turning on the
14 feature. So we had to make some design changes as
15 well.

16 Q. Okay. But up to this point in December
17 of 2022 that feature had not been available for
18 users, right?

19 A. It was not automatically turned on for
20 users, yes.

21 Q. Okay. Thank you for that distinction.
22 So below the message you list
23 several -- I think you refer to them as simple
24 ideas, right?

25 A. Yes.

1 Q. So some of those simple ideas were --
2 the first one is "Hard lined restrictions."

3 Do you see that?

4 A. Yeah.

5 Q. The next one was "Hard cap on amount of
6 time minors can spend on TikTok."

7 Do you see that?

8 A. Yes.

9 Q. Next, "Hard cap on amount of time
10 minors can spend on TikTok at night."

11 And then the last one is "Hard capped
12 bedtime for minors, after which they cannot access
13 the app?"

14 Did I read those correctly?

15 A. Yes.

16 Q. Now, in the context of screen time
17 management, a hard cap refers to a cap on the amount
18 of time spent or a certain behavior to prevent
19 someone from using the app longer than a certain
20 amount of time, right?

21 A. That's right.

22 Q. So what makes these limits hard capped
23 is that the user would not be able to override the
24 limits, correct?

25 A. Correct.

1 Q. For example, they couldn't override
2 them just by simply entering a -- some kind of
3 passcode, right?

4 A. Correct.

5 Q. And you would agree that if a limit on
6 usage time is optional and a user can bypass it,
7 that is not considered a hard cap?

8 A. Correct.

9 Q. So you list some other options below
10 that, Configuration changes, Daily screen time limit
11 on by default for minors with some different time
12 options out there.

13 Do you see that?

14 A. Yep.

15 Q. And then you list a few more there,
16 Screen time breaks on by default for minors. So
17 that was not something that was already on by
18 default, right?

19 A. Correct.

20 Q. Okay. Then you note, too, there
21 actually in A/B testing one of them was "Night
22 screen time management on by default for minors,"
23 and then "Enable weekly screen time notifications
24 for minors."

25 Do you see that?

1 A. Yeah.

2 Q. Then below that at -- can you help me
3 with those two names there at the beginning?

4 A. [REDACTED] and [REDACTED]

5 Q. [REDACTED] and [REDACTED] Did I say that right?

6 A. Yes.

7 Q. Okay. And what were [REDACTED] and [REDACTED] s
8 roles?

9 A. They're data analysts.

10 Q. Okay. So in the second sentence of
11 your request there, you say, "We'd like to estimate
12 the total decrease in stay time if we were to turn
13 on daily screen by default for minors, based on age
14 gate data."

15 Do you see that?

16 A. Yeah.

17 Q. Okay. And in this context, the stay
18 time, that's the same as the stay duration, the
19 guardrail that we looked at earlier, right?

20 A. Yes.

21 Q. Okay. And then you ask for their help
22 to get a data picture about some of the issues
23 listed below, correct?

24 A. Correct.

25 Q. Okay. And you were asking for data

1 about the number of users that were between 13 and
2 17, correct?

3 A. Yes.

4 Q. And then you list -- I won't read -- I
5 won't read the other ones, but you see you asked for
6 a couple of additional data points there, right?

7 A. Yes.

8 Q. So let's go now -- flip over to the
9 next page.

10 So Isha responds to you, and this is in
11 December of 2022, it says, "Hi Jordan Furlong. Can
12 you please give more context as to why we want to
13 aggressively curb minors' screen time? Any thoughts
14 on how this will impact user experience for minors?"

15 Do you see that?

16 A. Yes.

17 Q. And then [REDACTED] responds and
18 says, "Context: there is intensifying criticism at
19 the highest levels of US and EU politicians about
20 addiction-related harm among teens on TikTok."

21 Correct?

22 A. Correct.

23 Q. So in [REDACTED] response he did not say
24 that the reason TikTok was looking to aggressively
25 curb minors' screen time was due to concerns about

1 teens' mental health, correct?

2 MS. FOURNIER: Object to form.

3 THE WITNESS: That's not what he said
4 here, no.

5 BY MR. VANZANDT:

6 Q. Okay.

7 A. But I bet if you asked him, he would
8 agree that's a concern.

9 Q. What he wrote here back in 2022 was
10 that it was due to criticism at the highest levels
11 of US and EU politicians, right? That's what he
12 wrote?

13 A. That's what he wrote.

14 Q. Okay.

15 A. Which was one part of the picture.

16 Q. All right. Let's look at the second
17 part. Let's go on to the next part of the picture.

18 He follows up by saying "In January,
19 the Republican Party will gain a majority in the US
20 House of Representatives and are likely to more
21 aggressively push for limitations on TikTok."

22 Do you see that?

23 A. Yes.

24 Q. And then if we can scroll down a little
25 further. Josh then responds with two separate

1 links. Do you see one of them -- the first one
2 appears to be -- it's actually a TikTok link, but
3 it's referencing a 60 Minutes video.

4 Do you see that?

5 A. Yes.

6 Q. I think we're going to come back and
7 look at that later.

8 And then the next one, he lists -- it
9 looks like something gallagher.house.gov. Do you
10 reference that to be a website from a US politician?

11 A. Sounds like it.

12 Q. And the title there at the end of that
13 URL is "Gallagher TikTok digital fentanyl addicting
14 our kids."

15 Is that what it says?

16 A. Yes.

17 Q. And then [REDACTED] responds again and says,
18 "Hence, GR has urgently asked what kinds of
19 significant, noteworthy, industry-leading changes we
20 might be able to announce quickly in the hope of
21 reducing or redirecting some of this pressure."

22 Right?

23 A. That's what he wrote, yes.

24 Q. Let's go to page 6 of this document.

25 A. Yes.

1 Q. So in your message, you had proposed
2 several hardline or hardcap restrictions. Do you
3 recall?

4 A. Yes.

5 Q. Here we have global -- I'm sorry,
6 governmental regulations recommending limits that
7 are not hard-capped, that teens can turn off,
8 correct?

9 A. I was laying out a bunch of ideas for
10 the sake of a brainstorm. And then separately from
11 their perspective, they think this is a good idea.

12 Q. Okay. So let's go -- let's move
13 forward about a week in time and pull up tab ST6.

14 MR. VANZANDT: This is going to be
15 Exhibit 59.

16 (TikTok-Furlong-59 was marked for
17 identification.)

18 BY MR. VANZANDT:

19 Q. Do you have a copy of that in front of
20 you?

21 A. I do.

22 Q. Thank you.

23 Do you see this is a document titled
24 "Screen Time Restrictions for Minors"?

25 A. Yes.

1 Q. And if we look at the metadata on the
2 back of this last page, I think this is dated
3 December 22nd, 2022. Do you see that? Or 21st?

4 A. Yes.

5 Q. Okay. And so that's about a week after
6 the Lark that we were just looking at which was
7 December 15th, correct?

8 A. Correct.

9 Q. Okay. You see here on this document it
10 lists that you're the author of this document?

11 A. Yes.

12 Q. Okay. And do you recall drafting this
13 document?

14 A. Not very vividly, no.

15 Q. Okay. So let's go back and look at it,
16 the first page. Ill represent to you that the
17 lawyers for TikTok and ByteDance produced this
18 document to us as part of your work files. Any
19 reason to dispute that?

20 A. No.

21 Q. So I want to look at the Objective
22 listed at the top of this document. It says,
23 "Identify opportunities to improve stakeholders'
24 perception of TikTok as safe for teenagers."

25 Do you see that?

1 A. Yes.

2 Q. Okay. So this does not say that the
3 objective is to make TikTok safer for teenagers,
4 correct?

5 A. This does not say that, yes.

6 Q. Okay. Do you see that the next part of
7 the document, I think, references maybe that same 60
8 Minutes video we saw earlier.

9 Do you see that?

10 A. Yes.

11 Q. It's titled "We give 'spinach' to kids
12 in China," and maybe is that supposed to be "opium
13 to kids in America"?

14 A. Probably.

15 Q. Okay. And you're familiar with that 60
16 Minutes piece?

17 A. Yes.

18 Q. Okay. And if we go on down -- scroll
19 down the document. It looks like you go on to list
20 some different options for the team to consider.

21 Maybe it's the -- I'm sorry. Page 2.
22 Let's go to page 2. Do you see at the top there
23 "Options Considered"?

24 A. Yes.

25 Can I add more context to the

1 Objectives section, please?

2 Q. You know, Mr. Furlong, I'd rather you
3 answer my questions. Your lawyer will have a chance
4 to ask you questions later on.

5 A. All right. I think the full picture of
6 this is important and so that we're not
7 cherry-picking useful tidbits.

8 Q. Thank you for that. I'll move to
9 strike that as nonresponsive to any question.

10 So let's look at the options that you
11 laid out here. It says the "Options Considered."
12 And you list out -- just generally speaking in the
13 document, you see that you list several options, the
14 first one being labeled "Moderate" there.

15 Do you see that?

16 A. I see it written there, yes.

17 Q. Okay. So I want to look at these a
18 little out of order. I'm going to actually start
19 with number 2.

20 A. Go ahead.

21 Q. Okay. So it says, number 2,
22 "[Moderate]." It says, "Build 'cool down period'
23 feature that requires a 10-minute" -- with a
24 question mark -- "10 minute break from the app after
25 hitting a daily limit to discourage bypassing the

1 CERTIFICATE OF COURT REPORTER

2
3 I, MAUREEN O'CONNOR POLLARD, Registered
4 Diplomate Reporter, CSR No. 14449 for the State of
5 California, the officer before whom the foregoing
6 deposition was taken, do hereby certify that the
7 foregoing transcript is a true and correct record of
8 the testimony given; that said testimony was taken
9 by me stenographically and thereafter reduced to
10 typewriting under my direction; and that I am
11 neither counsel for, related to, nor employed by any
12 of the parties to this case and have no interest,
13 financial or otherwise, in its outcome.

14 Dated this 13th day of April, 2025.

15 <%21527,Signature%>
16 _____

17 MAUREEN O'CONNOR POLLARD

18 CSR No. 14449
19
20
21
22
23
24
25

Exhibit 632B

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

Jordan Furlong

399

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No.
IN RE: SOCIAL MEDIA ADOLESCENT 4:22-MD-03047-YGR
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

MDL No. 3047

This Document Relates To:

ALL ACTIONS

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

Coordination Proceeding	Judicial Council
Special Title	Coordination Proceeding
(Rule 3.550)	No. 5255

SOCIAL MEDIA CASES	Judge: Carolyn B. Kuhl
	Dept. 12

REMOTE VIA ZOOM
VIDEOTAPED DEPOSITION OF
JORDAN FURLONG

April 12th, 2025
8:03 a.m.

Reported By:
MAUREEN O. POLLARD, CA CSR #14449, RDR

P R O C E E D I N G S

THE VIDEOGRAPHER: This is the
continuation of Jordan Furlong's deposition
in the matter of Social Media Adolescent
Addiction/Personal Injury Products
Liability Litigation.

The court reporter is Maureen Pollard.
You may continue the deposition.

* * *

Whereupon,

JORDAN FURLONG,
being previously duly sworn to testify to the truth,
the whole truth, and nothing but the truth, was
examined and testified further as follows:

EXAMINATION

BY MR. VANZANDT:

Q. Good morning, Mr. Furlong.

A. Good morning.

Q. Do you understand that you are still
under oath today?

A. Yes, I do.

Q. Okay. And is there any reason this
morning why you would not be able to give honest and
accurate testimony?

1 A. No.

2 Q. Since we adjourned the deposition last
3 night, have you done any additional preparation for
4 your testimony today?

5 A. No.

6 Q. Have you reviewed any documents?

7 A. No.

8 Q. And have you discussed your testimony
9 or this deposition with anyone?

10 A. No.

11 Q. Okay. Thank you.

12 So I want to go back to where we left
13 off yesterday, Exhibit 59. Do you --

14 A. I have it right here, yeah.

15 Q. Okay. Thank you.

16 So I know we were in the middle of
17 looking at this document, and then we got
18 sidetracked a little bit and looked at the focus
19 groups. But I want to finish looking at the options
20 that we were talking about.

21 So if we could go to the second page,
22 please. I want to look at the top option there
23 that's number 1. Do you see that the first option
24 that you listed here in this document was labeled
25 "Moderate"?

1 Do you see that?

2 A. I do.

3 Q. It says, "Enable existing screen time
4 management features by default for minors to address
5 most common use cases of daily total usage (Daily
6 screen time limit), taking breaks (Screen time
7 breaks), and nighttime usage."

8 Did I read that correctly?

9 A. Yes.

10 Q. Oh, I didn't mean to leave off the last
11 part. It says, "Sleep reminders - currently A/B
12 testing," right?

13 A. Yes.

14 Q. And this was the option that was
15 actually recommended, is that correct?

16 A. According to this, yeah.

17 Q. Okay. Now, did you recommend this, or
18 does that recommendation indicate the group's
19 decision?

20 A. I don't remember.

21 Q. Okay. So if we look at the Impact
22 Estimate, it says, "Enabling the daily screen time
23 limit by default for Minors, on average, the
24 estimated daily stay duration for Minors would be
25 reduced by 10 minutes during weekdays, and

1 15 minutes during weekends."

2 Did I read that correctly?

3 A. Yes.

4 Q. Okay. And then if we go down, we see
5 the pros and the cons of these options. It says,
6 the pros, "Less Stay Duration impact than hard lined
7 restrictions." Is that correct?

8 A. Yes.

9 Q. And then the cons listed, it says,
10 "Less effective at drastically reducing screen time
11 since interventions can be bypassed and therefore
12 might not be a compelling change to regulators." Is
13 that correct?

14 A. Yes.

15 Q. Okay. Now, this was December 2022 when
16 TikTok was looking at these options. And is it
17 correct that this option 1 that we just discussed is
18 ultimately part of the screen time management
19 features that TikTok chose to put in place and
20 implemented in 2023?

21 MS. FOURNIER: Object to form.

22 THE WITNESS: Part of it is, yeah. We
23 ended up enabling the daily screen time
24 limit by default for minors.

25 ///

1 BY MR. VANZANDT:

2 Q. Okay. So out of the options that we
3 looked at on this page, TikTok chose to implement
4 the screen time management feature that would have
5 less impact on stay duration but would less
6 effectively drastically reduce screen time use of
7 minors, is that correct?

8 MS. FOURNIER: Object to form.

9 THE WITNESS: Yes. But there's several
10 other reasons why it was a good idea, too.
11 It wasn't strictly about that.

12 BY MR. VANZANDT:

13 Q. Okay. Understood. Thank you.

14 MR. VANZANDT: Okay. Can we pull up
15 Tab JV-D12?

16 THE WITNESS: Okay.

17 BY MR. VANZANDT:

18 Q. And I'm sorry, Mr. Furlong. I'll
19 represent to you that I don't have a printed version
20 of this to give to you so this is just a
21 demonstrative exhibit. This is based off
22 Exhibit 58, and I superimposed the exhibit number
23 there on the document.

24 Do you recall looking at this?

25 A. Yes.

1 the platform, correct?

2 A. Right, that would have -- unless it was
3 through the Family Pairing experience, but yeah.

4 MR. VANZANDT: Okay. I want to go to
5 Tab ST9, please. I'm going to mark this as
6 Exhibit 63.

7 (TikTok-Furlong-63 was marked for
8 identification.)

9 THE WITNESS: I have it.

10 BY MR. VANZANDT:

11 Q. Okay. Do you see that this is a Lark
12 message chain labeled "[P&C] U18 screentime data"?

13 A. That's correct.

14 Q. And I'll represent to you that TikTok
15 and ByteDance's lawyers produced this to us from
16 your work files. Any reason to dispute that?

17 A. No.

18 Q. And you see that you participated in
19 this message?

20 A. Yes.

21 Q. Okay. What is -- at the top there in
22 the brackets, what does "P&C" mean?

23 A. Privileged and confidential.

24 Q. Okay. And so Sandeep Grover starts off
25 by sending a message. And what was his role?

1 A. He was the head of product for trust
2 and safety.

3 Q. Okay. And so looks like maybe he
4 starts off with the word "and," so I'm not sure what
5 "the final step of the funnel" refers to.

6 But if we go on past that, it says "of
7 the users who" -- strike that. Let me start over.

8 The date of this document, let's start
9 there. The date of this document is November 29,
10 2023.

11 Do you see that?

12 A. Yes.

13 Q. And this would have been approximately
14 eight months after the 60-minute screen time default
15 for minors was put in place?

16 A. I'm not exactly sure when it was
17 launched, but it looks like it was after that, yeah.

18 Q. Okay. So just to be fair, it would
19 have been -- you would agree it would be several
20 months after it would have been launched?

21 A. Yeah, at least a few months, yeah.

22 Q. Okay. Thank you.

23 So the question Mr. Grover asked
24 starting with the second sentence, he says, "Of the
25 users who extend after 60 minutes are hit, what

1 percentage are done within additional 30 minutes
2 (our current cool off period) and what percentage
3 would spend more than 30?"

4 Do you see that?

5 A. I do, yeah.

6 Q. And then below that you invite

7 [REDACTED] --

8 A. [REDACTED]

9 Q. -- [REDACTED] thank you, to the chat. And
10 what was [REDACTED] s role?

11 A. She was a data analyst.

12 MR. VANZANDT: Okay. And then if we
13 scroll down, I want to go to -- we'll skip
14 [REDACTED] response. Go down to the message
15 below that from [REDACTED], please, just below
16 where it says "Title." I'm sorry. Yeah,
17 keep going. Keep going, please. I'm
18 sorry. Yeah, that's what I'm looking for.
19 Thank you.

20 Q. So do you see that on November 30th of
21 2023 [REDACTED] responds to Sandeep's message? Do you
22 see that?

23 A. Yes.

24 Q. Okay. And it says, "Among user records
25 we can find from the log table, 85 percent stay

1 within additional 30 minutes after hitting,
2 11 percent stay between 30 and 60 minutes and 4
3 percent stay more than 60 additional minutes."

4 Do you see that?

5 A. Yes.

6 Q. Okay. And this is dated several months
7 after the screen time -- the default screen time
8 limit for minors was put in place indicating that
9 minors were continuing to use TikTok past the
10 60-minute limit, correct?

11 A. Yes. I think one thing that's not
12 obvious here, though, is the 85 percent number, it's
13 a pretty big drop-off from 85 percent to 11 percent
14 for the next interval of usage.

15 And maybe one way to look at that is
16 there's a lot of people that could be dropping off
17 within a few minutes after seeing the limit, but we
18 would need to dig into that to better understand
19 that, yeah.

20 Q. Okay. So what that's saying, the
21 85 percent, is that there's 85 percent of the users
22 who are hitting the screen time limit that are then
23 staying on somewhere between 1 and 30 minutes, is
24 that fair?

25 A. Yeah, or like .1 seconds and

1 30 minutes.

2 Q. Okay.

3 A. It looks to me like there's this kind
4 of front-loaded distribution because there's such a
5 big drop-off in the subsequent intervals of time.

6 Q. Regardless of the 85 percent, the
7 11 percent were staying beyond 30 minutes, is that
8 correct?

9 A. That's what it looks like, yeah.

10 Q. Okay. And then 4 percent beyond 60?

11 A. Yes.

12 Q. Bear with us just a second, please.

13 Mr. Furlong, is it fair to say that
14 TikTok understood that relying on teens to limit and
15 control their own screen time would not provide
16 teens the help that they needed?

17 MS. FOURNIER: Object to form.

18 THE WITNESS: I would slightly rephrase
19 to say our perspective was that we thought
20 it was important to provide a more
21 supportive experience for teens and to
22 proactively nudge them towards using
23 features and experiences that could help
24 them.

25 ///

1 BY MR. VANZANDT:

2 Q. As we looked at yesterday from the
3 focus groups that TikTok conducted, at least the
4 teenagers in those focus groups indicated that they
5 desired something other than themselves to limit
6 their screen time.

7 Do you recall that?

8 A. Yes, I remember that.

9 Q. And then TikTok knew from internal data
10 that teenagers liked the executive function to
11 control their own screen time, correct?

12 MS. FOURNIER: Object to form.

13 THE WITNESS: That was an impression
14 that I can say that I had in my role.

15 MR. VANZANDT: Let's pull up Tab ST8.
16 This is going to be Exhibit 64.

17 (TikTok-Furlong-64 was marked for
18 identification.)

19 THE WITNESS: I have it here.

20 BY MR. VANZANDT:

21 Q. Do you see that this is a document
22 titled "[A/B Analysis] Screen Time Dashboard &
23 Screen Time Breaks"?

24 A. Yes.

25 Q. And I'll represent to you that TikTok

1 and ByteDance's lawyers produced this to us as being
2 from your work files. Any reason to dispute that?

3 A. No.

4 Q. And did you draft or prepare this
5 document?

6 A. I believe so.

7 Q. Okay. Let's actually, if we could, go
8 look at the metadata on the last page, please. And
9 I'll represent to you that according to this -- it
10 does not have you as the author -- but do you see
11 the date of the document, created May 31, 2023?

12 A. Yes.

13 Q. Okay. And from your recollection, does
14 that sound like the time frame this document would
15 have been created?

16 A. I would have expected that to be
17 earlier.

18 Q. Okay. And I will represent to you --
19 you may be right about that. So if we can go to the
20 document, there is --

21 A. Because it looks like the create date
22 is after the last modified date, which doesn't make
23 sense.

24 Q. Yeah. That's what I was confused
25 about. Thanks for pointing that out.

1 If you actually go to page 5, Bates
2 ending 904.

3 A. Yeah.

4 Q. Under where it says "Analysis."

5 A. Yeah.

6 Q. It says it's analyzing data and
7 analysis from April '22 to May '22?

8 A. Yeah.

9 Q. So is that closer to the time frame
10 that you would have envisioned this document being
11 from?

12 A. Yeah, because this is one of, like, the
13 big first things that I launched, so it should have
14 been like closer to when I took the role on.

15 Q. Okay. Thank you. Appreciate that.

16 So if we could now go back to the first
17 page of the document.

18 I'm sorry, are you ready?

19 A. Yeah. Go ahead.

20 Q. Okay. Thank you.

21 So if we look -- kind of focus on the
22 first two-thirds part of the document, it starts off
23 with an Executive Summary, and it says, "We are
24 providing users with a dashboard, opt-in weekly
25 notifications, and opt-in break reminders for users

1 who want to better manage their time spent on
2 TikTok," is that right?

3 A. Yes.

4 Q. And then the Hypothesis is, "By
5 providing these more valuable tools and more broadly
6 notifying users of our screen time management
7 offering, we will see an increase in feature
8 adoption and awareness."

9 Do you see that?

10 A. That's right.

11 Q. And then below that it says
12 "Expectations Met." And is it fair to say that this
13 is reporting the results of the A/B testing on these
14 features that we just discussed?

15 A. Yes.

16 Q. Okay. And so it says that there was a
17 "Slight drop in stay duration (.07 percent) as we
18 expected, but no impact to other core metrics
19 (retention, publish, active days)."

20 Do you see that?

21 A. Yes.

22 Q. Then it goes on to say, "This aligns
23 with leadership's guidance (1) keep stay duration
24 impact within a reasonable threshold (2) no impact
25 to retention."

1 Do you see that?

2 A. Yes. I think there's a more helpful
3 way to analyze this if you would like me to.

4 Q. Okay. Let's -- if you don't mind,
5 let's finish going through this first part of the
6 document.

7 A. Sure.

8 Q. And then the next sentence says, "This
9 drop in stay duration is correlated with L3 users
10 and medium to heavy users of the platform."

11 Do you see that?

12 A. Yes.

13 Q. Okay. Then if we go to -- I'm going to
14 come back to this. Let's skip forward to page 903,
15 Bates ending 903.

16 MS. FOURNIER: Counsel, we don't
17 have -- our copies don't have it, so just
18 give us a minute once you pull up the page
19 that you want to look at and he can
20 visually figure out where you are.

21 TRIAL TECH: Page 4 of the document.

22 MS. FOURNIER: Thank you.

23 MR. VANZANDT: Apologies for that.

24 MS. FOURNIER: No worries.

25 THE WITNESS: Yeah. I see it now.

1 BY MR. VANZANDT:

2 Q. So I want to just focus on the chart
3 there in the middle. Those are the age bands that
4 we talked about yesterday, is that right?

5 A. Yes.

6 Q. And so this is saying for L1, those are
7 users below 15 -- and to be fair was that defined
8 generally 13 to 15? Is that how it would have been?

9 A. Yes.

10 Q. Okay. And so based on the data that's
11 being reported this time from 2022, it's saying that
12 the average daily usage for users between 13 and 15
13 was 1.74 hours.

14 Do you see that?

15 A. Yes.

16 Q. And then it has the different, maybe
17 not quartiles, but the different percentages there
18 on the right with the bottom 50 percent being
19 1.28 hours, is that right?

20 A. Yes.

21 Q. And then if we go to the upper
22 90 percent, so would it be fair to say like for the
23 top 10 percent of users in that age category? Would
24 that be a fair way to look at it?

25 A. Roughly, yes.

1 Q. Okay. So for the top 10 percent of
2 users between -- ages between 13 and 15, it's
3 reporting 4.04 hours per day average usage, correct?

4 A. Looks like it from this chart, yeah.

5 Q. Then if we go down below that, L2, for
6 users ages 15 to 17 it's reporting average daily
7 usage of 1.23 with the lower range being .81 hours
8 per day and the upper range being 2.96 hours per
9 day, correct?

10 A. Yes.

11 Q. Okay. So I want to -- with that in
12 mind, I want to go back to the first page.

13 A. Sure.

14 Q. If we could zoom in to the middle of
15 it.

16 Do you recall from the findings of this
17 study that there was -- that there was a drop in
18 stay duration that was correlated with L3 users?
19 And L3 would have been those between 18 and 25 years
20 old, right?

21 A. Yeah. I'm not exactly sure what that
22 means from a data perspective, though. I don't
23 exactly remember.

24 Q. Okay. So let's go just below it now.
25 Do you see the next bullet point, it says, "An

1 explanation for no correlation with L1 plus L2 is
2 that minors do not have executive function to
3 control their screen time, while young adults do."

4 Do you see that?

5 A. Yes.

6 Q. And then in parentheses there it says,
7 "this is supported by our partners at Stanford
8 Brainstorm," correct?

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

10 What I would additionally want to look
11 at, though, to understand this is if we're looking
12 at an aggregate number, like the average impact
13 across all users, then the change in stay duration
14 might not be detectable.

15 What I would -- so I would want to
16 drill in to look at for the people who did uptake
17 this, because we're in this early stage of growing
18 adoption and spreading awareness of these tools,
19 what was the impact to their usage.

20 But because it was such a large user
21 base, the average movement is probably a lot smaller
22 than the people who actually saw and uptook these
23 features. So I think that would be a helpful lens
24 to get the full picture of the impact of the launch.

25 MR. VANZANDT: Bear with me just a

1 second. I do want to say motion to strike
2 for everything past "Yes, that's what it
3 says."

4 We can pull that down, please.

5 So I want to go to Tab ST 10, please.
6 This will be Exhibit 65.

7 (TikTok-Furlong-65 was marked for
8 identification.)

9 MS. FOURNIER: This also came to us
10 without Bates numbers.

11 MR. VANZANDT: Apologies for that.
12 Just for the record, then, let me please
13 read in the Bates number for this document.
14 It's TIKTOK3047MDL-197-04799946.

15 THE WITNESS: I have the document.

16 BY MR. VANZANDT:

17 Q. Do you see this is a document labeled
18 "[P&C]" -- that's private and confidential?

19 A. Privileged and confidential.

20 Q. Privileged and confidential.

21 -- "U18 Balanced Engagement Index
22 (BEI)." Is that correct?

23 A. Yes.

24 Q. I'll represent to you that TikTok and
25 ByteDance's lawyers produced this to us as being --

1 well, strike that.

2 I'll represent that TikTok and
3 ByteDance lawyers produced this to us as part of
4 this litigation. Any reason to dispute that?

5 A. No.

6 Q. Okay. And the dates are messed up on
7 the metadata so we're going to skip that.

8 I want to actually look on page 2. I
9 just want to direct you to a comment, the bottom
10 right. Do you see that you are -- somebody added
11 you in this document in a comment there?

12 A. Yeah, I see that.

13 Q. So you would agree that you would have
14 reviewed and participated in this discussion?

15 A. Looks like it, yeah.

16 Q. Okay. And then the document doesn't
17 give us -- the metadata doesn't give us a date, but
18 do you see that your comment -- actually, if we go
19 to page 13, I'll just try to orient us with a date.
20 Page 13 of this document, and it's the one where you
21 have a comment on the bottom right. It's comment 38
22 if that's helpful.

23 A. Oh, yeah, I see it.

24 Q. Okay. So I'm really just bringing us
25 here just to look at the date.

1 Do you see that the date of your
2 comment on this is July 7, 2023?

3 A. Yes.

4 Q. Okay. And so this is a document that
5 you reviewed and participated in as part of your
6 work with ByteDance and TikTok, is that correct?

7 A. Yes.

8 Q. Okay. And the date of your comment is
9 July 2023. Do you have any other recollection as to
10 the date of this document?

11 A. No, not off the top of my head.

12 Q. Okay. So if we can go back to the
13 first page, Mr. Furlong, I'd like you to look --
14 just kind of scroll maybe the first two or three
15 pages, just kind of look big picture. I'm not
16 asking you to read it all.

17 MR. VANZANDT: Vince, if we could move
18 forward to page 2 and 3 real quick. Keep
19 going, please. I'm sorry. Just keep
20 scrolling through, Vince, if you don't
21 mind. Okay. That's good. There.

22 Q. Mr. Furlong, do you see there's some
23 boxes on the right side of maybe page 4 or 5 that
24 say "Redacted - Attorney Client"?

25 A. Yeah, I do.

1 Q. So those images would not have existed
2 in this document back when you reviewed it, correct?

3 A. Sorry. Say that one more time.

4 Q. Sure. Let me just say this. Well,
5 strike that.

6 Those redactions, those boxes that say
7 "attorney client," those would not have existed when
8 you were reviewing this document internally at
9 TikTok, correct?

10 A. I don't believe so, no.

11 Q. Okay. And so other than the redacted -
12 attorney-client privilege documents, do you have any
13 other reason -- do you have any reason to believe
14 that the content of this document has been altered
15 in any way?

16 A. No, I don't have a reason to believe
17 that.

18 Q. Okay.

19 A. Sorry. There's also other redacted
20 comments that -- yeah, on the next page, for
21 example, but, yeah, same thing.

22 Q. Okay. Thank you.

23 So I want to go to page 3 of the
24 document. It's Bates ending 49, which I know does
25 not help you right now. But page 3 of the document

1 where it says "Success Metric Proposal." Do you see
2 that?

3 A. I do.

4 Q. And then below that there is --

5 MR. VANZANDT: Just below that, Vince,
6 where it says "2023 Q3 Metric."

7 Q. Do you see that?

8 A. Yes.

9 Q. Okay. And then there's some data that
10 we're going to look at below that.

11 Would it be fair to say that the data
12 that's being analyzed in this portion of the
13 document would be data that was pulled from Q3 of
14 2023?

15 A. Probably, but I can't tell because I
16 can't see the data.

17 MR. VANZANDT: Okay. Can we back out a
18 little bit? Yeah.

19 Q. Actually the data we're going to look
20 at is on the following page where it says "Minor
21 Behavior Study."

22 Do you see that?

23 A. Yes.

24 Q. Okay. So we just looked at the
25 previous page that referenced data from Q3 of 2023.

1 Reviewing this data, do you have any other
2 recollection as to the date that this data may have
3 been pulled from?

4 A. No. And a lot of the -- like a lot of
5 this work and data analysis was done by the data
6 team. It was more of a report that they did and
7 then we reviewed together to figure out how can we
8 create this metric.

9 Q. Okay. And so as a TikTok employee
10 reviewing this document, what would you have --
11 what -- strike that.

12 I'm just trying to figure this out here
13 where you believe this data where it says "On
14 average minors spend 1.8 hours per day," do you --
15 are you able to look at this document and determine
16 when that data was analyzed?

17 A. Not based on what I'm seeing here, no.

18 Q. Okay. And you could -- you have the
19 document there with you. If you don't mind, if you
20 could just kind of -- if you could just kind of look
21 through and see if there's anything that refreshes
22 your recollection as to when that data comes from.

23 (Witness reviewing document.)

24 A. There's mention on this page about
25 August '23. That's the page after the redacted

1 comments. It says "Distribution data range, August
2 '23," so probably somewhere around there.

3 Q. Okay. So would it be fair to say that
4 the data being analyzed in this document is from
5 somewhere around August of 2023?

6 A. That would be my guess.

7 Q. Okay. And that --

8 A. Yeah. It made mention of that, yeah.

9 Q. Okay. Thank you.

10 So August '23 would be a few months
11 after TikTok had implemented the default screen time
12 limit for minors earlier in the year, is that
13 correct?

14 A. Yes.

15 Q. Okay. So let's go back to page 4 of
16 this document, and I believe Vince has it up on the
17 screen here.

18 And this is internal data analysis from
19 TikTok, correct?

20 A. Yes.

21 Q. So I want to look at the first bullet
22 point. It says, "On average, minors spend
23 approximately 1.8 hours per day on our platform."
24 Is that right?

25 A. Yes.

1 Q. You'll agree that that little squiggly
2 line means approximately?

3 A. Yes.

4 Q. Then it says, "3 percent of minors are
5 heavy users whose daily use duration is more than
6 six hours."

7 Do you see that?

8 A. Yes.

9 Q. And do you recall yesterday we looked
10 at a document where TikTok referred to users who
11 used TikTok more than six hours a day as objectively
12 harmful usage?

13 A. Yeah. That was phrasing that I used to
14 try to put a line in the sand of what too much time
15 could be in a way that people could generally agree
16 with it. And that was based off of two reports that
17 I'd found online. But unfortunately there was not,
18 like, a generally accepted threshold at the time.

19 Q. Okay. If we go down to where it says
20 "Excessive users."

21 Do you see that?

22 A. Yes.

23 Q. It says, "Excessive users are users who
24 continuously use TikTok for more than 80 minutes at
25 day or more than 60 minutes at night." Is that

1 that down.

2 Vince, I want to pull up Exhibit 59,
3 please.

4 BY MR. VANZANDT:

5 Q. I know we looked at this exhibit
6 before, but I want to look at a part we did not
7 review the first time around.

8 So if you could go to page 6 of the
9 document. I believe it might be the last page or
10 next to last page. There at the bottom where it
11 says "Douyin"?

12 A. Yes.

13 Q. Okay. So you see where it says
14 "Douyin's stance"?

15 A. I do.

16 Q. Am I pronouncing that correctly?

17 A. Douyin.

18 Q. Douyin?

19 A. Yes.

20 Q. Okay. So Douyin is a social media app
21 that is also owned by ByteDance, is that correct?

22 A. Yes.

23 Q. And Douyin operates only in China, is
24 that correct?

25 A. I believe so, yes.

1 Q. Whereas TikTok is available outside of
2 China, is that correct?

3 A. Yes.

4 Q. Both platforms are owned by the same
5 company, ByteDance?

6 A. Yes.

7 MR. VANZANDT: Okay. So let's pull up
8 Tab JV-B10. This will be Exhibit 66.

9 (TikTok-Furlong-66 was marked for
10 identification.)

11 BY MR. VANZANDT:

12 Q. Mr. Furlong, this is a demonstrative
13 I've created just to help us visualize this a little
14 bit.

15 Do you recognize the ByteDance logo
16 there at the top?

17 A. Yes.

18 Q. And then on the left side, do you see
19 Douyin's logo on the left?

20 A. I see Douyin on the left, yeah.

21 Q. And then do you recognize TikTok's logo
22 on the right?

23 A. Yes.

24 Q. And then the description I have beneath
25 both of those is accurate, correct? Douyin is

1 available in China only and TikTok is available
2 outside of China, correct?

3 A. Yeah. I don't know what the Douyin
4 logo looks like or the -- so yeah. The other parts
5 you said are right, yeah.

6 Q. Okay. Thank you.
7 Douyin is essentially the Chinese
8 version of TikTok, right?

9 A. There's a lot of similarities between
10 the platforms, yes.

11 Q. For example, the platforms are both
12 short form video platforms, correct?

13 A. Yes.

14 Q. They both have For You pages, infinite
15 scroll, notifications, correct?

16 A. I assume Douyin does. I've never used
17 it, so I'm not 100 percent sure. Yeah.

18 Q. You did, though, internally analyze the
19 screen time management features that Douyin
20 implements on their app, correct?

21 A. Yeah. Just -- you know, just in
22 general, like a good practice when you're evaluating
23 your roadmap and what to build is looking at other
24 similar products, so we looked at, you know,
25 Facebook and Instagram and all these other ones as

1 well just to get a sense of what was going on with
2 other apps.

3 Q. Facebook and Instagram, Snap, those are
4 not owned by ByteDance, right?

5 A. Correct.

6 Q. Okay. So I want to go back now to
7 Exhibit 59 where we just were. So here in this
8 document it says "Douyin's Stance." Below a
9 hyperlink it says, "Screen time management feature
10 set overview. Important to note that they use...age
11 model to deliver interventions," right?

12 A. Yes.

13 Q. And the "they" is a reference to
14 Douyin, correct?

15 A. Sounds like it.

16 Q. Okay. And so the reason it's important
17 to note that they use age modeling to deliver
18 interventions is because that's different from what
19 TikTok does, right?

20 A. I don't remember why I wrote that's
21 important to note as much as -- yeah.

22 Q. Okay.

23 A. Just noteworthy, yeah.

24 Q. Okay. At the time when you wrote this,
25 did TikTok use age modeling to deliver youth

1 interventions?

2 A. I'm not sure of all the ways that age
3 modeling is used. I never directly worked on it.

4 Q. As a product manager in the trust and
5 safety department, do you know one way or another
6 whether age modeling was used at TikTok at the time
7 you were at the company?

8 A. I know that it was used at TikTok, yes.

9 Q. Do you know if it was used to deliver
10 minor usage interventions?

11 A. I don't believe it was used for screen
12 time features that I worked on, but yeah.

13 Q. So age modeling essentially uses
14 technology to analyze images of a user, other
15 characteristics about their profile to estimate
16 their true age, is that right?

17 A. I don't know. I didn't work on the
18 models.

19 Q. Do you have any understanding as to
20 what age modeling is?

21 A. At a high level, it's used to estimate
22 ages is my understanding. But I don't know the
23 techniques or datasets they looked at to make those
24 estimates.

25 Q. Okay. But you write here that Douyin

1 does, in fact, use age modeling to deliver
2 interventions, right?

3 A. That's what's written here, yeah.

4 Q. And then below that it says -- it lists
5 some screen time management tools. And then if we
6 go over to the next page it's going to list those
7 out in bullet point format.

8 Do you see the first tool listed
9 here -- the first tool of Douyin that's listed here
10 is a "Proactive reminder video that shows after
11 40 minutes of cumulative usage or 20 minute single
12 session."

13 Do you understand that?

14 A. Yes.

15 Q. Okay. And do you -- well, strike that.

16 Do you understand that to be similar to
17 TikTok's Take A Break videos?

18 A. Yes.

19 Q. And do you understand that at Douyin
20 users cannot just swipe past these proactive
21 reminder videos?

22 A. I don't know that.

23 Q. Okay. The next one is "Toast reminder
24 after one hour of cumulative time during the week or
25 two hours of cumulative time on the weekends."

1 Do you see that?

2 A. Yes.

3 Q. Now, a toast reminder is typically
4 something that pops down over the top of the screen
5 for a user, right?

6 A. Yes.

7 Q. Okay. So based on this, if a user used
8 TikTok for an hour during the week, they would get a
9 reminder that popped down on their screen about the
10 amount of time they had used?

11 A. This is for Douyin users it sounds
12 like, not TikTok.

13 Q. That's right, Douyin.

14 A. That's what this sounds like, yes.

15 Q. Okay. And the next one is a "Full
16 screen reminder that requires a 15 minute break
17 after."

18 Do you see that?

19 A. That one, yes.

20 Q. Okay. Let me strike that and start
21 over. I skipped one on accident.

22 So the next one is "Full screen
23 reminder that a user can swipe through," right?

24 A. Yes.

25 Q. So that would be -- is it your

1 understanding that that would be -- something would
2 come over the screen of the user that they see, the
3 full screen, but the user could swipe that away and
4 keep using it, right?

5 A. Yeah. There may be more to it, but
6 that's the essence of it, yeah.

7 Q. Okay. Then the next one is "Full
8 screen reminder that requires a 15 minute break
9 after," right?

10 A. Yes.

11 Q. And that sounds similar to the
12 pull-down feature that we looked at yesterday that
13 was -- that Stanford Brainstorm told you about,
14 correct?

15 A. Sounds similar, yeah.

16 Q. And that's something here -- it's
17 saying that's something Douyin actually has, right?

18 A. Yes. But, again, I didn't get to,
19 like, use the app because it's not available here,
20 so I couldn't see these, so I don't know the
21 specifics of exactly how they worked, but yeah.

22 Q. But based on your understanding that --
23 this description, does that make you believe that's
24 how it works?

25 A. That would be my guess, yeah.

1 Q. Okay. And then the last one here is a
2 mask reminder, and it says, "can't be bypassed by
3 the user," right?

4 A. Yes.

5 Q. Okay. Now, mask reminder is not a
6 reminder to wear a mask, correct?

7 A. I doubt it.

8 Q. Okay. But that's something that -- is
9 it your understanding that's something that would
10 mask or block the screen that the user could not
11 bypass?

12 A. Yes.

13 Q. And that would essentially serve as a
14 hard cap on users of Douyin, right?

15 A. Sounds like it.

16 MR. VANZANDT: I want to go now to Tab
17 DY-1. This will be Exhibit 67.

18 (TikTok-Furlong-67 was marked for
19 identification.)

20 THE WITNESS: I have it.

21 BY MR. VANZANDT:

22 Q. Do you see that this is a document
23 titled Douyin DY Notes + Questions?

24 A. DW notes, but yeah.

25 Q. DW notes, I'm sorry.

1 And so DW is digital wellbeing, right?

2 A. Yes.

3 Q. And I'll represent to you this is a
4 document that TikTok and ByteDance's lawyers
5 produced to us in this litigation as being from your
6 work files. Do you have any reason to dispute that?

7 A. No.

8 Q. Do you see on the metadata sheet your
9 name listed there as one of the custodians?

10 A. Yes.

11 Q. And the date of this document there, it
12 said it was created September 29, 2021, correct?

13 A. Yes.

14 Q. So we can go back to the first page of
15 the document.

16 Do you have any reason to believe that
17 the contents of this document have been altered in
18 any way?

19 A. No.

20 Q. So if we look at the middle part of the
21 screen, do we see the same list of features that we
22 just discussed?

23 A. It's different phrasing, so I'm not
24 exactly sure if it's the same. But there's some
25 that look more similar than others, yeah.

1 Q. Fair enough.

2 And so the list of features here and
3 those that we just discussed from the last document
4 were Douyin features that are being discussed in
5 TikTok internal documents, correct?

6 A. Yes.

7 Q. Okay. And do you understand -- let me
8 just ask this.

9 Do you remember the background of this
10 particular document?

11 A. I think just to understand what Douyin
12 has and if there's anything to learn from that and
13 how we might translate that into TikTok.

14 Q. Okay. So if we could go -- if we pull
15 back away from that, I think there's something that
16 says "Questions" at the bottom. I just want to look
17 all the way over to the right.

18 Do you recall that you had asked a
19 series of questions to a ByteDance employee that
20 works on Douyin, and then that individual answered
21 the questions for you? Do you recall that?

22 A. I remember that that happened, but I
23 don't remember the specifics of the conversation
24 because it was so long ago now.

25 Q. Okay. And do you see in the comment 1

1 there to the right, it says, "Answers from [REDACTED]"?

2 A. [REDACTED] yeah.

3 Q. [REDACTED]. Okay.

4 And do you understand that to be an
5 individual who works -- who was a ByteDance employee
6 that worked on Douyin?

7 A. At least at that time, yes.

8 MR. VANZANDT: So we can pull out of
9 that, please.

10 Q. I want to look at some of this
11 discussion under "Questions" where it says
12 "Strategy."

13 Do you see there that the question
14 asked is -- well, the first one is kind of a
15 statement. "Key distinction in our work is Douyin's
16 focus on addiction, while ours is on agency."

17 Do you see that?

18 A. Yes.

19 Q. And the "our" there in that sentence is
20 reference to TikTok, correct?

21 A. Yes.

22 Q. Then the question is asked, "Was
23 agency/choice as the optimization function
24 considered at the beginning of the Douyin project?"
25 Right?

1 A. Yes.

2 Q. Okay. So just below that you see the
3 bullet point that indicates that that's a response
4 to the question?

5 A. Looks like it.

6 Q. Okay. So now the "our" that we're
7 going to be looking at is a reference to Douyin,
8 right?

9 A. Yes.

10 Q. It says, "Our original intention is
11 that Douyin, as a large short video platform, should
12 shoulder responsibilities, so as early as 2018,
13 Douyin launched a time management tool to guide
14 users to 'allocate time rationally and to use Douyin
15 healthily.'"

16 Do you see that?

17 A. Yes.

18 Q. Do you agree that a social media
19 company who offers its platforms to the public,
20 especially to youth, should shoulder social
21 responsibilities?

22 A. I believe so, yes.

23 Q. Here it's indicating that Douyin
24 launched time management tools as early as 2018,
25 right?

1 A. Yeah, according to this text, yeah.

2 Q. And that's the same year that TikTok
3 was launched in the United States, correct?

4 A. I believe so, yes.

5 Q. Now, I want to go down to another
6 question that you asked, the main bullet point in
7 the middle that says, "What are your success metrics
8 aside from compliance?"

9 It says, "Douyin anti-addiction has two
10 goals, the first is aimed at the whole population,
11 hoping to enhance the user's sense of control,
12 enhance the public's positive perception of Douyin's
13 efforts to make users not indulge in short videos,"
14 right?

15 A. Yep.

16 Q. Then I want to skip down to the last
17 full sentence of that same paragraph. So it said
18 there was two goals, and it just mentioned the
19 first. It says, "The second is aimed at special
20 groups, including teenagers" --

21 MR. VANZANDT: Can you underline
22 "teenagers," Vince?

23 Q. -- and middle-aged and elderly people,
24 to truly and effectively control the extreme length
25 of time and try their best to help them avoid the

1 problems brought about by long-term brush Douyin."

2 I don't know what that means. Maybe that's a
3 translation error.

4 A. Yeah. This message may have been fully
5 translated from Chinese to English which would
6 explain some of the awkward phrasing.

7 Q. Okay.

8 A. Yeah.

9 Q. And that was a feature of Lark that
10 would automatically translate from Chinese to
11 English?

12 A. Yes.

13 Q. Okay. If we now see the paragraph
14 below that, it says, "Therefore, the core index of
15 measurement is to measure users' perception of
16 Douyin's efforts to prevent addiction for the whole
17 population, and will cooperate with research and
18 measurement."

19 Then it says, "For special groups" --
20 and recall special groups include teenagers, right?

21 A. Yes.

22 Q. "For special groups, it is to reduce
23 the proportion of users who use Douyin for a long
24 time."

25 Do you see that?

1 A. I do, yeah.

2 Q. Okay. So according to this document,
3 one of the stated goals of Douyin's well-being
4 efforts was to reduce the proportion of users who
5 use the app for a long time, correct?

6 A. That's right.

7 Q. And that includes teenagers, right?

8 A. Yes.

9 MR. VANZANDT: So I want to pull up
10 demonstrative exhibit X1. This is one I'm
11 just going to have on the screen. Mark
12 this as Exhibit 68.

13 (TikTok-Furlong-68 was marked for
14 identification.)

15 BY MR. VANZANDT:

16 Q. Mr. Furlong, can you see that on the
17 screen?

18 A. Yes.

19 Q. Do you see on the left is -- strike
20 that.

21 I'll represent to you this is a
22 demonstrative I've created. On the left is
23 Exhibit 46 that we looked at yesterday.

24 And do you recall the statement that we
25 looked at from your supervisor at the time that

1 efforts was to reduce the amount of time special
2 groups, including teenagers, spend using on the app,
3 correct?

4 A. Yes.

5 MR. VANZANDT: Okay. We can pull that
6 down.

7 We've been going a little bit over an
8 hour. Why don't we take a five-minute
9 break.

10 MS. FOURNIER: Okay.

11 THE VIDEOGRAPHER: The time is 9:12.
12 Off the record.

13 (Whereupon, a recess was taken.)

14 THE VIDEOGRAPHER: The time is 9:24.
15 We're back on the record.

16 BY MR. VANZANDT:

17 Q. Mr. Furlong, I'd like to go back to
18 Exhibit 67 that we were reviewing together.

19 A. Sounds good.

20 Q. The bottom of the third page and the
21 discussion will spill over to the fourth page.

22 A. All right. I'm there.

23 TRIAL TECH: I'm sorry, Counsel, what
24 exhibit?

25 MR. VANZANDT: 67. That's it. So

1 actually if we could see the bottom of the
2 page just above that just to orient us.

3 BY MR. VANZANDT:

4 Q. Okay. Do you see at the bottom,
5 Mr. Furlong, in bold it says "Execution," and the
6 question asks, "What are the time management tools?
7 Results?"

8	Do you see that?
---	------------------

9	A. Yeah.
---	----------

10 Q. Okay. And so spilling over to the next
11 page, the response from the individual from Douyin
12 says, "For teenagers (18 under)" -- do you
13 understand that to mean under 18? Or how would you
14 interpret that?

15 A. Yeah, that sounds right.

16 Q. Okay. So "For teenagers under 18, the
17 methods are 1) real-name authentication guidance for
18 users who may be teenagers, and enter the youth mode
19 after real-name authentication."

20 Let me just pause there.

21 MR. VANZANDT: We can leave it on the
22 screen, please.

23 Q. So it says that for users that may be
24 teenagers that they -- strike that.

25 It says here that Douyin uses real-name

1 authentication. Do you understand what real-name
2 authentication is?

3 A. No, I don't.

4 Q. Okay. Did you ever inquire with Douyin
5 as to what real-name authentication is?

6 A. I don't remember.

7 Q. Do you know whether TikTok ever used
8 real-name authentication?

9 A. I don't know what it is so I don't
10 know.

11 Q. Okay. When users are signing up for
12 TikTok accounts, do they have to enter a real name,
13 or can they enter in whatever name they want?

14 MS. FOURNIER: Object to form.

15 THE WITNESS: I'm not sure what
16 restrictions there are putting in a name
17 when you sign up.

18 BY MR. VANZANDT:

19 Q. Okay. According to this document,
20 Douyin does not rely only on the self-reported age
21 of the user. Would you agree with that?

22 A. I don't know. Like I said, I haven't
23 used the app and wasn't -- yeah, we were talking
24 about something not related to sign-up.

25 Q. Okay. But in order to know which users

1 to implement protection features, you have to know
2 who is a minor, right?

3 A. Yes.

4 Q. And you would agree from the digital
5 wellbeing perspective that the tools you and your
6 team are building can only be helpful to the
7 individuals who are identified as minors on the app?

8 A. No. We built some features to be
9 default on for minors, but most if not all of the
10 features we built were available to everybody.

11 Q. So let's take, for example, the
12 60-minute screen time default limit we talked about
13 for users between 13 and 17.

14 If an individual creates -- a
15 13-year-old creates a profile but then enters a date
16 of birth showing they're 21, their profile would not
17 have the 60-minute default limit, correct?

18 MS. FOURNIER: Object to form.

19 THE WITNESS: If they are able to do
20 that, yes, then the feature would go off of
21 the -- yeah, I believe that's right.

22 BY MR. VANZANDT:

23 Q. And do you understand that users of
24 TikTok are, in fact, able to do that?

25 A. I'm not exactly sure how those

1 guardrails work. I didn't work on that.

2 MR. VANZANDT: Okay. Let's pull up a
3 document then. It's Tab DY-3. That will
4 be Exhibit 69.

5 (TikTok-Furlong-69 was marked for
6 identification.)

7 THE WITNESS: I have it.

8 BY MR. VANZANDT:

9 Q. Do you see that this is a document
10 entitled "Privileged and Confidential Trust and
11 Safety"? Is that what's in the brackets?

12 A. Yes.

13 Q. Privileged and confidential means that
14 it's not to be released outside of TikTok, is that
15 right?

16 MS. FOURNIER: Object to form.

17 THE WITNESS: Honestly I'm not exactly
18 sure what that means.

19 BY MR. VANZANDT:

20 Q. Okay. Then it goes on to say
21 "Feature - Minor Safety 2022 H2 Roadmap," right?

22 A. Yes.

23 Q. I'll represent to you that TikTok and
24 ByteDance's lawyers produced this document to us as
25 part of this litigation.

1 And I want to direct your attention to
2 page 3 of the document.

3 A. Okay. I'm there.

4 Q. I'm sorry. At the very bottom of the
5 document it says, "Foundation: Age assurance."

6 Do you see that?

7 A. Yes.

8 Q. It says, "In order to protect minors,
9 we need to know who on our platform is a minor."

10 Would you agree with that?

11 A. Yes.

12 Q. It says, "This pillar is focused
13 entirely on validating users' ages and giving them
14 the tools to verify their age when we get it wrong,
15 or require it for areas with" high risk.

16 Do you see that?

17 A. "Higher risk," yes.

18 Q. "Higher risk." Thank you.

19 If we go now to page 8. It's going to
20 be Bates ending 862. Do you see in the middle where
21 it says, "1.1 Age Determination"?

22 A. What was the Bates number?

23 Q. 862 I believe is the Bates number.

24 A. Okay.

25 Q. Yeah.

1 A. By the way, I'm not sure if it was
2 implied, but I don't think I wrote this, or I'm not
3 sure if I wrote it or -- so...

4 Q. Okay.

5 A. Yeah.

6 Q. So let's look in the middle there where
7 it says "1.1 Age Determination (Account ban)."
8 Below that it says, "While users create accounts on
9 TikTok, they are shown a screen to enter their date
10 of birth (age gate)."

11 Right?

12 A. Yes.

13 Q. "Using this data to personalize the
14 user experience on TikTok is a default mode of
15 operation until date."

16 And you recall the date of this
17 document was 2022?

18 A. Yeah.

19 Q. And the next sentence says, "However,
20 relying on age gate turns out to be less effective
21 because there is no way for us to ensure that users
22 are accurately entering their true date of birth."

23 Right?

24 A. Yes.

25 Q. So, Mr. Furlong, you would agree that

1 in order to properly protect minors on the platform,
2 it's important for TikTok to know who actually is a
3 minor on the platform?

4 A. Yes.

5 Q. Okay. Thank you.

6 MR. VANZANDT: We can pull that down.

7 I want to go back to Exhibit 67,
8 please. Go back to the third page that we
9 were on. Yeah, the top part there, the
10 first paragraph where we left off.

11 BY MR. VANZANDT:

12 Q. And I want to continue reading to where
13 I got.

14 So continuing reading there after the
15 highlight, it says, "In the youth mode, it can only
16 be used for 40 minutes a day."

17 Do you see that?

18 A. Yes.

19 Q. The "it" it's referring to is the
20 Douyin app, right?

21 A. I believe the youth mode of Douyin,
22 yes.

23 Q. Okay. It says, "For users with
24 real-name authentication of 14 to 18, after using it
25 for more than a period of time, a blocking layer

1 appears (users need to continue to use Douyin after
2 a period of forced rest)."

3 Do you see that?

4 A. Yes.

5 Q. So that's indicating that for users on
6 Douyin, another social media app owned by ByteDance,
7 that the users between 14 and 18 years old have
8 periods of forced rest after using the app for a
9 period of time, right?

10 A. That's what it sounds like, yeah.

11 Q. That also sounds like the Stanford cool
12 down feature that we talked about yesterday, right?

13 A. Yes.

14 Q. That's a feature I think you said you
15 supported, that you loved, and that was never
16 implemented across the board for minors of TikTok,
17 correct?

18 A. Correct.

19 MS. FOURNIER: Object to form.

20 BY MR. VANZANDT:

21 Q. I'm sorry, what was your answer?

22 A. That's right.

23 Q. If we keep going just below that, it
24 looks like that the forced rest was not just for
25 minors. So if we see it says, "For the middle-aged

1 and elderly (50 plus), the method is to let users
2 who use Douyin for a long time have a reminder mask
3 (users can manually turn off) and a block mask
4 (users need to continue to use Douyin after a period
5 of forced rest)."

6 Do you see that?

7 A. Yes.

8 Q. Then it says, "For all users, the main
9 means are reminder video, top reminder push, time
10 management tools, reminder mask layer, all of which
11 are filled with exquisite, interesting and
12 meaningful content and styles, while cooperating
13 with the dissemination and publicity inside and
14 outside Douyin Station."

15 Do you see that?

16 A. I see that, yes.

17 Q. Can we go now to the next bullet point
18 below that -- actually the next main question there
19 says, "Mask reminder - can't be scratched away?"

20 Do you see that question?

21 A. Yes.

22 Q. And then the response to the question
23 says -- it asks, "Are you asking about the blocking
24 layer here? The blocking layer cannot be crossed
25 away, and users need to take a break before they can

1 continue to use Douyin. The blocking layer is
2 mainly used for teenagers, and middle-aged and
3 elderly people who use Douyin for a long time."

4 Right?

5 A. Yes.

6 Q. Okay. And TikTok did not have a
7 similar blocking layer that would require a period
8 of forced rest for users who use TikTok for a long
9 time, right?

10 A. Aside from Family Pairing, but yes.

11 Q. So this document is from -- that we
12 looked at -- that we are looking at, this document
13 is from 2021. And in 2021 ByteDance had implemented
14 this feature for Douyin users in China but had not
15 implemented this feature for TikTok users in the
16 United States, correct?

17 A. That's my understanding, yes.

18 Q. We'll look at one more thing on this
19 document where it says "results."

20 MR. VANZANDT: Vince, my apologies.

21 Let me see -- go to the next page, please.

22 Is that it?

23 A. I don't see "results."

24 BY MR. VANZANDT:

25 Q. Okay. I'm sorry, "results" is not

1 A. Yes.

2 MR. VANZANDT: Okay. We can pull this
3 exhibit down, please.

4 Q. Mr. Furlong, are you familiar with the
5 Youth Safety News Bulletin that TikTok maintained
6 internally?

7 A. Vaguely. I remember it being a group
8 chat in Lark where you could see news.

9 Q. I want to look at that. It's going to
10 be a long document when you get it, but I promise
11 we're not going to review too much of it.

12 MR. VANZANDT: This will be Tab DY-4.
13 This will be Exhibit 70.

14 (TikTok-Furlong-70 was marked for
15 identification.)

16 BY MR. VANZANDT:

17 Q. Certainly familiarize yourself with it.
18 I am going to be asking you about something that's
19 on Bates 715, and I'll ask you some questions really
20 before we get there just about the document in
21 general.

22 A. About the whole document?

23 Q. No, no. I'm just going to ask you a
24 couple questions about, like, what the document is
25 in general, and then I'm going to go to Bates ending

1 with 715.

2 A. Okay.

3 (Witness reviewing document.)

4 A. All right. I'm on 715.

5 Q. Okay. So before we go there, do you
6 recognize this as a Youth Safety News Bulletin that
7 was maintained internally at TikTok?

8 A. Vaguely, yeah.

9 Q. And this would be a collection of news
10 reports, research, government statements, just
11 external statements about TikTok that the company
12 would collect, correct?

13 A. I believe so. I think I maybe only
14 occasionally looked at it and did not personally
15 maintain any of it.

16 Q. Okay. But you would have had access to
17 it and did at least look at it some, right?

18 A. I believe so. I don't think I spent a
19 lot of time with it.

20 Q. Let's go Bates ending 715.

21 A. I'm there.

22 Q. What we're going to look at first is
23 the middle of the page where it says "Key news
24 announcements" under the date September 24, 2021.

25 Do you see that?

1 A. Yes.

2 Q. So the second bullet point there lists
3 an article, it says "BBC," and it has a hyperlink.
4 And do you see that the number -- it doesn't have a
5 title. But do you see the number of the hyperlink
6 is 58625934?

7 A. Yes.

8 Q. If we go over now to the next page of
9 the document ending in Bates 716, do you see the
10 bottom bullet point there under "Wider industry &
11 society"?

12 A. Yes.

13 Q. It lists that same hyperlink with the
14 BBC article with that same number?

15 A. It looks like the same, yeah.

16 Q. Okay. And so I'll represent to you
17 that hyperlink actually still works, and so we went
18 and clicked that and pulled that article, and I want
19 to show that to you next.

20 That's an article that TikTok knew
21 about internally back in 2021, right?

22 A. It was at least shared in this chat.

23 MR. VANZANDT: Okay. So let's pull up

24 Tab DY-5. This will be Exhibit 71.

25 ///

(TikTok-Furlong-71 was marked for
identification.)

BY MR. VANZANDT:

Q. And I'll represent to you, Mr. Furlong,
that this is -- we followed that link and that's the
same article that's referred to internally. Okay?

A. Sounds good.

Q. I want to look at a little bit of this
article with you.

First off, do you see the date of this,
September 20, 2021?

A. Yes.

Q. So the title of it is "China: Children
given daily time limit on Douyin - its version of
TikTok," right?

A. Yes.

Q. And then if we go below the picture, it
says "Douyin, China's version of TikTok, will limit
use of the platform for children to 40 minutes a
day."

Right?

A. Yes.

Q. And then keep reading below, it says,
"The rules will apply to users under 14, who have
been authenticated user their real names, and who

1 will be able to access it between 6:00 o'clock and
2 22:00."

3 Do you understand that to be
4 10:00 o'clock p.m.?

5 A. Yes.

6 Q. Okay. So this is saying that users
7 under 14, after they have been authenticated using
8 their real name will be able to use the app between
9 6:00 a.m. and 10:00 o'clock p.m. at night, right?

10 A. Yes.

11 Q. Okay. And do you know whether or not
12 users who sign up on TikTok have to be authenticated
13 using their real names?

14 MS. FOURNIER: Objection. Form.

15 THE WITNESS: I'm not sure what --
16 again, I'm not sure what real-name
17 authentication means, so I'm not sure.

18 BY MR. VANZANDT:

19 Q. So it goes on to say, "Parent company
20 ByteDance announced the app's Youth Mode in a
21 blog.post, saying it is the first short-video
22 company in the industry to have these limits."

23 So, again, ByteDance is TikTok's parent
24 company as well, correct?

25 A. Yes.

1 Q. But in 2021 these changes were being
2 announced only for Douyin users in China, not for
3 TikTok users in the United States, correct?

4 A. Yes. But users under 14 wouldn't have
5 access to TikTok, so...

6 Q. Users under 14 would not have access to
7 TikTok?

8 A. I'm sorry, under 13 wouldn't have
9 access to TikTok.

10 Q. But that would depend on knowing the
11 user's age, correct?

12 A. Yeah, that's just the policy, that
13 under 13 can't be on the app.

14 Q. So I want to keep reading here in the
15 article. It says, "According to Douyin's user
16 agreement there is no minimum age on the platform,
17 but under 18s must obtain the consent of a legal
18 guardian. On sister app TikTok the minimum age is
19 13."

20 Is that what you were just referring
21 to?

22 A. Yes.

23 Q. Okay. So I want to go back. We saw a
24 reference to a blog post from ByteDance, and there
25 was a link to that. If we can go back and do that,

1 the first section. I'm sorry, it's the same
2 article.

3 So Exhibit 71, do you see in bold under
4 the picture, it says, "Parent company ByteDance
5 announced the app's Youth Mode in a blog.post."

6 Do you see that?

7 A. Yes.

8 Q. Okay. And so we clicked that link, and
9 that's still an active link, and it took us to the
10 blog post from ByteDance announcing these
11 restrictions, and I'll represent to you that it was
12 entirely in Mandarin, the whole post. So we had
13 that translated, so I'm going to -- I'm going to
14 mark a series of exhibits. I'm going to do these
15 as -- so I'm going to do these as 72A, 72B, and 72C,
16 and I'll explain these to you as you get them.

17 MR. VANZANDT: So that's going to be
18 Tab DY-8 -- I'm sorry, DY-8A, DY-8B, and
19 DY-8C.

20 (TikTok-Furlong-72A, TikTok-Furlong
21 72B, and TikTok-Furlong-72C were marked
22 for identification.)

23 THE WITNESS: All right. I have C now.

24 BY MR. VANZANDT:

25 Q. So first off let's do 72A. That's the

1 one on the screen here. And I'll represent to you
2 that's what popped up when we clicked the link that
3 said blog post.

4 Do you see that appears to be in
5 Mandarin?

6 A. Yes.

7 Q. And so what 72B is we had this document
8 translated into English, and 72B is a Declaration
9 and Certification of Translation. If you could zoom
10 into the -- just above where it says Specific
11 Description of Documents, the first part of that, do
12 you see that it -- the language of the text there,
13 the title of the document is "All Douyin users under
14 14 with real-name registration are in youth mode"?

15 Do you see that?

16 A. Yes.

17 Q. Okay. So I will represent to you that
18 we had this document translated, and this is the
19 certification of that translation. And then 72C is
20 that document in an English version.

21 A. Got it.

22 Q. Okay. Thank you.

23 So I want to go just through a few of
24 this.

25 Do you see at the top it's the same

1 title that we just looked at, correct?

2 A. Yes.

3 Q. And the date of this document is
4 September 7, 2021?

5 A. Yes.

6 Q. And so I'm going to start off reading
7 this. And do you recall that the description from
8 the BBC article said that this was a blog post from
9 ByteDance, right?

10 A. Yes.

11 Q. It says, "To further strengthen the
12 protection of youth, we announced, before Children's
13 Day, that we will implement the most stringent youth
14 protection measures in the history of the platform,
15 i.e., all Douyin users under 14 with real-name
16 registration will go directly into youth mode and
17 they cannot get out of this on their own."

18 Is that right?

19 A. Yes.

20 Q. It then goes on to say, "Recently, we
21 have implemented this initiative, namely, all Douyin
22 users under 14 with real-name registration are all
23 in the youth mode, and all newly registered users in
24 the" full feature will also enter that mode
25 directly.

1 Right?

2 A. "In the future," yeah.

3 Q. "The future." Thank you.

4 Then it says, "If you are a Douyin user
5 under 14 with real-name registration, you will
6 find...you are in youth mode when you open Douyin,
7 in which you can only use it for 40 minutes a day
8 and you cannot use it from" 6 p.m. to 6 a.m. the
9 next day."

10 Do you see that?

11 A. "10 p.m. to 6 a.m.," but yes.

12 Q. Thank you for correcting me there.

13 And do you understand that description
14 of that to be a hard cap on users under the age of
15 14?

16 A. Sounds like it.

17 Q. Okay. Now, you recall yesterday we
18 looked at an exhibit that had data indicating that
19 20 percent of minor users on TikTok used the app
20 between 12:00 a.m. and 5:00 a.m. Do you recall
21 that?

22 A. Not 100 percent sure, but I know what
23 you're referring to.

24 Q. Okay. So despite having that data, are
25 you aware of any feature that TikTok has implemented

1 any hardline restrictions on minors using TikTok
2 between certain times like between 10:00 p.m. and
3 6:00 a.m.?

4 A. Yeah. They won't receive push
5 notifications during that time and -- yeah, then
6 otherwise it would just be like the other proactive
7 defaults that we turned on, or Family Pairing is
8 what they might run into during that time.

9 Q. Okay. But other than that, there's no
10 hard cap on usage for minors between certain times
11 like between 6:00 p.m. and -- I'm sorry, between
12 10:00 p.m. and 6:00 a.m., right?

13 A. Not aside from Family Pairing, correct.

14 Q. Okay. So last thing I want to look at
15 on this document, if we can pull it back up, is that
16 there's an image. Looks like there may be a
17 screenshotted image -- yeah, thank you.

18 And do you see this appears to be an
19 image of the Douyin app?

20 A. It looks like a pretty ugly picture.
21 I'd be surprised if that's what Douyin looked like,
22 but it may be, yeah.

23 Q. Well, we had to also translate this
24 image as well, just to be fair.

25 So do you see on the left side of the

1 can, replace that exhibit with a new Exhibit 2.

2 MR. VANZANDT: Vince, do you have that?

3 TRIAL TECH: Currently getting that.

4 MR. VANZANDT: Okay.

5 BY MR. VANZANDT:

6 Q. Mr. Furlong, does this updated
7 Exhibit 2 now accurately depict the time that you
8 worked for TikTok between April 2021 and
9 October 2024?

10 A. Yes. It says November here, but like I
11 said, I left in October, yes.

12 MR. VANZANDT: Okay. Thank you.

13 Mr. Furlong, that's all the questions I
14 have for you right now. Thank you very
15 much for your time and your courtesy.

16 And I do reserve my right to ask
17 further questions after your counsel asks
18 questions.

19 Thank you.

20 THE WITNESS: Sounds good. Thank you.

21 EXAMINATION

22 BY MS. FOURNIER:

23 Q. Okay. So, Mr. Furlong, as you know, my
24 name is Kristen Fournier, and I have some questions
25 for you on behalf of TikTok.

1 Q. Okay. And then you can see -- who is
2 that picture right there in September in a little
3 circle?

4 A. Me.

5 Q. And I think you just testified you had
6 nothing to do with filters, right?

7 MR. WEINKOWITZ: Objection to the form.

8 THE WITNESS: I never worked on
9 filters, no.

10 BY MS. FOURNIER:

11 Q. So if you wanted to give a fair and
12 accurate depiction of filter work at TikTok, would a
13 more accurate demonstrative be something that looks
14 a little bit more like that?

15 MR. WEINKOWITZ: Objection to the form.

16 THE WITNESS: I think so.

17 BY MS. FOURNIER:

18 Q. Okay. All right. So I'd like, if we
19 can, to actually build on this idea, though, of a
20 timeline because I think it is a useful way to speak
21 with the jury.

22 MS. FOURNIER: We can go back to -- we
23 can turn off the ELMO.

24 Q. So I think what I'd like to do is pull
25 up Exhibit 2 which I know just got swapped out. If

1 we pull up the formal Exhibit 2 that's now been put
2 into the record.

3 And you just confirmed that this is an
4 accurate portrayal of your time at ByteDance and
5 then as well as TikTok working on digital wellbeing,
6 correct?

7 A. Yes.

8 Q. All right. And if we can now allow
9 Mr. Vives to pull up his screen, we just used that
10 last night to modestly adjust.

11 Does this look pretty similar to you,
12 except for the time below?

13 A. Yes.

14 Q. So we're going to use this format that
15 Mr. Weinkowitz put together, and we're going to
16 build this from a timeline perspective.

17 During your discussions with both
18 Mr. Weinkowitz and with Mr. VanZandt -- we'll call
19 this 77. I think we're at 77. And we'll start
20 building off from 77.

21 (TikTok-Furlong-77 was marked for
22 identification.)

23 BY MS. FOURNIER:

24 Q. You talked a little bit about features
25 that existed at the time that you moved over into

1 MS. FOURNIER: Okay. So if we can go
2 back then, Mike, to 77.

3 Q. You'll see we add -- Jordan, we've
4 added a line here that covers that entire piece in
5 the Newsroom, screen time breaks, screen time
6 dashboard, screen time upsell.

7 Do you agree that those are the three
8 features covered in that particular Newsroom update?

9 A. We also launched the inbox
10 notifications feature with that launch which you can
11 turn on and it would send you a weekly notification
12 telling you how much time you spent on the app the
13 previous week, comparing that to this week, as
14 another measure to help you become more aware of
15 your usage and, therefore, informed how you wanted
16 to set limits for using the platform.

17 Q. So if I was using my ELMO a minute ago,
18 you would want me to write in "Inbox" there, it
19 sounds like?

20 MR. WEINKOWITZ: Objection. Form.

21 THE WITNESS: I would, yes.

22 MS. FOURNIER: Okay. I will call this
23 version -- and we'll also make an updated
24 one and swap it in, let's see, A, B, C, D,
25 E. We'll call this 77E, and we'll have a

1 corrected 77E that then carries forward.

2 MR. WEINKOWITZ: Objection to the form.

3 Objection.

4 (TikTok-Furlong-77E was marked for
5 identification.)

6 BY MS. FOURNIER:

7 Q. Okay. Let's go back then to our
8 Newsroom, and I'd like to look at something that
9 posted in March of 2023. "New features for teens
10 and families on TikTok."

11 I think we talked the other day about
12 additional work done to manage time at a 60-minute
13 daily screen time limit.

14 Do you remember a discussion about
15 60-minute daily screen time limits?

16 A. Yes.

17 MR. WEINKOWITZ: Objection to the form.

18 Objection to the preamble. Objection,
19 leading.

20 BY MS. FOURNIER:

21 Q. Okay. And can you tell the ladies and
22 gentlemen of the jury a little bit about the
23 60-minute daily screen time limit?

24 A. So we got to a point where we had built
25 some basic features that we felt were broadly

1 applicable and that a lot of people could benefit
2 from, whether they were minors or adults or anyone.

3 And then we then wanted to look at
4 scenarios for more proactively supporting minors and
5 helping them build understanding of using the app
6 and digital literacy and just in general being more
7 supportive of avoiding excessive usage. So we
8 decided to turn on the daily screen time limit for
9 them.

10 And based on the research we had done
11 about what a conservative approach would be or,
12 like, the right approach would be, we landed on
13 60 minutes.

14 Q. Did you partner with anyone to come up
15 with this particular feature?

16 A. Yes. So we had an internal kind of,
17 like, subject matter expertise team that would help
18 us with literature reviews. I believe for that
19 feature it was -- her name was [REDACTED] who helped
20 us understand, like, the literature, and she had
21 more of a research background to kind of legitimize
22 that decision internally.

23 Then we also for kind of big product
24 changes like this tended to review our plans with
25 trusted external partners. We primarily talked with

1 Digital Wellness Lab and Stanford Brainstorm, yeah,
2 so...

3 Q. Once this feature was rolled out, could
4 people exceed the 60-minute limit?

5 MR. WEINKOWITZ: Objection. Leading.

6 THE WITNESS: Yes.

7 BY MS. FOURNIER:

8 Q. How would a user do that if they needed
9 to do that?

10 MR. WEINKOWITZ: Objection to the form.

11 THE WITNESS: They would input a PIN
12 code.

13 BY MS. FOURNIER:

14 Q. And was -- how was a PIN code assigned?

15 A. Just a standard four digits for
16 everyone.

17 Q. And why did you decide to implement a
18 PIN code approach?

19 MR. WEINKOWITZ: Objection to the form.

20 THE WITNESS: So a lot of the status
21 quo was, you know, a popup coming up on
22 other apps, for example, and you'd click a
23 button and continue watching.

24 We had a precedent of the way the
25 feature worked before of inputting a PIN

1 BY MS. FOURNIER:

2 Q. What -- can you tell us what you take
3 as the meaning of that comment, which is a
4 continuation of the part you were shown before?

5 MR. WEINKOWITZ: Objection to the form.

6 THE WITNESS: That we need to better
7 define the problems we want to solve with
8 data so that we could build thoughtful
9 validated solutions, but that there was
10 support for minors across a variety of
11 features we had discussed.

12 BY MS. FOURNIER:

13 Q. And is this comment here at 4 more
14 consistent with the opinion you kept expressing
15 about what you saw as some of the direction for your
16 team?

17 MR. WEINKOWITZ: Objection to the form.

18 THE WITNESS: Yes.

19 BY MS. FOURNIER:

20 Q. Okay. One final topic.

21 If we could go to Exhibit Number 67,
22 which should be about three in. And if we could
23 please go to the second page and go towards the
24 bottom of the page, where it starts "Are all
25 features built in response to regulation?"

1 And, Mr. Furlong, can you just read the
2 question and the answer to that question for us as a
3 first start?

4 A. "Are all features built in response to
5 regulation? Was anything built proactively? Why?"

6 "The relevant means for teenagers are
7 mainly for regulation and supervision, such as users
8 under the age of 14 with real name authentication
9 will be forced into the youth mode. Most of the
10 other means are for active construction, hoping to
11 enhance users' positive perception of Douyin. The
12 functions can be seen in this document."

13 Q. So I want to stop, and there are two
14 things I want to address first here.

15 First is you said you are not familiar
16 with real-name authentication, is that right?

17 A. Correct.

18 Q. In the United States, at birth are you
19 given a unique identifying number? Do you know one
20 way or another?

21 A. I don't know.

22 MR. WEINKOWITZ: Objection.

23 BY MS. FOURNIER:

24 Q. Is there a process in the US to apply
25 as a child for a unique identifying number?

1 MS. FOURNIER: Okay. Those are all my
2 questions at the moment.

3 MR. WEINKOWITZ: Great. Thank you. We
4 will take a break, and we'll be back.

5 What time is it there?

6 THE VIDEOGRAPHER: The time is 11:44.
7 We're off the record.

8 (Whereupon, a recess was taken.)

9 THE VIDEOGRAPHER: The time is 12:11.
10 We're back on the record.

11 MS. FOURNIER: I'm just going to for
12 cleanup administrative purposes, these
13 documents are getting dropped into the
14 exhibit space, but I wasn't putting them
15 into the transcript. So let me fix that
16 now.

17 Exhibit 78 is the Newsroom release of
18 August 1, 2018.

19 (TikTok-Furlong-78 was marked for
20 identification.)

21 MS. FOURNIER: Exhibit 79, the Newsroom
22 release of February 13, 2020.

23 (TikTok-Furlong-79 was marked for
24 identification.)

25 MS. FOURNIER: Exhibit 80, Newsroom

FURTHER EXAMINATION

BY MR. WEINKOWITZ:

Q. All right. Mr. Furlong, are you ready to go and ready to get out of here?

A. Yes.

Q. All right. Can we pull up Exhibit 67? Do you --

A. I'm waiting for docs.

Q. I'm sorry?

A. I'll just refer to the screen.

Q. Oh, yeah.

MS. FOURNIER: The stockpile has gotten a little --

THE WITNESS: I've got this mountain.

BY MR. WEINKOWITZ:

Q. Yeah. And I don't think I'm actually using any new documents. So if you refer to the screen. And if you need to move anywhere, please let us know, but let's just start.

Exhibit 67 is an exhibit that the TikTok-ByteDance lawyer asked you questions about, right?

A. Yes.

Q. And remember her questions were about why Douyin had certain safety features for kids that

1 TikTok did not?

2 MS. FOURNIER: Object to form.

3 THE WITNESS: Can you specify the
4 question?

5 BY MR. WEINKOWITZ:

6 Q. Yeah. Remember that she had you read
7 that Douyin had certain safety features because of
8 regulations or Chinese law?

9 A. Yes.

10 Q. There's nothing that would have stopped
11 TikTok from putting those safety features on TikTok
12 in the United States if it wanted to, correct?

13 A. Correct.

14 Q. All right. So do you recall, sir, that
15 you testified that when the -- strike that.

16 You testified in response to the
17 TikTok-ByteDance lawyer's questions that you did not
18 work on beauty filters, correct?

19 A. Correct.

20 Q. And counsel did that clever thing where
21 she took my timeline and she scratched out your
22 face, right?

23 A. Yes.

24 Q. All right. Pull up Exhibit 16, please,
25 at Bates 556.

1 Isn't that like, sir, if somebody is an
2 alcoholic and they're at a bar having drinks and the
3 bartender comes up to them and says, You shouldn't
4 have any more drinks, and the person at the bar just
5 swipes them away, isn't it the same thing?

6 MS. FOURNIER: Object to form.

7 THE WITNESS: No, it's not.

8 BY MR. WEINKOWITZ:

9 Q. No, it's not. Okay.

10 MR. WEINKOWITZ: So let's pull up

11 AAV-1.

12 MS. ARMSTRONG: Exhibit 91.

13 (TikTok-Furlong-91 was marked for
14 identification.)

15 THE WITNESS: I have 90.

16 MS. FOURNIER: Is that 90 or 91?

17 MS. ARMSTRONG: It is 91.

18 MR. WEINKOWITZ: We've marked AAV-1.

19 (Discussion off the record.)

20 BY MR. WEINKOWITZ:

21 Q. Can you take a look? It's on your
22 screen.

23 A. I see it on my screen, yeah.

24 Q. It's "[T&S] Screen Time Upsell for
25 Minors."

1 Do you see that?

2 A. Yes.

3 Q. This is a document produced to us by
4 ByteDance and TikTok from your files. Do you have
5 any reason to dispute that?

6 A. No.

7 Q. And the metadata that was created with
8 this document which was -- a metadata that came with
9 this document which is attached has the creation
10 date as January 10, 2022.

11 Do you see that?

12 A. Yes.

13 Q. And under -- do you see the first page
14 has information?

15 MS. FOURNIER: Mike, can you adjust
16 your mic? You're getting a little muted.
17 You were real clear most of the time.

18 MR. WEINKOWITZ: Sorry. I put
19 documents over it.

20 MS. FOURNIER: There you go. Yep.

21 MR. WEINKOWITZ: Okay. My bad.

22 BY MR. WEINKOWITZ:

23 Q. Do you see on the front page under
24 Basic Information in the chart your name appears?

25 A. Yes.

1 Q. Okay. And it says "T&S PnP feature,"
2 right?

3 A. Yes.

4 Q. And that's trust and safety and product
5 and policy, right?

6 A. Yes.

7 Q. Was this document prepared by you in
8 the regular course, or did you contribute to this
9 document in the regular course of your business?

10 A. I think it was primarily written by
11 Jesse, but I took over at a certain point.

12 Q. Okay. Any reason to believe it was
13 altered in any way since it was produced to us out
14 of your file?

15 A. No.

16 Q. If you can turn to page 5, which is
17 Bates 273. Do you see there's a section called
18 "What are we building?"

19 A. Yes.

20 Q. It says, "Adding in a screen time
21 management upsell to teens when they are on the app
22 for 100 minutes (default screen time management
23 setting) in a single day."

24 Do you see that?

25 A. Yes.

1 Q. And then it says, "This will lead users
2 directly to the screen time management tool so that
3 they can quickly turn it on, however they have a
4 clear option to dismiss this upsell."

5 Correct?

6 A. Yes.

7 Q. So even when the upsell -- even when
8 the upsell appears, the user can just dismiss it,
9 correct?

10 A. Because we don't want to annoy people,
11 yes.

12 Q. Okay. If you look at "Why build it?",
13 it says -- do you see where I'm at, "Why build it?"

14 A. Yes.

15 Q. Next section, it says, "Our own survey
16 research recently showed us that 59 percent of teens
17 tell us that they need a screen time management
18 tool, yet only 37 percent are aware that it exists."

19 Did I read that correctly?

20 A. Yes.

21 Q. All right. And it specifically -- now
22 if you look at the pie chart on the next page.
23 And -- do you see that?

24 A. Yes.

25 Q. And 59 -- it shows that 59 percent need

1 a screen time management tool, correct?

2 A. Yes.

3 Q. And the next one shows 37 percent are
4 aware that the tool exists on TikTok, correct?

5 A. According to that survey, yes.

6 Q. And the next pie chart, according to
7 that survey, says 15 percent, it's labeled "reported
8 usage," correct?

9 A. Yes.

10 Q. And the last pie chart says that
11 .6 percent actually use it, according to that
12 survey, correct?

13 A. At that time. That drastically changed
14 over the time that I was there.

15 MR. WEINKOWITZ: Motion to strike after
16 yes -- or "at that time."

17 BY MR. WEINKOWITZ:

18 Q. Then underneath the image it says,
19 "Currently, this tool only exists behind a somewhat
20 hidden series of menus," correct?

21 A. Correct.

22 MR. WEINKOWITZ: All right. Underline
23 "somewhat hidden series of menus," please.

24 Q. All right. And then there's some -- at
25 the end of that page there's some quantitative data.

1 getting launched like just after TikTok was
2 released, so...

3 Q. Okay. Was there anything preventing
4 ByteDance from launching TikTok with the same screen
5 time management features that ByteDance used with
6 Douyin in China?

7 A. Not to my knowledge.

8 Q. All right. Do you recall discussing
9 something called Family Pairing with TikTok's
10 counsel?

11 A. Yes.

12 Q. And you were aware of and directly
13 worked with the Family Pairing feature while you
14 worked at TikTok and ByteDance, correct?

15 A. Yes.

16 Q. When TikTok first launched in the
17 States, Family Pairing was not offered as a feature,
18 correct?

19 A. I think -- I forget exactly the
20 timeline, but it sounded like it was launched after,
21 yes.

22 Q. Okay. So does Family Pairing -- strike
23 that.

24 The Family Pairing feature is something
25 that allows parents to link their own TikTok account

1 A. I do, yes.

2 Q. Okay. Thank you.

3 So if you look at the second document
4 ending in 4756, the Bates ending there, do you see
5 that that is a message that you sent on September 2,
6 2021?

7 A. Yeah.

8 Q. Okay. And it looks like you're
9 messaging with someone named [REDACTED] or [REDACTED]?

10 A. Yes.

11 Q. Does that refresh your recollection as
12 to who you may have been communicating with --

13 A. Yes.

14 Q. -- the Mandarin characters?

15 A. Yes.

16 Q. And who is [REDACTED]

17 A. She was a peer of mine.

18 Q. Okay. And was she a ByteDance
19 employee?

20 A. Yeah. She was another product manager
21 on my team.

22 Q. Okay. Thank you. We can put that
23 second one away. Now we are going to go back to the
24 first. Apologize for all the jumping around.

25 So if we go back to Exhibit 97, Bates

1 6724 at the end.

2 A. Okay.

3 Q. Do you see at the top you send a
4 message on September 1, 2021?

5 A. Yes.

6 Q. You say, "I have heard about an FP
7 bug" -- is that Family Pairing?

8 A. Yes.

9 Q. -- "where the teen can easily bypass or
10 disable Family Pairing. I haven't tested so I don't
11 know the specifics, but wondering if you know what
12 I'm talking about? Sounds worth fixing this
13 bimonth."

14 Do you see that?

15 A. Yeah.

16 Q. Okay. What does "bimonth" mean? I've
17 seen that referred to a few times.

18 A. Just two months. We used to plan work
19 in sections of two months.

20 Q. Okay. Thank you.

21 So do you see below that [REDACTED] responds
22 "It's not a bug, I suppose..."?

23 A. Yes.

24 Q. And then the next message, it says,
25 from Lufan, "The current logic is we provide an

1 'unlink' option (though hidden) to the paired teens,
2 and once they did, their parental settings will stay
3 for an extra 48 hours as a sort of 'punishment.'"

4 Do you see that?

5 A. Yes.

6 Q. Does that help you recall that there
7 was a function within Family Pairing that would
8 allow teens to unlink their account from their
9 parents' accounts?

10 A. Yes, along with the rationale for it
11 underneath, which is useful text.

12 Q. Okay. So let's -- yeah. Thank you for
13 that. Let's look at that. It says, "The reason why
14 we provided this unlink for teens is 1. for them to
15 escape from malicious pairing."

16 Was that a problem you were dealing
17 with frequently, malicious Family Pairing?

18 A. I don't know. This was Lufan's
19 experience with the app.

20 Q. Are you aware of any malicious Family
21 Pairing activities during your time there?

22 A. I'm not sure. It was more so worked on
23 by other people on my team.

24 Q. Then it says number "2. respect their
25 autonomy (given Family Pairing is available for

1 users theoretically above 13)," right?

2 A. Yes.

3 MR. VANZANDT: Can you underline the
4 word "theoretically," please?

5 Q. It's theoretical because unless there's
6 some type of age verification, it's impossible to
7 know the actual age of a user, correct?

8 A. I don't know what she was getting at
9 there.

10 Q. Okay. So let's go back now to
11 Exhibit 97. It's the other version of this chat. I
12 apologize for the jumping around. But it's page
13 ending 754. I believe it's the first page, the top
14 page of that document.

15 A. Yes.

16 Q. And Lufan asks in this message, "What
17 we can do is to level up the punishment if the teen
18 unpairs - for example, freeze the teen's account for
19 48 hours (and suggest the teen communicating with
20 the parent upon this decision)."

21 Do you see that?

22 A. Yes.

23 Q. And you respond, "What do you think of
24 removing that? I understand the tradeoff but think
25 that we should remove it given that this renders the

1 feature kinda useless."

2 Do you see that?

3 A. Yes.

4 Q. And you were recommending that the
5 option for a child to unlink their account from
6 their parents should be removed from the platform,
7 right?

8 A. I was asking her what she thought of
9 that.

10 Q. Okay. And then -- okay, well, strike
11 that. Sorry, I can't strike what you said.

12 Below that you see in the sentence, you
13 say, "but think that we should remove it."

14 Do you see that?

15 A. Right. And this was a few months into
16 the job trying to understand the historical context
17 from somebody who had a lot more experience working
18 on the feature.

19 Q. But at the time you wrote that you
20 thought that it should be removed from the platform,
21 right?

22 A. That's what I wrote here.

23 Q. And then you give another option below,
24 it says, "Other option: teen can send a request to
25 parent to unlink, which they can approve from their

1 CERTIFICATE OF COURT REPORTER

2
3 I, MAUREEN O'CONNOR POLLARD,
4 Registered Diplomate Reporter, CSR No.
5 14449 for the State of California, the
6 officer before whom the foregoing
7 deposition was taken, do hereby certify
8 that the foregoing transcript is a true
9 and correct record of the testimony
10 given; that said testimony was taken by
11 me stenographically and thereafter
12 reduced to typewriting under my
13 direction; and that I am neither
14 counsel for, related to, nor employed
15 by any of the parties to this case and
16 have no interest, financial or
17 otherwise, in its outcome.

18 Dated this 13th day of April, 2025.

19 <%21527,Signature%>
20 _____

21 MAUREEN O'CONNOR POLLARD

22 CSR No. 14449
23
24
25