

AMENDED Exhibit 702

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

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

MDL No. 3047

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

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

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

COORDINATION PROCEEDING) Judicial Council
SPECIAL TITLE [RULE 3.550]) Coordination
) No. 5255
SOCIAL MEDIA CASES)
) Judge Carolyn Kuhl

CONTAINS HIGHLY CONFIDENTIAL INFORMATION

V O L U M E I
VIDEOTAPED DEPOSITION OF JAMES BESER
PALO ALTO, CALIFORNIA
APRIL 2, 2025
9:08 A.M.

Job No.: 7222033
Pages: 1 - 442
Reported by: Leslie A. Todd, CSR No. 5129 and RPR

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P R O C E E D I N G S
April 2, 2025, 9:08 a.m.

THE VIDEOGRAPHER: We're now on the record. My name is James Vonwiegen. I'm a videographer for Golkow. Today's date is April 2nd, 2025, and the time is 9:08 a.m.

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

The deponent is James Beser.
Counsel will be noted on the
stenographic record.

The court reporter is Leslie Todd, California CSR 5129, who will now swear in the witness.

JAMES BESER,
and having been first duly sworn,
was examined and testified as follows:

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1 EXAMINATION

2 BY MR. DRAPER:

3 Q. Good morning, Mr. Beser. My
4 name is Glenn Draper. I am one of the
5 attorneys for the kids and families and
6 school districts and other local government
7 agencies who have brought claims against the
8 social media companies, including YouTube.

9 I had a chance to introduce
10 myself before the deposition got started.
11 We're here in Palo Alto at the offices of
12 Wilson Sonsini to take your deposition.

13 You are appearing pursuant to a
14 notice of deposition, which we'll go ahead
15 and mark as YouTube Beser Exhibit 1.

16 (YouTube Beser Exhibit No. 1 was
17 marked for identification.)

18 BY MR. DRAPER:

19 Q. So you get the copy with the
20 sticker on it. Here's a copy for your
21 counsel.

22 MS. WADHWANI: Thank you.

23 MR. DRAPER: A copy for me, and
24 an extra one.

25 BY MR. DRAPER:

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1 Q. I'm going to ask you some more
2 questions about this in a moment.

3 Sir, this deposition is being
4 taken in what's called an MDL, which stands
5 for multidistrict litigation in federal
6 court, and it will also be used in what is
7 called a JCCP, which stands for Judicial
8 Commission Coordinated Proceeding, in
9 California state court. I'm actually the
10 attorney for the JCCP, and my colleague
11 Audrey Siegel will be asking you some
12 questions for the MDL later today or maybe
13 tomorrow. Okay.

14 You might hear me use both of
15 those terms, MDL and JCCP. It's just the way
16 these cases are grouped together. All right?

17 A. Mm-hmm. Yes.

18 Q. Great. Have you ever had your
19 deposition taken before, sir?

20 A. No.

21 Q. All right. Ever testified in
22 court before?

23 A. No.

24 Q. All right. I'm going to cover
25 basic ground rules for the deposition, okay?

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1 You've been sworn by the court, which means
2 you're under oath. That means you're
3 testifying just as though you were sitting in
4 a courtroom before a jury and a judge. And
5 in fact, you may hear me or your attorney
6 refer to the jury today, even though they're
7 not physically present.

8 Do you understand?

9 A. Yes.

10 Q. And that's because this
11 deposition is being recorded. You can
12 obviously see the camera and the court
13 reporter. The video and the written
14 transcript may be presented later in court or
15 used for any other purposes authorized under
16 state and federal rules of procedure and
17 evidence.

18 Have you got any questions
19 about that?

20 A. No.

21 Q. Great.

22 It's important that you answer
23 my questions verbally today because the court
24 reporter is taking down everything that we
25 say. So if you nod or answer with uh-huh or

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1 uh-uh, it doesn't come through on the
2 transcript clearly.

3 Do you understand?

4 A. Yes.

5 Q. It's also really important that
6 we not talk over each other because it's hard
7 for the court reporter to take down two
8 people talking at once. I will do my best to
9 let you complete your answer before I ask the
10 next question, and if you can do your best to
11 let me complete the question before you begin
12 your response, even though you know what I'm
13 going to say, that would help make sure we
14 have a clean transcript.

15 Do you understand?

16 A. Yes.

17 Q. Okay. I myself personally
18 struggle with this, so I will make mistakes
19 today, and you might too. It's no big deal.
20 We'll just fix it and go on. All right?

21 A. Sounds good.

22 Q. You are represented by an
23 attorney today, correct?

24 A. Yes.

25 Q. Ms. Neelum Wadhvani, right?

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1 Right?

2 A. Yes.

3 Q. All right. Your attorney might
4 have objections to some of my questions
5 today. Let her complete the objections
6 before you respond.

7 Understand?

8 A. I understand.

9 Q. All right. Most of the time
10 your attorney I suspect will tell you to go
11 ahead and answer the question despite the
12 objection, and that's so we can take the
13 transcript to the judge, get a ruling on the
14 objection, and if the objection is overruled,
15 we don't have to come back to ask the
16 question because you've already answered it.
17 Right.

18 There may be a few times when
19 your lawyer tells you not to answer the
20 question. That's another reason to make sure
21 you let her finish the objection before you
22 answer, but you should take your queues about
23 the objections and whether to answer from
24 your attorney.

25 Do you understand?

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1 A. Yes.

2 Q. All right. I expect there will
3 be a few times today where we're all talking
4 at once, and we'll have to stop and do it
5 over sequentially, like question, objection,
6 answer. Happens most every deposition. It's
7 not a problem. We'll just -- we'll just do
8 it over a little bit more slowly. All right?

9 A. Sounds good.

10 Q. Okay. You can take a break
11 today. I like to break myself around every
12 90 minutes, but if you need one sooner, just
13 ask. The only rule is you have to answer the
14 pending question, so you can't run out while
15 there is a question pending.

16 Understand?

17 A. Understand.

18 Q. All right. Anything that would
19 affect your memory or your ability to tell
20 the truth today?

21 A. No.

22 Q. You haven't taken any
23 medications that might make it difficult for
24 you to concentrate or remember?

25 A. No.

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1 Q. Got a good night's sleep?

2 A. Yes.

3 Q. Fantastic.

4 Any questions before we kind of
5 move into the substance?

6 A. No.

7 Q. All right. As you said, you're
8 represented by Ms. Wadhvani today. You
9 understand she represents Google and YouTube
10 as well?

11 A. I understand.

12 Q. All right. When did you find
13 out that we had requested your deposition in
14 this case, sir?

15 A. Sometime in the second half of
16 last year. I don't remember --

17 Q. Okay. So it's been a while.

18 A. Yeah, it's been several months.

19 Q. Okay. Have you met with
20 Ms. Wadhvani or other attorneys representing
21 Google and YouTube to prepare for this
22 deposition?

23 A. Yes.

24 Q. All right. I don't want to ask
25 about the content of any of your meetings

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1 with your attorneys, but I want to ask a
2 little about the circumstances of those
3 meetings. Okay?

4 A. Okay.

5 Q. When was the first time you met
6 with them?

7 A. I don't recall exactly, but I
8 believe it was this year.

9 Q. This year being 2025, so
10 sometime in the last three months.

11 A. It may have been the end of
12 last year, but, yes, sometime in the last
13 three or four months.

14 Q. Okay. How many times have you
15 met with them?

16 A. I don't recall exactly, but
17 somewhere on the order of five.

18 Q. And how long total would you
19 say you have spent with your attorneys
20 preparing for this deposition, sir?

21 A. I don't recall exactly, but I
22 would estimate it to be about ten hours.

23 Q. All right. Let's go ahead and
24 look at what we have marked as YouTube Beser
25 Exhibit 1. This is a copy of the deposition

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1 notice for today's deposition.

2 Have you seen this document
3 before, sir?

4 MS. WADHWANI: This is
5 Exhibit 2.

6 MR. DRAPER: This is Exhibit 1.
7 Yeah.

8 MS. WADHWANI: Oh, sorry. I'm
9 sorry. You are correct. I saw Riley
10 preparing a document and I jumped
11 ahead. I apologize, Mr. Draper.

12 MR. DRAPER: That's okay. We
13 marked it a few minutes ago, but we're
14 still on Exhibit 1.

15 THE VIDEOGRAPHER: Can we go
16 off the record for two minutes?

17 MR. DRAPER: You want to go off
18 the record for two minutes?

19 THE VIDEOGRAPHER: I'm sorry,
20 the --

21 MR. DRAPER: Yes.

22 THE VIDEOGRAPHER: The time is
23 9:16, and we're off the record.

24 (Pause in the proceedings.)

25 THE VIDEOGRAPHER: The time is

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1 9:19. We're back on the record.

2 BY MR. DRAPER:

3 Q. Okay, sir, we had to break for
4 a little technical issue, but we are back on
5 the record.

6 We're looking at what we have
7 previously marked as YouTube Beser Exhibit 1.
8 This is a copy of your notice of deposition.

9 And my question to you, sir --
10 I can't remember if you answered it or not,
11 so I'm going to ask it again -- have you seen
12 this before?

13 A. I do not believe I've seen this
14 document.

15 Q. All right. If you look at
16 page 2 and 3, the deposition notice asks that
17 you bring certain documents with you. Your
18 attorneys may have brought those. I'm just
19 going to ask about those document requests.
20 Okay?

21 MS. WADHWANI: And, Mr. Draper,
22 I'll just note for the record that
23 Google and YouTube reached a mutual
24 agreement several months ago regarding
25 what would be produced or what would

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1 not be produced --

2 MR. DRAPER: Yeah.

3 MS. WADHWANI: -- for any
4 particular witness. Of course,
5 Mr. Beser is not aware of that
6 agreement, but we have produced
7 documents for Mr. Beser in advance of
8 this deposition consistent with our
9 agreement.

10 MR. DRAPER: I'll cover that.

11 BY MR. DRAPER:

12 Q. Okay. So, Mr. Beser, the first
13 request is for all documents and
14 communications used to refresh the witness's
15 recollection.

16 Sir, in your preparations for
17 this deposition, did you review any specific
18 documents or communications?

19 MS. WADHWANI: And that's just
20 a yes or no right now.

21 THE WITNESS: Yes.

22 MR. DRAPER: Okay. And so for
23 your attorney, the question is, have
24 all of the documents and
25 communications that he reviewed been

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1 produced and marked in this
2 litigation?

3 MS. WADHWANI: Yes.

4 MR. DRAPER: Great.

5 BY MR. DRAPER:

6 Q. Number 2, sir, is a copy of
7 your CV, and we have received from your
8 counsel a copy of your LinkedIn profile which
9 contains that kind of information, and why
10 don't we go ahead and mark that as Exhibit 2
11 at this time.

12 (YouTube Beser Exhibit No. 2 was
13 marked for identification.)

14 THE WITNESS: So put this one
15 away?

16 MS. WADHWANI: You might need
17 to hold on to --

18 BY MR. DRAPER:

19 Q. Yeah, I'm not quite done with
20 that. We're just going to mark that one as
21 Exhibit 2. And I'm not going to refer to it,
22 so you can just kind of put it aside.

23 A. Okay.

24 Q. All right. Number 3 asks for
25 your employee custodial file, and that has

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1 been produced to us.

2 Number 4 asked for any
3 documents relied on by the witnesses in
4 preparation to testify at this deposition. I
5 think we've covered that with our
6 stipulation.

7 MS. WADHWANI: Correct.

8 BY MR. DRAPER:

9 Q. Did you take any notes, sir, to
10 help prepare for this deposition?

11 A. No.

12 Q. All right. And I think that's
13 all we need to cover with that. So we can
14 put that one aside.

15 MS. WADHWANI: You can sit it
16 here face down, that way if Mr. Draper
17 wants to refer back to an exhibit he
18 has reviewed, it's easy for us to find
19 it.

20 THE WITNESS: Okay. Sounds
21 good.

22 BY MR. DRAPER:

23 Q. All right. I'm going to ask
24 you some questions about your background now,
25 sir.

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1 You attended the University of
2 Michigan where you obtained a degree in
3 electrical engineering and computer science
4 in 1999. Correct?

5 A. Correct.

6 Q. After you graduated from the
7 University of Michigan, you worked at
8 DoubleClick, the advertising company that
9 provides internet ad services until 2002. Is
10 that right?

11 A. That's right.

12 Q. All right. Did you meet
13 Mr. Mohan when you were at DoubleClick?

14 A. Yes.

15 Q. Did you know him or work for
16 him?

17 A. I worked for Neal for part of
18 that time.

19 Q. Oh, interesting. Okay.

20 In 2002, you returned to school
21 to get your MBA at the University of
22 California at Los Angeles?

23 A. Yes.

24 Q. After receiving your MBA, you
25 worked for several startups, including

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1 5to1.com and Xoom, but with an X?

2 A. That's correct.

3 Q. Is that pronounced Zoom?

4 A. It's pronounced Zoom.

5 Q. Okay. All right. In 2010, you
6 started at Google as a group product manager
7 for ads, correct?

8 A. Correct.

9 Q. And then in 2016, you came to
10 YouTube to work as the product manager for
11 YouTube Kids. Is that right?

12 A. Correct.

13 Q. All right. And then in 2017,
14 your position changed to senior director of
15 product management for youth at YouTube. Is
16 that right?

17 A. I sort of collapsed a lot of
18 stuff during the YouTube times for space.

19 Q. Okay.

20 A. So it was not in 2017 that I
21 was promoted. I got promoted twice while at
22 YouTube. The years, I think it was, the
23 first promotion was in 2019. And the second
24 promotion -- that was to director. And the
25 second promotion at YouTube to senior

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1 director was something like 2022, '21 maybe.

2 Q. Okay. So do I have your
3 current position correct, senior director of
4 product management for youth at YouTube?

5 A. Yes, that is correct.

6 Q. All right. I have also heard
7 your position described as the director of
8 the youth vertical at YouTube?

9 A. That would be a fine way to
10 describe it.

11 Q. Okay. What does that mean,
12 "youth vertical"?

13 A. So the youth vertical is sort
14 of a shorthand for the safety and
15 responsibility of under 18 users on YouTube.
16 That's broken out into a couple different
17 areas of work, depending on sort of the ages
18 of the children under 18 we're talking about.
19 If we're discussing very young kids, that
20 includes the YouTube Kids' app, as well as
21 what we call "made for kids" content across
22 YouTube. So there's a lot we do with the
23 creators who make kids content, et cetera.

24 Moving a little bit older for
25 the, you know, tweens 9 to 12, we have a

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1 product built for tweens that is a
2 supervised -- we call it Supex internally,
3 you may have seen that, but it's a supervised
4 experience for parents to supervise their
5 somewhat older kids on the YouTube main app.
6 That is completely managed sort of on my
7 team.

8 And then when we manage -- talk
9 about teens and what we do for teens, it's
10 much more of a matrix across YouTube. Lots
11 of different teams participate. Of course,
12 it's a big matrix for everything, but really
13 teens -- I really focus -- my team really
14 focuses on the responsibility aspects of
15 teens. So safety quality specifically.

16 Q. All right. So as part of your
17 role as senior director of product management
18 for youth, you're involved in the design and
19 application of safety features designed to
20 protect kids under 18 in various ways.

21 MS. WADHWANI: Objection to
22 form.

23 Go ahead.

24 THE WITNESS: So not fully.

25 There are other teams, as I mentioned,

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1 like trust and safety that manages
2 some aspects of safety, like our
3 community guidelines enforcement, et
4 cetera. So, you know, we partner
5 closely with those kinds of teams.
6 But everything beyond community
7 guidelines, it's a pretty fair
8 generalization to say what you said.

9 BY MR. DRAPER:

10 Q. All right. My next question is
11 how does your job differ from Matt Halprin's
12 job as global head of trust and safety at
13 YouTube?

14 A. So Matt Halprin manages the
15 policy development and enforcement. He, you
16 know, doesn't have product teams. He doesn't
17 launch products, right. His team comes up
18 with the policies that you might see on our
19 help center, you know, the content
20 guidelines, things like creators, and you
21 might get a strike. That's based on our
22 policy if you're a creator and you do
23 something against our community guidelines.
24 His team develops all of that policy, and
25 then -- and I might be missing a few things,

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1 so this is my understanding of it, but I
2 believe it's really kind of two parts.
3 Building the policy, publishing the policy,
4 and then enforcing the policy with teams of
5 people who would, you know, look at videos,
6 right, and kind of make a judgment call based
7 on that policy.

8 Q. So one way I have seen it
9 described is that Mr. Halprin looks at
10 individual videos, and then the youth team
11 handles more kind of infrastructure changes
12 that apply kind of across the board.

13 MS. WADHWANI: Objection to
14 form.

15 THE WITNESS: So I might get
16 more specific in that there is a trust
17 and safety product management team
18 that is kind of a peer to my team, and
19 they partner more closely with, you
20 know, enforcing through technological
21 interventions to find, you know,
22 violative videos that, for instance,
23 might get in -- queued in a reviewer
24 pipeline that a human would look at,
25 right? That's not my --

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1 BY MR. DRAPER:

2 Q. That's classifiers.

3 A. They -- yes, you could probably
4 simplify it to that.

5 Where my team, I'm -- I roll up
6 into a different part of the organization
7 that much -- much more focuses on search and
8 discovery, so our recommendation engine, our
9 search. And, you know, does build
10 classifiers, but amongst other things, to,
11 you know, look at kind of corpora of videos,
12 if you will, bodies of videos.

13 Q. All right. Let me ask you some
14 questions about your day-to-day work at
15 YouTube.

16 What are the different ways
17 that you communicate with your coworkers at
18 YouTube?

19 A. Lots of ways. We e-mail. We
20 have lots of meetings. We build documents,
21 you know, written documents, PowerPoint --
22 well, Google slides, presentations. We chat.
23 You know, kind of normal course of business
24 stuff.

25 Q. Are you one of those people who

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1 at the document to see the chats, and
2 I want to make sure since there are
3 different groups represented on this
4 document.

5 MR. DRAPER: I am talking about
6 the group of people that is defined in
7 the "to" field up here.

8 THE WITNESS: As I mentioned,
9 this was a best practice for us as a
10 team, so it should not have been a
11 surprise for them.

12 BY MR. DRAPER:

13 Q. All right. Let me show you
14 another document. This one we will mark as
15 YouTube Beser Exhibit 4.

16 (YouTube Beser Exhibit No. 4 was
17 marked for identification.)

18 MR. DRAPER: And for the
19 record, it was produced by the
20 attorneys for YouTube and Google and
21 is designated Bates number 00788582.

22 BY MR. DRAPER:

23 Q. You can go ahead and take a
24 look. I'm only going to ask you about a
25 small part of it, so I don't think it's worth

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1 looking through the whole thing.

2 A. Okay.

3 Q. Are you ready for me to go
4 ahead and ask some questions about this
5 document?

6 A. If you could just give me one
7 moment, please.

8 Q. Sure.

9 A. (Peruses document.) Okay.

10 Q. All right. If you look at the
11 last page, you will see that you are one of
12 the custodians for this document. Do you see
13 that?

14 A. Yes.

15 Q. All right. The document is
16 titled on the first page "Responsibility Team
17 Meeting Notes." Do you agree?

18 A. That's what the document says.

19 Q. All right. What was the
20 responsibility team?

21 A. I've never seen this document,
22 or at least I do not recall seeing this
23 document. It could refer to lots of things,
24 you know. We do refer to ourselves as a
25 responsibility team, but lots of other teams

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1 do as well for different types of issues.

2 Q. All right. If you look at the
3 first entry dated 5/28/2020, there's a bullet
4 point, and the first bullet point is -- it
5 says "Sharon," but I think it's pronounced
6 Sharone (phonetic), "focusing on medical
7 health and mental health."

8 Do you see that?

9 A. I do.

10 Q. That refers to Sharon Stovezky
11 who is a member of your team?

12 A. No, Sharon does not report to
13 me.

14 Q. She does not report to you.
15 Okay.

16 Do you have any reason to
17 believe this document is not what it appears
18 to be, a record of the meetings of the
19 responsibility team at YouTube?

20 Going back to 2016, if you look
21 at the end of the document, the entries are
22 in reverse chronological order, so the first
23 entry is November 30th, 2016, and then the
24 most recent entry is May 28th, 2020, on
25 page 1.

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1 MS. WADHWANI: Objection to
2 form.

3 THE WITNESS: I don't know what
4 this document was.

5 BY MR. DRAPER:

6 Q. Is there anything that strikes
7 you as unusual? You've seen documents in
8 this format at YouTube?

9 A. Nothing particularly unusual.
10 It looks like meeting notes.

11 Q. Great.

12 So if you could just look at
13 the page that's designated 8601.

14 Sir, 8601 includes a record of
15 the meetings of the responsibility team at
16 YouTube for December 14th, 2018. Do you see
17 that?

18 A. At the bottom of the page, yes.

19 Q. All right. And then the first
20 bullet point is for launches and milestones.
21 Do you see that?

22 A. I do.

23 Q. And then on the second page,
24 which is 8602, there is another bullet point
25 that says "Mailing lists."

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1 A. I see it.

2 Q. Do you see that?

3 A. Yes, I see that.

4 Q. All right. And you see that it
5 identifies some new mailing lists, correct?

6 A. That's what it appears to do.

7 Q. All right. And then there is
8 the second from the bottom, a hollow bullet
9 point that says: "Three chat rooms (by
10 default) history off."

11 Do you see that?

12 A. I see that.

13 Q. All right. So for the youth
14 team, you told me it was best practice to
15 kind of keep history off in the chats. For
16 this responsibility team, it seems it's also
17 a practice to keep history off in the chat
18 rooms. Do you agree?

19 MS. WADHWANI: Objection to
20 form, foundation, mischaracterizes
21 prior testimony.

22 THE WITNESS: Again, this
23 wasn't my team. I don't know what
24 team norms they had.

25 BY MR. DRAPER:

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1 Q. But at least in this instance,
2 they are by default keeping history off in
3 their chat rooms?

4 MS. WADHWANI: Objection to
5 form.

6 THE WITNESS: That's what the
7 document says.

8 BY MR. DRAPER:

9 Q. All right. Have you talked
10 with people on other teams outside the youth
11 team and either told them or been told by
12 them to keep history off in the chats?

13 A. I don't recall.

14 Q. Would it surprise you that
15 other teams also at YouTube also have a
16 practice of keeping history off in their
17 chats?

18 MS. WADHWANI: Objection to
19 form.

20 THE WITNESS: Well, I can only
21 speak for my team, which was it led to
22 a lot of confusion for junior folks
23 who would go back in time and take
24 things out of context. And so it
25 wouldn't surprise me if other teams

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1 did similar.

2 BY MR. DRAPER:

3 Q. Did anyone ever tell you that
4 you should have history off on your chats?
5 Anybody senior to you ever tell you that?

6 A. I don't recall ever being told
7 that.

8 Q. Do you have an official work
9 phone?

10 A. I'm not exactly sure what that
11 means. I have a phone that is not paid for
12 by Google.

13 Q. Okay. So I would call that
14 not.

15 A. Not. Yeah, I don't know what
16 official means, but I don't think.

17 Q. All right. So you use your
18 personal phone occasionally for business
19 purposes?

20 A. I have my e-mail on there and
21 my chat.

22 Q. All right. Do you ever text
23 with other YouTube employees from your
24 personal phone?

25 A. Very rarely.

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1 Q. Ever text about business things
2 or -- you know, I'm not interested if you
3 text about going out to dinner on Tuesday
4 night, but --

5 A. No, the texts are usually to
6 coordinate, say, like a weekend meeting or
7 something. It's usually -- I can only recall
8 logistic texts.

9 Q. Okay. Mr. Beser, do you agree
10 that a corporation should not release an
11 application designed for teens and younger
12 kids without knowing that the application is
13 safe for them?

14 MS. WADHWANI: Objection to
15 form.

16 THE WITNESS: So I take a
17 little bit of issue with the word
18 "safe" because that is a relative
19 term. So I think that I would find a
20 problem saying it's safe to any given
21 person at any given time. The word
22 "safe" can mean different things.

23 BY MR. DRAPER:

24 Q. Sure. Do you agree that a
25 corporation should not release an application

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1 designed for teens or younger kids without
2 knowing what the safety hazards are for that
3 application?

4 MS. WADHWANI: Objection to
5 form.

6 THE WITNESS: I agree that when
7 you are launching a product for youth,
8 it is important to have a high degree
9 of responsibility, which would mean
10 knowing what the risks are.

11 BY MR. DRAPER:

12 Q. And do you agree that a
13 corporation that wants to release an
14 application designed for teens and younger
15 kids should test the application for safety
16 before releasing it?

17 MS. WADHWANI: Objection to
18 form.

19 THE WITNESS: I would agree
20 that you would need to have some
21 information about where the risks are,
22 which could come through testing.
23 Again, that's a bit of a broad term.
24 But yeah.

25 BY MR. DRAPER:

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1 Q. All right. And do you agree
2 that a corporation should not add features to
3 an application designed for teens and younger
4 kids without knowing that the added features
5 will be safe or at least knowing what the
6 potential hazards are?

7 MS. WADHWANI: Objection to
8 form.

9 THE WITNESS: I agree that
10 before you launch features for teens
11 and young children, you should have a
12 good sense of where the risks are.

13 BY MR. DRAPER:

14 Q. And does that include mental
15 health risks?

16 A. The word "mental health" can be
17 used in different ways in different contexts.
18 So I don't know maybe what you mean by mental
19 health, but -- maybe you could define that a
20 little more.

21 Q. Sure. We're talking about
22 software applications here, right?

23 A. Yes.

24 Q. So there's not a lot of
25 physical risks with a piece of software. Do

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1 you agree?

2 A. I can only speak for YouTube,
3 and I agree that there's no physical risks.

4 Q. Okay. And so the risks
5 associated with a product like YouTube are
6 how it would affect the mental health of the
7 user. Do you agree?

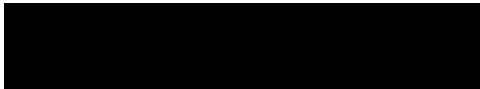
8 MS. WADHWANI: Objection to
9 form.

10 THE WITNESS: I do not agree
11 because I actually -- you just -- I
12 need a little bit more definition of
13 what you mean by mental health. It is
14 a broad term that can mean different
15 things in different contexts.

16 BY MR. DRAPER:

17 Q. What does it mean to you?

18 A. So at YouTube we take a lot of
19 care before we launch products for teens and
20 little kids or children. We work closely
21 with our experts to define such terms as
22 "mental health," which are used quite loosely
23 in press or et cetera.

24 We try and define those terms
25 into specific risk areas. 

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[REDACTED]

[REDACTED] And so we go -- that's how -- at least for my team, we can then turn it into an actionable plan where we can go and address those risks a priori to a launch.

[REDACTED]

BY MR. DRAPER:

Q. Do you agree -- scratch that. I think you answered that.

Do you agree that a corporation

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1 with an application designed for teens and
2 younger kids that learns that the application
3 can harm children should make changes to the
4 application to improve its safety as soon as
5 possible?

6 MS. WADHWANI: Objection to
7 form.

8 THE WITNESS: I agree that if
9 you learn that there is an issue, you
10 should respond very, very quickly to
11 address those issues.

12 BY MR. DRAPER:

13 Q. All right. And do you agree
14 that a corporation with an application
15 designed for teens and younger kids that
16 learns the application can harm children
17 should warn the children and their parents of
18 the potential harm as soon as the corporation
19 learns of it?

20 MS. WADHWANI: Objection to
21 form.

22 THE WITNESS: I don't agree.
23 Sometimes you just go fix things.
24 Right. Parents have a lot of -- you
25 know, parents are busy. Parents may

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1 not understand the issue. Parents may
2 just expect that it's fixed.

3 So every particular issue if
4 we, you know, involve parents, it
5 would overload them. And kids may not
6 even read. So how -- you know, so I
7 don't agree with that blanket
8 statement.

9 BY MR. DRAPER:

10 Q. Are there instances where you
11 do think you should warn the parents?

12 A. I think that it's incumbent on
13 companies like YouTube in this youth -- youth
14 area to ensure that parents understand the
15 choices that they're making and what might --
16 you know, what benefits it might have, and
17 the benefits are vast, and what -- you know,
18 what might also be an outcome.

19 BY MR. DRAPER:

20 Q. So you said that you might just
21 prefer to fix the problem, rather than warn
22 parents.

23 If there -- you know, fixes
24 don't happen overnight often. Sometimes they
25 take study, and sometimes they take

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1 engineering work to complete the fix.

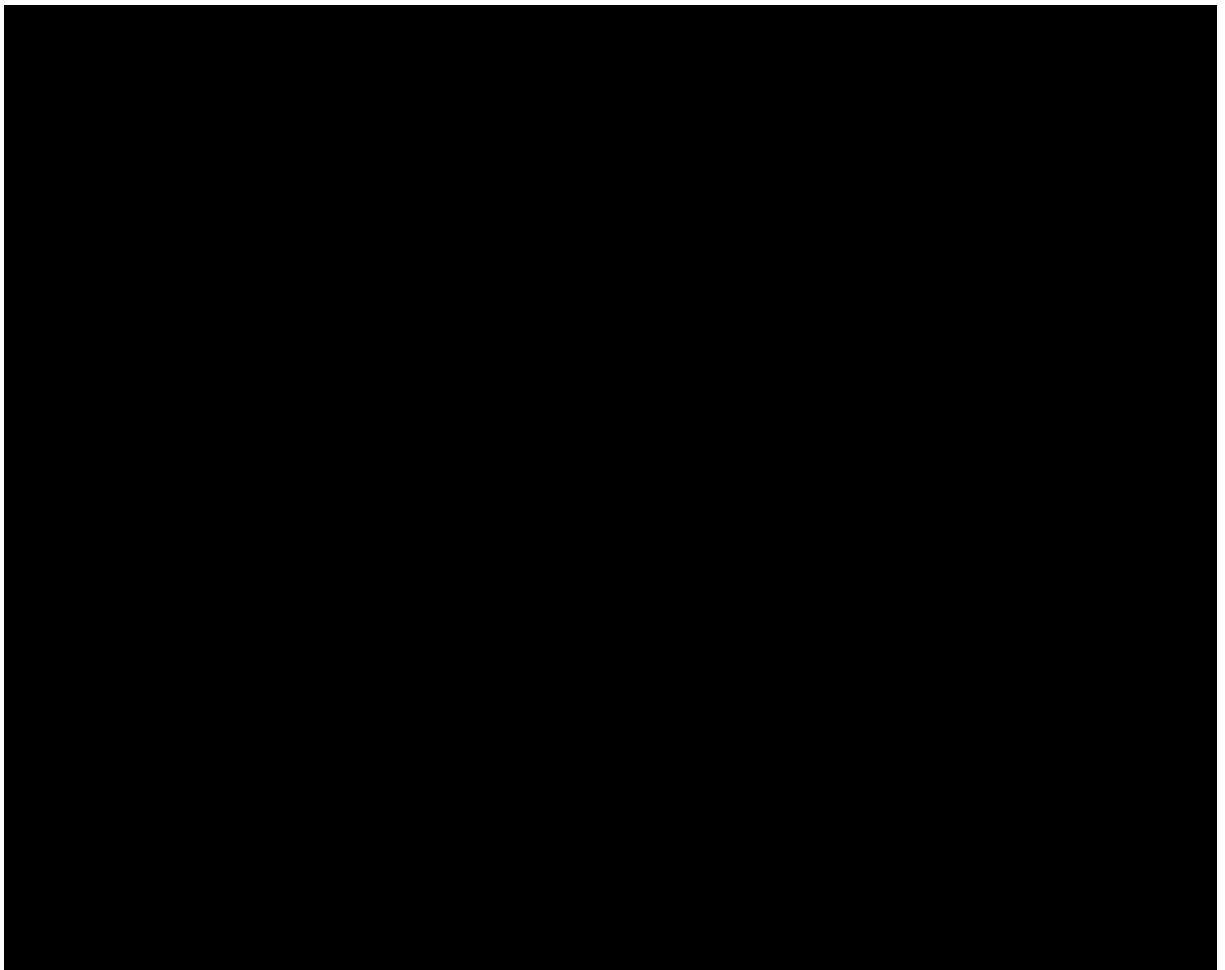
2 In that circumstance, do you
3 think you should warn the parents between the
4 time that you have discovered the risk and
5 the time that you can do something to fix it?

6 MS. WADHWANI: Objection to
7 form.

8 THE WITNESS: I think in some
9 circumstances.

10 BY MR. DRAPER:

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1 we take global goals for YouTube Kids.

2 BY MR. DRAPER:

3 Q. Just bear with me for a moment,
4 please.

5 Okay. Let's move on to another
6 document. The document that I'm going to
7 show you now, sir, we will mark as YouTube
8 Beser Exhibit 15.

9 (YouTube Beser Exhibit No. 15 was
10 marked for identification.)

11 MR. DRAPER: For the record,
12 this document was produced by Google
13 and YouTube's attorneys and is Bates
14 marked as 01608261.

15 BY MR. DRAPER:

16 Q. There is a copy for your
17 counsel.

18 MS. WADHWANI: Thank you.

19 BY MR. DRAPER:

20 Q. And here is a copy for you,
21 sir.

22 A. Thank you. (Peruses document.)

23 Q. You tell me when you are ready
24 to continue, sir.

25 A. Okay.

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1 Q. All right. This document is
2 titled "YouTube Kids Vision and Strategy for
3 2006 -- 2016 Q2." You agree, sir?

4 A. That's what it says.

5 Q. And if you look at the last
6 page, you are listed as the custodian for
7 this document.

8 A. Yep.

9 Q. And if you go back to the first
10 page, right underneath where it says "Vision
11 and Strategy Q2 2016," it has your name.
12 Yes?

13 A. Correct.

14 Q. Did you give this presentation,
15 sir?

16 A. I do not remember how this
17 presentation was used.

18 Q. Okay. If you look at the
19 metadata, sir, back on the last page, it
20 lists you as the author of the document. Do
21 you see that?

22 A. I do.

23 Q. Do you -- did you have input in
24 the creation of this slide deck, sir?

25 A. Yes.

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1 Q. Okay. I know you did because
2 you commented on the slide -- slide deck in
3 here. And I didn't write down the page that
4 you commented on, but let me find it.

5 Oh, I got it here. The pages
6 aren't numbered, unfortunately, but it's
7 after a slide that says "Search and
8 Discovery." It has a -- it's a page that
9 looks like this (indicating).

10 A. Okay.

11 Q. Right. And there's just a
12 comment from you dated April 23rd, 2016. Do
13 you see that?

14 A. I do.

15 Q. All right. So obviously you
16 had seen this document at the time it was
17 being prepared.

18 A. Yes.

19 Q. All right. Is there any doubt,
20 sir, that this document is what it appears to
21 be, a slide deck dealing with the strategy
22 and vision for YouTube Kids in 2016?

23 MS. WADHWANI: Objection to
24 form.

25 THE WITNESS: I -- it's what --

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1 that's what it says.

2 BY MR. DRAPER:

3 Q. Right. That's what it looks
4 like, right?

5 A. Sure.

6 Q. And there isn't anything in
7 here that leaps out at you and says, Nope,
8 that's not what it is?

9 A. No.

10 Q. All right. YouTube Kids did
11 not operate in a vacuum. Correct?

12 MS. WADHWANI: Objection to
13 form.

14 THE WITNESS: Can you be more
15 specific?

16 BY MR. DRAPER:

17 Q. Sure. Part of the strategy for
18 YouTube Kids was to feed users to YouTube as
19 they got older.

20 A. So the way we thought about,
21 and sort of maybe continue to think about it
22 today, is YouTube is going to get used by
23 kids. Right. It's an app on a phone.
24 Parents hand their phones to their kids.
25 YouTube is there.

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1 So kids will use YouTube. It's
2 written in our North Star principles, right.
3 And so if they're going to use YouTube, we
4 want them to use YouTube in the most
5 age-appropriate, safe and high quality way as
6 possible.

7 Q. One of the goals for YouTube
8 Kids was to create the next generation of
9 YouTube users. Do you agree?

10 A. So I'd like to point out that I
11 started on the kids team. This is probably
12 one of the first things I saw or commented
13 on.

14 Q. Right.

15 A. So we were trying -- I was
16 learning and figuring out a lot. Right. So
17 I just want that to be noted that a lot of
18 these things might have been hot takes.

19 And again, I don't know what we
20 used this deck for. It might have been my
21 own scratch pad. There is actually a slide
22 that says "Scratch pad." So I might have
23 just been trying to get my thoughts
24 organized.

25 Q. Okay. If you will just look at

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1 the -- the second slide here, sir, it -- it
2 is entitled or has a caption that says "YTK
3 Vision." That of course stands for YouTube
4 Kids. I'm sorry.

5 A. I'm ahead of you, sir. My bad.

6 Q. Right there, that one. Right.

7 You see where it says "YTK
8 Vision." That of course stands for YouTube
9 Kids vision, correct?

10 A. Yes.

11 Q. All right. And it says:
12 "Create the next generations of YouTube
13 users." Yes?

14 A. That's what the slide says.

15 Q. All right. The thought was
16 that if you get kids hooked on YouTube Kids
17 at an early age, say four to eight, they
18 stick with YouTube as they get older and
19 remain YouTube users, right?

20 MS. WADHWANI: Objection to
21 form.

22 THE WITNESS: I mean the slide
23 lists out different age groups and has
24 arrows. But as I mentioned before, we
25 are sort of assuming everyone uses

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1 YouTube, and so we want to make sure
2 when those users are on YouTube, we
3 have them in the safest and most
4 appropriate place.

5 BY MR. DRAPER:

6 Q. You say you assume everyone
7 uses YouTube.

8 A. Mm-hmm.

9 Q. I've seen it characterized a
10 little bit differently, that the goal is for
11 all kids to use YouTube. Would you agree
12 with that characterization?

13 MS. WADHWANI: Objection to
14 form.

15 THE WITNESS: The -- so again,
16 this slide deck, I don't remember
17 exactly what we used it for. It was
18 like maybe my first month possibly on
19 the product. So irrespective of
20 what's said here, I wouldn't say that
21 the goal is for all kids to use
22 YouTube. I think our goal is to be as
23 valuable as possible.

24 YouTube is used in schools.
25 I've seen statistics like 95 percent

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1 of teachers have used YouTube in the
2 last, you know, month or quarter or
3 year in classrooms. And, you know,
4 YouTube is an incredible learning
5 device. We see it as the library, but
6 organized for kids and to actually
7 help them find things that they might
8 want to go deeper on. It is one of
9 the biggest search engines in the
10 world.

11 So, yeah, kids are going to use
12 YouTube.

13 MR. DRAPER: For the record,
14 sir, I move to strike the
15 nonresponsive portion.

16 BY MR. DRAPER:

17 Q. So still on this -- this same
18 slide, for kids younger than eight, it has a
19 statistic under it where it says, "Under 8,
20 [REDACTED] addressable users." Do you see
21 that? In blue?

22 A. I see that.

23 Q. Right. And then for tweens, it
24 also says [REDACTED] addressable users,
25 correct?

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1 A. That's what the slide says.

2 Q. Addressable users, I think you
3 know from your marketing experience, is the
4 total potential market?

5 MS. WADHWANI: Objection to
6 form.

7 THE WITNESS: It can mean that.
8 I don't recall exactly what was meant
9 here, but -- it can mean that.

10 BY MR. DRAPER:

11 Q. Okay. And so this identifies,
12 and it says actually underneath the slide,
13 "██████████ kids under 13."

14 Is that -- that's more than in
15 the United States, you would agree?

16 A. Yes.

17 Q. Right. That's worldwide.

18 A. Yes.

19 Q. All right. And YouTube wanted
20 to reach every one of them, all ██████████,
21 correct?

22 MS. WADHWANI: Objection to
23 form.

24 THE WITNESS: I don't know what
25 YouTube wanted. I certainly didn't

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1 know in Q2 2016 when I had been at the
2 company for a very short period of
3 time.

4 And as I mentioned before, we
5 just assumed YouTube is going to get
6 used by kids.

7 BY MR. DRAPER:

8 Q. By every kid in the world?

9 A. If they find --

10 MS. WADHWANI: Objection to
11 form.

12 Go ahead.

13 THE WITNESS: If they find it
14 valuable and useful.

15 BY MR. DRAPER:

16 Q. All right. Let's look at the
17 next slide, please.

18 The next slide has a heading.
19 It reads "YouTube Kids growth
20 strategy: Become a daily tool for all U13
21 kids globally."

22 Right? Do you see that?

23 A. I do see that.

24 Q. Have you ever heard that goal
25 referred to as every kid, every day?

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1 A. I don't recall that.

2 Q. All right. And the strategy
3 you'll see -- you can see on here is twofold,
4 grow activations, right? So more kids are on
5 the platform. Yes?

6 MS. WADHWANI: Objection to
7 form.

8 THE WITNESS: It says, "Grow
9 reach." So, yeah -- grow people
10 downloading the kids app.

11 BY MR. DRAPER:

12 Q. Right. And then on that upward
13 pointed arrow right to the left of it, it
14 says "Activations."

15 A. Okay.

16 Q. Right. So grow activations,
17 grow reach, so more kids are on YouTube.
18 Right?

19 MS. WADHWANI: Objection to
20 form.

21 THE WITNESS: More users are
22 downloading and onboarding YouTube
23 Kids app is what that would mean, I
24 would guess.

25 BY MR. DRAPER:

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1 Q. All right. And then the other
2 part of the strategy is the lower bar, the
3 arrow pointing to the right, "Encourage
4 engagement." Yes?

5 A. No, I would not characterize
6 this as our strategy. As I mentioned, this
7 is a slide deck I built within the first, you
8 know, few weeks or days of starting the
9 project --

10 Q. Yeah.

11 A. -- I was learning. If I did
12 this deck, and I can't remember if I did it,
13 but I certainly participated in it at a
14 minimum, so it was a place for sketching down
15 some ideas so that I could talk to people and
16 learn more about how -- you know, how to
17 think about this area that was brand new for
18 me.

19 Q. You're allowed to change your
20 mind, but at the time what you put down is
21 the strategy was twofold, grow reach and
22 encourage engagement. Right?

23 MS. WADHWANI: Objection to
24 form.

25 THE WITNESS: The slide says

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1 that. That doesn't make it the
2 strategy.

3 BY MR. DRAPER:

4 Q. And along those two axes --
5 axes on the left, "Activations," and on the
6 bottom, "DAV." That stands for daily active
7 viewers, correct?

8 A. That's what it stands for.

9 Q. Okay. And then there's a black
10 arrow pointing upwards to the right. Do you
11 see that?

12 A. Yes.

13 Q. And it's labeled "Goal,"
14 correct?

15 A. Correct.

16 Q. And it's pointing to a figure
17 "TAM," total addressable market, "[REDACTED]
18 [REDACTED]." Right?

19 A. That's what the slide says.

20 Q. Every kid, every day, globally.

21 MS. WADHWANI: Objection.

22 BY MR. DRAPER:

23 Q. That's the goal.

24 MS. WADHWANI: Objection to
25 form.

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1 THE WITNESS: That's not the
2 goal.

3 BY MR. DRAPER:

4 Q. That was the goal at this time.

5 MS. WADHWANI: Objection to
6 form.

7 BY MR. DRAPER:

8 Q. Do you disagree?

9 A. No, I disagree. This was a
10 slide that was made to sketch down some ideas
11 when I first started at this job so that I
12 could get feedback and understand better this
13 area.

14 Q. All right. So where it says:
15 "YouTube grow strategy, become a daily tool
16 for all U13 kids globally," that wasn't
17 right. You didn't mean that.

18 A. Well, it's evolved --

19 MS. WADHWANI: Objection to
20 form.

21 Go ahead.

22 THE WITNESS: I think being a
23 tool for kids is an important part of
24 what YouTube Kids can do.

25 BY MR. DRAPER:

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1 Q. Daily tool.

2 A. Well, the idea of a tool is all
3 I'm commenting on. And daily is not
4 something that, you know, once I started to
5 understand better this area, you know, was
6 something that didn't last very long.

7 Q. Yeah. Sir, I'm not saying
8 you're not allowed to change your mind. I'm
9 just saying that at this time the goal was
10 all kids every day, all around the world.

11 A. No.

12 MS. WADHWANI: Objection to
13 form, asked and answered.

14 BY MR. DRAPER:

15 Q. Okay.

16 MS. WADHWANI: When you are at
17 a good point, we've been going about
18 an hour and 20.

19 MR. DRAPER: Yeah, let's take a
20 break. Thank you.

21 THE VIDEOGRAPHER: The time is
22 11:42. We're off the record.

23 (Recess.)

24 THE VIDEOGRAPHER: The time is
25 11:55. We're back on the record.

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CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

The undersigned Certified Shorthand Reporter
does hereby certify:

That the foregoing proceeding was taken before
me at the place and time therein set forth, at
which time the witness was duly sworn; That the
testimony of the witness and all objections made
at the time of the examination were recorded
stenographically by me and were thereafter
transcribed, said transcript being a true and
correct copy of my shorthand notes thereof; That
the dismantling of the original transcript will
void the reporter's certificate.

In witness thereof, I have subscribed my name
this date: April 4, 2025.

A handwritten signature in blue ink that reads "Leslie Anne Todd". The signature is written in a cursive style and is positioned above a horizontal line.

LESLIE A. TODD, CSR, RPR
Certificate No. 5129

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