

AMENDED Exhibit 716

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

VIDEOTAPED DEPOSITION OF THOMAS SAFFELL
PALO ALTO, CALIFORNIA
APRIL 1, 2025
9:09 A.M.

Job No.: 7278822
Pages: 1 - 76
Reported by: Leslie A. Todd, CSR No. 5129 and RPR

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1 Videotaped deposition of THOMAS SAFFELL,
2 held at the offices of:

3
4
5 WILSON SONSINI GOODRICH & ROSATI, LLP
6 650 Page Mill Road
7 Palo Alto, California 94304-1001
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18 Pursuant to notice, before Leslie Anne Todd,
19 California Certified Shorthand Reporter in and for
20 the State of California, who officiated in
21 administering the oath to the witness.
22
23
24
25

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A P P E A R A N C E S

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13 MARISSA URBAN, ESQUIRE (via Zoom)

14 JAMES VONWIEGEN, Videographer

15 JIM LOPEZ, Trial Technician

16

17

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C O N T E N T S

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E X H I B I T S		
(Attached to transcript)		
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P R O C E E D I N G S

THE VIDEOGRAPHER: We're now on
the record.

My name is James Vonwiegen.

I'm a videographer for Golkow.

Today's date is April 1st,
2025, and the time is 9:09 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, Northern
District of California.

The deponent is Tom Saffell.

Counsel will be noted on the
stenographic record.

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

THE REPORTER: Raise your right
hand, please.

Do you solemnly swear or affirm
the testimony that you are about to

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1 give will be the truth and nothing but
2 the truth?

3 THE WITNESS: Yes.

4 - o - o - o -

5 THOMAS SAFFELL,
6 having first been duly sworn, was
7 examined and testified as follows:

8 EXAMINATION

9 BY MS. TRUONG:

10 Q. Good morning, Mr. Saffell.

11 A. Good morning.

12 Q. We met briefly off record, but
13 just to put it on the record, my name is
14 An Truong. I'm an attorney for plaintiffs in
15 this matter. All right?

16 It's my understanding that
17 you've been designated as a 30(b)(6)
18 corporate representative today; is that
19 correct?

20 A. Yes.

21 Q. Okay. And that's on, I
22 believe, five discrete topics, which we'll
23 put on the record in a moment; is that
24 correct?

25 A. Yes.

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1 Q. And are you currently employed
2 by Google and YouTube?

3 A. Yes.

4 Q. And what is your current job
5 title?

6 A. I lead product management for
7 the infrastructure team.

8 Q. You said "infrastructure team"?

9 A. Correct.
10 At YouTube.

11 Q. How long have you been in that
12 role?

13 A. Roughly, two years.

14 Q. And in that role, did you have
15 anything to do with the age verification
16 procedures at YouTube and Google?

17 A. By "procedures," do you mean
18 the age verification product?

19 Q. Yes.

20 Is there a product at YouTube
21 and Google related to age verification?

22 A. Yes.

23 Q. What is that product?

24 A. We have a -- systems that allow
25 users to verify their age.

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1 Q. Is there a name for that
2 system?

3 A. We would refer to it as age
4 verification.

5 Q. Okay. And, I'm sorry, you said
6 that in the course of your current role, you
7 do work with that age verification system; is
8 that right?

9 A. Correct.

10 Q. When did you learn that you
11 would be a 30(b)(6) designee in this case?

12 A. Two or three weeks ago.

13 Q. And did you do anything to
14 prepare for that deposition?

15 A. Yes.

16 Q. What did you do?

17 A. I had preparatory calls with my
18 lawyers.

19 Q. Two phone calls?

20 A. Pr- - no. Preparatory calls.

21 Q. I'm sorry, what was that?

22 A. Preparatory calls.

23 Q. Oh, I see.

24 And were they phone calls?

25 A. Two of them were video calls,

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1 MS. MACHOCK: Object to form
2 and scope.

3 THE WITNESS: Yeah. I also do
4 not know that.

5 BY MS. TRUONG:

6 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10 MS. MACHOCK: Object to form.

11 THE WITNESS: [REDACTED]
[REDACTED]
[REDACTED]

14 BY MS. TRUONG:

15 [REDACTED]
[REDACTED]
[REDACTED]

18 MS. MACHOCK: Object to form
19 and scope.

20 THE WITNESS: Can you clarify
21 the question, please?

22 BY MS. TRUONG:

23 [REDACTED]
[REDACTED]
[REDACTED]

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1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

2 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

3 MS. MACHOCK: Object to form
4 and scope.

5 THE WITNESS: [REDACTED] [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

8 BY MS. TRUONG:

9 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

10 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

11 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

12 MS. MACHOCK: Object to form.

13 THE WITNESS: That we refer to
14 as the age-inference model.

15 BY MS. TRUONG:

16 Q. Okay. How long did it take to
17 build the age-inference model?

18 A. I was not a part of that
19 project when it started. I can give you a --
20 like a rough timeline.

21 In September 2020, we rolled
22 out the -- the [REDACTED] [REDACTED] [REDACTED] [REDACTED]
23 program as noted on page 1, and then expanded
24 that in Australia in 2022. That was a -- a
25 -- a precursor of the model. And, then, in

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1 Sept- -- September 2021, we launched the full
2 model in the EEA, UK, and Switzerland.

3 Q. So, is it your testimony, then,
4 that it took about a year to develop the age
5 assurance in EEA --

6 MS. MACHOCK: Object to form.

7 BY MS. TRUONG:

8 Q. -- and UK, or are you saying
9 that -- sometime within this period, but it
10 was built off of the [REDACTED] signal?

11 MS. MACHOCK: Object to form.

12 Misstates prior testimony.

13 THE WITNESS: Yeah.

14 No, that is not what I said.

15 But I just gave you the dates
16 at which it was launched.

17 I -- I don't -- I do not have
18 information on when the development
19 work started.

20 BY MS. TRUONG:

21 Q. Okay.

22 A. I would also note that these
23 launches were to comply with laws. And, so,
24 the timing of those launches would've been
25 influenced by that, and likely compromises

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1 minutes.

2 THE VIDEOGRAPHER: The time is
3 10:02. We're off the record.

4 (Recess.)

5 THE VIDEOGRAPHER: The time is
6 10:18. We're back on the record.

7 BY MS. TRUONG:

8 Q. Final stretch. Last topic.

9 This one is, "Defendants'
10 February 2025 announcement to expand its
11 age-assurance model to the United States."

12 And if I'm looking at the note
13 sheet correctly, I think that's a bullet
14 point on the top of page 2; is that right?

15 A. That's correct.

16 Q. Okay. What does it mean that
17 YouTube will begin, quote, "Calibrating and
18 testing the model in the U.S. in the mid" --
19 "in mid 2025"?

20 A. When we build any kind of
21 inference model, it needs to be carefully
22 calibrated and tuned and tested to ensure
23 accuracy. And, so, whilst we have a model in
24 Europe for that, that model was not ready for
25 use in the United States, and what needed to

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1 | be done to prepare it to be ready.

2 Q. And what types of things do you
3 need to prepare that model to be ready in the
4 United States?

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14      Q.      How long does that process
15 take?
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[illegible]

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1 [REDACTED]

2 And, so, the goal is to make
3 that model as accurate as possible to
4 minimize the downside of running the model.

5 Q. The announcement was made in
6 February of 2025, correct, that YouTube would
7 expand age-assurance model globally?

8 A. Yes. I think you're referring
9 to the blog post in the binder?

10 Q. Yes. And I think that's Tab 2.

11 And, so, from the time of that
12 announcement, according to your bullet point
13 at the top of Page 3, you anticipate that
14 this will happen sometime in [REDACTED]. Am I
15 reading that correctly?

16 MS. MACHOCK: Object to form.
17 Misstates the document.

18 THE WITNESS: Yeah. I think
19 you're misstating it.

20 [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]

23 BY MS. TRUONG:

24 Q. Ah, I see.

25 And -- and, so, you expect to

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1 expand this to the United States in mid 2025;
2 is that right?

3 MS. MACHOCK: Object to form.

4 THE WITNESS: No, not -- that's
5 not quite right either.

6 We expect to launch it in the
7 United States in 2025. This refers to
8 the preparatory work that's done.

9 BY MS. TRUONG:

10 Q. I see.

11 How long did YouTube discuss
12 expanding the age-assurance model globally
13 before the decision was made in February of
14 2025?

15 MS. MACHOCK: Object to form.

16 THE WITNESS: I've been in the
17 -- my current role for approximately
18 two years, and the discussion of
19 expanding age assurance has, for the
20 United States, been ongoing through
21 that period. As I mentioned before,
22 there's a lot of work to be done to
23 make the model ready. [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

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BY MS. TRUONG:

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Q. And you said that the discussion was going on for the two years you were in your current role; is that correct?

MS. MACHOCK: Object to form. Misstates prior testimony.

THE WITNESS: What I said was that I started in this role two years ago, and we have been having conversations about how and when to

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1 expand age assurance for most of the
2 period that I've been in that role.

3 BY MS. TRUONG:

4 Q. Okay. Did the discussions
5 predate your two-year period in this role?
6 I'm just trying to understand if it started
7 sometime in the last two years or prior to
8 the last two years.

9 MS. MACHOCK: Object to form.

10 THE WITNESS: Yeah. I am -- I
11 can't speak to the conversations that
12 happened before I was on the team.

13 BY MS. TRUONG:

14 Q. In preparing for your 30(b)(6)
15 testimony today, did you talk with anybody
16 who could give you that information?

17 A. Yes. And I cannot tell you the
18 nature of those conversations. I know there
19 have been conversations about how to
20 improve -- as you know, we launched age
21 assurance in Europe for legal reasons, and I
22 think that we've believed that there are
23 benefits to be had for age assurance of other
24 users.

25 Once that model is ready to be

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1 expanded to those other territories, and
2 those tradeoffs have been properly managed, I
3 think there's a general understanding that
4 those tradeoffs take time, and there -- there
5 was a goal to make it possible to launch the
6 model more globally, but a significant amount
7 of work had to be done to get us to that
8 point.

9 Q. Okay. And the -- the question
10 was whether there was -- whether you had
11 talked to anybody about whether there were
12 prior discussion about this age-assurance
13 expansion prior to the last two years. Is
14 your answer yes, you are aware of some
15 discussions prior to the last two years?

16 A. I -- I know from some of those
17 conversations the -- the conversations took
18 place. I don't know the nature of those
19 conversations. I wasn't part of them.

20 Q. Okay. And when you were -- and
21 when you did become part of those
22 discussions, were you provided with any
23 documents or analysis with respect to the
24 age-assurance expansion?

25 A. Quite possibly, but I don't

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1 recall -- I mean, when I took over this role,
2 I was provided with hundreds, possibly
3 thousands, of documents, so I -- I cannot
4 tell you the details of all of 'em.

5 Q. All right. I'll just go back
6 to one issue in the first topic, which was
7 Roman Numeral I.2, "The Ability to access the
8 YouTube Platform as a guest or without
9 logging into an account."

10 Does YouTube have a -- a guest
11 mode for the YouTube platform?

12 MS. MACHOCK: Object to form.

13 THE WITNESS: Can you define
14 "guest mode," please?

15 BY MS. TRUONG:

16 Q. I -- I don't know is my
17 question. I -- I'm just wondering if there
18 is such a thing as a guest mode for YouTube.

19 MS. MACHOCK: Object to form.

20 THE WITNESS: So, maybe I could
21 walk you through what the options are.

22 BY MS. TRUONG:

23 Q. Sure.

24 A. If -- if you come to the
25 YouTube Desktop Web, for example, you may do

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1 that, use that signed in or signed out. You
2 may also, of course, use the browsers
3 incognito functionality to launch an
4 incognito session, which is functionally
5 equivalent to being signed out with a -- with
6 a fresh set of cookies.

7 The situation's slightly
8 different for mobile. In mobile, most users,
9 for example, in Android, would be signed in
10 to the OS and -- and signed in to YouTube.
11 The YouTube mobile apps, our main have what
12 we call incognito mode, which is maybe what
13 you were getting at with guest mode. This is
14 a mode in which, again, the user is given a
15 temporary blank new identity that's
16 equivalent -- roughly equivalent to using
17 incognito in a Desktop Web browser.

18 Does that answer?

19 Q. It did. Thank you.

20 MS. TRUONG: I don't have
21 further questions at this time,
22 subject to any redirect from your
23 counsel.

24 MS. MACHOCK: Okay.

25 THE VIDEOGRAPHER: The time is

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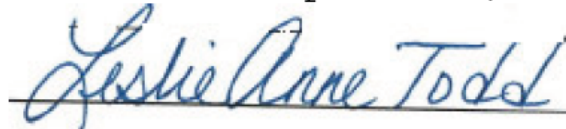
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CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

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 12, 2025.



LESLIE A. TODD, CSR, RPR

Certificate No. 5129

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)