

AMENDED Exhibit 830

**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

David Boyle

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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

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER
VIDEOTAPED DEPOSITION OF

DAVID L. BOYLE

Held At: Skadden Arps Slate Meagher & Flom
2000 Avenue of the Stars
Los Angeles, California

February 27th, 2025
9:36 a.m.

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

1 have been such an area of priority and
2 focus for us, that's why implicitly those
3 are stated as our top priorities on these
4 severe harms. And we've made a lot of
5 progress on those areas, and so that's
6 really, I think, what the document was
7 stating, is those severe harms are a top
8 area of focus.

9 But we do care about the whole range of
10 safety issues and put forth resources on
11 them.

12 BY MR. AYERS:

13 Q. I'm handing you what's been marked as
14 Exhibit 7 to your deposition.

15 (Whereupon, Exhibit Snap-Boyle-7 was
16 marked for identification.)

17 BY MR. AYERS:

18 Q. Exhibit 7 is Bates numbered
19 SNAP6108881. The title of the document is "Parental
20 Perception Theme."

21 Do you recognize this document?

22 A. This looks like sort of an outline or
23 notes document and a brainstorming document prior to
24 the production of the final SSP document.

25 Q. Right.

1 And if you look to the last page of the
2 document, it's a metadata slipsheet, and the
3 custodian is Snap. The file name is Safety SSP
4 Kickoff_Parental Perception.Docx.

5 Do you see that?

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

7 Q. And it was created on September 7,
8 2023, correct?

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

10 Q. Would you have seen this at the time?

11 MS. TELLER: Objection. Speculation.

12 THE WITNESS: For this particular doc,
13 I'm not certain, but I think the way to
14 think about this document in relation to
15 the final SSP document is on each of the
16 themes listed in the SSP document, they had
17 these brainstorm documents where they were
18 taking notes about all the ideas related to
19 each theme.

20 So I think what you're looking at here
21 is a document that had a number of notes
22 and ideas that relate to the themes that
23 were eventually in the final SSP document.

24 BY MR. AYERS:

25 Q. Right.

1 So this document related to the theme
2 we just discussed, parental perception, correct?

3 A. It says --

4 MS. TELLER: Objection.

5 Characterization of the document.

6 Go ahead.

7 THE WITNESS: The title is "Parental
8 Perception Theme."

9 BY MR. AYERS:

10 Q. And the theme -- and then it goes on to
11 say, "What is the theme?" And it states, "Earning
12 parents' trust by doing the right things to help
13 keep Snapchatters (ages 13-24) safe."

14 Right?

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

16 Q. Is it fair to say that the cohort of
17 teens 13 to 24 is a significant population for Snap?

18 MS. TELLER: Objection. Vague.

19 THE WITNESS: Well, the majority of our
20 users are not in that age demographic, but,
21 I mean, I think, as stated, it is
22 describing something reasonable, which is
23 earning parents' trust by doing the right
24 things to help keep Snapchatters safe.

25 ///

1 BY MR. AYERS:

2 Q. Are you aware that Snap touts to reach
3 90 percent of US users ages 13 to 24?

4 A. That specific number sounds like
5 something that would be in our investor
6 presentation, but that's a different number than --
7 so because we reach 90 percent of 13 and 24 users,
8 that does not mean that 90 percent of our users are
9 13 to 24, right? So those are kind of separate
10 quantitative points.

11 Q. What is the age group that makes up the
12 majority of Snapchatters?

13 A. Well, the majority of Snapchat users in
14 the US are older than this age group, but which
15 specific age group reaches the majority I think
16 would depend how you bucket the age groups.

17 Q. Well, how do you bucket the age groups?

18 A. Well --

19 MS. TELLER: Objection. Vague.

20 THE WITNESS: I think we're going on a
21 little bit of a tangent here, but we have
22 buckets where we look at, I think as we
23 talked about yesterday, 13 to 17, 18 to 20,
24 21 to 24, 25 to 34, and 35 plus. And none
25 of those individually are the majority of

1 our user base, and certainly 13 to 17 users
2 are not anywhere near the majority of our
3 user base.

4 BY MR. AYERS:

5 Q. So where is this reflected?

6 A. Where is what reflected?

7 Q. These buckets of users.

8 MS. TELLER: Objection. Vague.

9 THE WITNESS: I'm not sure I'm
10 following. In our data or...

11 BY MR. AYERS:

12 Q. Yeah, where would it be documented
13 about where the majority of users fall within, which
14 group -- which of these groups?

15 MS. TELLER: Objection. Vague.

16 THE WITNESS: I mean, we have internal
17 data tools where we can look at our US
18 daily active users by which age groups
19 they're in, and the majority definitely are
20 not in the 13 to 17 age group.

21 BY MR. AYERS:

22 Q. Is that Looker?

23 A. Looker would be one of the places where
24 you'd be able to access that data, yes.

25 Q. Okay. And so you just testified

1 earlier that Gen X is the majority of users, did you
2 not?

3 MS. TELLER: Objection. Misstates
4 prior testimony.

5 THE WITNESS: No. Because now people
6 older than 25 are considered millennials,
7 right? So this is just talking about the
8 13 to 24 age group. So I'm considered a
9 millennial and I'm 36 now.

10 BY MR. AYERS:

11 Q. Didn't you just say that people, the
12 older people like 35 and up don't use Snapchat?

13 MS. TELLER: Objection.
14 Mischaracterizes prior testimony.

15 THE WITNESS: I think we're kind of
16 mixing two concepts.

17 People 35 and over use Snapchat at a
18 lower rate than they use apps like
19 Instagram or YouTube, right? That is true.

20 But there's still a really sizable
21 number of 35-plus year old users that use
22 Snapchat in the United States, but it's not
23 nearly as large as an app like YouTube,
24 where virtually every adult uses YouTube,
25 right?

1 Do you understand the point I'm making?

2 It's the difference between what percent of
3 Snapchat's users are teenagers, which is
4 actually a pretty low number, versus what
5 percent of teenagers use Snapchat, which is
6 a pretty high number.

7 BY MR. AYERS:

8 Q. And yet you're claiming that the age
9 group above 25 is the majority of Snapchat users?

10 A. In the United States, 25 and older is
11 larger than younger, yes.

12 Q. How many US teens use Snapchat?

13 MS. TELLER: Objection. Calls for
14 speculation.

15 THE WITNESS: Yeah, I don't know the
16 number off the top of my head, but it does
17 sound like you were referencing one of our
18 investor relations presentations earlier
19 that had some numbers that were public.

20 BY MR. AYERS:

21 Q. Millions, right?

22 MS. TELLER: Objection. Speculation.

23 THE WITNESS: It would definitely be
24 within the millions.

25 ///

1 BY MR. AYERS:

2 Q. One of the -- one of the things Snap
3 wanted to do to earn parent trust was to introduce
4 parents to the benefits of Snapchat, right? That's
5 in the second bullet?

6 MS. TELLER: One second.

7 Objection, compound. And objection to
8 the characterization of document.

9 Go ahead, David.

10 THE WITNESS: Well, this is largely a
11 brainstorm and kind of notes document, so I
12 think that's listed as one of the ideas,
13 right. You can see there's a lot of
14 shorthand here, Introducing parents/Raising
15 Awareness/Informing/Debunking Myths.

16 But I think it speaks to the general
17 concept that I was talking about earlier,
18 which is that we know that, you know,
19 parents use Snapchat at lower rates than
20 they use YouTube or other apps that are
21 just much larger with older populations
22 than we are, and so there's some amount of
23 work that we have to do to help them
24 understand how Snapchat works, how to use
25 the safety features, how, you know, they

1 can use Snapchat safely with their teens as
2 well to better understand how the product
3 works and how to keep them safe.

4 BY MR. AYERS:

5 Q. And if you go down to underneath that
6 bullet, the sub-bullet, the last one, it reads,
7 Scaled Game: Traditional PR, Digital
8 Marketing/Communications.

9 Right? Do you see that there?

10 A. It says, "Scaled Game: Traditional PR,
11 Digital Marketing/Comms."

12 Q. And "comms" is communications, correct?

13 A. That's right, yeah.

14 Q. And you have a digital marketing and
15 communications teams, correct?

16 A. We have a communications team and we
17 have a marketing team.

18 Q. And this document was talking about
19 leveraging both of those teams, correct?

20 A. That seems to be the case, yes.

21 Q. And do you see there toward the bottom
22 of the first page it states, "We are not
23 prioritizing: Mental Health."

24 Did I read that correctly?

25 A. You know, again, I think what you're --

1 the document you're looking at here is a notes in
2 shorthand document that probably was, you know, not
3 meant for wide distribution. I think this is just
4 people that were working to prepare the overall
5 document were taking notes and jotting things down.
6 You can see there's a lot of shorthand here.
7 There's a lot of incomplete thoughts and dangling
8 sentences here.

9 And so I think what, you know, was
10 being said, if you look at the sub-bullets below,
11 was there just is not a prioritization of greatly
12 different product experience for 13-to-15 users for,
13 you know, under 13 product experiences listed there,
14 so I just think that these are some notes that are
15 written in kind of messy shorthand.

16 Q. Sir, that's what it says, correct? It
17 says, "We are not prioritizing: Mental Health."

18 Do you see that there?

19 MS. TELLER: Objection to the
20 characterization of the document.

21 THE WITNESS: So while it says those
22 words and notes in shorthand, I just kind
23 of remind you that the final SSP document
24 is this Exhibit 6, and I'm not aware of
25 where this document says, quote, "We are

1 not prioritizing: Mental Health."

2 I think here we're just talking about a
3 document of notes that was from some
4 brainstorm meetings and was probably
5 written in shorthand. But, you know, I
6 didn't write this document, so I can't, you
7 know, speak to the state of thought of, you
8 know, probably Alex who was taking these
9 notes.

10 MR. AYERS: Move to strike as
11 nonresponsive everything after "So while it
12 says those words."

13 BY MR. AYERS:

14 Q. Sir, if you go back to Exhibit 6, as
15 you said, there's nothing in Exhibit 6 that you can
16 point to other than making reports that says "mental
17 health."

18 MS. TELLER: Objection.
19 Mischaracterizes prior testimony.

20 THE WITNESS: Well, I think that this
21 final document is meant to be a very, very
22 concise one-page document that summarizes
23 our very top initiatives for safety in a
24 very condensed format, and so, you know, it
25 is making the statements that our top

1 priority for the year is really mostly
2 centered around these severe harms, you
3 know, child sex abuse material, lethal drug
4 activity, and that's just the relative
5 prioritization of these issues by our team.

6 BY MR. AYERS:

7 Q. And improvement of parental perception,
8 right?

9 A. That is one of the listed initiatives.

10 Q. And the document isn't a single-pager,
11 it's 13 pages long, correct?

12 A. Let me clarify that the top five
13 initiatives, right, that are listed comprise about
14 one page. So there's a lot of information in the
15 appendix, but what I'm just getting at is that this
16 was intended to be a very, very condensed document
17 and list of priorities, not a fully exhaustive list
18 of priorities, and what it's really meant to
19 indicate is that the top priority for the year is to
20 focus on these severe harms.

21 Q. And it didn't include anything that it
22 was not prioritizing, correct?

23 A. Sorry, could you rephrase the question
24 a bit? Like there's --

25 Q. The document, the SSP, did not --

1 MS. TELLER: Hold on.

2 THE WITNESS: Oh, no, please continue.

3 It's okay.

4 BY MR. AYERS:

5 Q. The document -- strike that.

6 The document, SSP, did not include any
7 initiatives that it was not prioritizing, correct?

8 MS. TELLER: Objection. Vague.

9 THE WITNESS: No. There's other work
10 that we do that is not listed in this
11 document. This is just meant to be a
12 summary of our very, very top priorities
13 for the year.

14 BY MR. AYERS:

15 Q. And if you go to the -- back to
16 Exhibit 7, on the second page, Bates ending in 82.

17 Do you see it there?

18 If you go to the next page --

19 A. 82, yep.

20 Q. -- 82, you'll see that there is Alex
21 Osborne who reports -- who reported to you.

22 He was a safety product manager that
23 led the team, correct?

24 A. That's right, yes.

25 Q. And if you look at A11, which was -- if

1 you go back to look, was a comment to the notes, he
2 writes, "We should discuss it as a group but mental
3 health, while extremely important, fell below the
4 relative to the other major initiatives. What is
5 your sense for this one? I worry that it doesn't
6 have enough real differentiators to be worthwhile
7 relative to the other items above."

8 Do you see that there?

9 A. That's what the comment says, yes.

10 Q. So Snap's safety cross-functional team
11 thought of doing traditional PR and digital
12 marketing and communications, right?

13 MS. TELLER: Objection. Vague,
14 foundation.

15 THE WITNESS: Well, this group includes
16 our marketing/communications team, and so
17 it is their job to do communications and
18 marketing.

19 And we did marketing of things like
20 Family Center so that when parents are
21 trying to learn about Snapchat parental
22 controls they can easily find Family
23 Center.

24 BY MR. AYERS:

25 Q. Is it fair to say that Snap was

1 determined that if parents viewed Snap more
2 favorably more 13 to 15-year-olds would be able to
3 join Snapchat?

4 MS. TELLER: Objection. Vague.

5 THE WITNESS: I think we would all
6 agree that if parents have a higher level
7 of understanding and trust of any online
8 service they'll be more likely to, you
9 know, permit their teens to join and use
10 that product. I would never dispute that.
11 And I think it's a good thing if they build
12 trust in our service and if they feel
13 enough, you know, understanding and trust
14 of Snapchat to allow their teens to use it.

15 BY MR. AYERS:

16 Q. And Snap was concerned about parent
17 perception preventing daily active user growth,
18 correct?

19 A. I think we definitely are concerned if
20 we read surveys where users are telling us that they
21 are deciding to not allow their teens to use a
22 service. That is a concern of ours, and we want to
23 understand why and how to address it.

24 Q. In fact, Snap created an entire
25 cross-functional team to address parental

1 perception, correct?

2 MS. TELLER: Objection.

3 Mischaracterizes the documents.

4 THE WITNESS: Well, you can see a list
5 of the five priorities listed in the SSP
6 document. It's one of the five that we
7 were working on.

8 BY MR. AYERS:

9 Q. It's not good, is it, that the safety
10 cross-functional team prioritized PR and
11 communications for parental perception over mental
12 health?

13 MS. TELLER: Objection. Vague,
14 argumentative.

15 THE WITNESS: I think that's a little
16 bit of an apples and oranges comparison
17 here, because we have communications and
18 marketing people that are literally part of
19 the cross-functional team, and so if they
20 were not doing communications and
21 marketing, they wouldn't -- they'd still be
22 doing some other form of communication and
23 marketing, right. The communications and
24 marketing people wouldn't be solving mental
25 health problems.

1 So I think one way or another they will
2 be doing communications or marketing.
3 That's part of their job description.

4 BY MR. AYERS:

5 Q. Sure.

6 But it's not good that Snap was
7 prioritizing parental perception for growth over
8 teen mental health, right?

9 MS. TELLER: Objection.

10 Mischaracterizes prior testimony and the
11 documents.

12 THE WITNESS: I think that's not really
13 like fungible -- a fungible comparison
14 between these groups of people where the
15 most explicit prioritization we're making
16 here is the severe harms problem with
17 technical and operational resources that
18 are people that do not work on
19 communications, right.

20 So I understand the point that you're
21 trying to make, and I, you know, understand
22 that, you know, the framing of this from,
23 you know, again, a notes document that was
24 written with sentence fragments and kind of
25 brainstorming notes comes across in a

1 particular way that I don't think that the,
2 you know, author probably would be pleased
3 with the way that this is coming across
4 when viewed in this context.

5 But we do take teen mental health very
6 seriously. It's just in the particular
7 planning here we had to state that our top
8 priority was focusing on these severe harms
9 like, you know, drug sales, sextortion, and
10 child sex abuse material. It's not to say
11 that we don't commit significant
12 operational resources to dealing with kind
13 of reports related to mental health issues,
14 it's just the top priority for the year was
15 focusing on these severe harms issues as we
16 define them.

17 BY MR. AYERS:

18 Q. And the severe harm issues related to
19 parent perception, correct?

20 MS. TELLER: Objection.

21 Mischaracterizes prior testimony.

22 THE WITNESS: No. The severe harms
23 issues relate to Exhibit 6, initiative
24 number 1, and that was listed as the top
25 priority for the year.

1 BY MR. AYERS:

2 Q. And parental perception made number 3,
3 right?

4 MS. TELLER: Objection.

5 BY MR. AYERS:

6 Q. Made number 3 of 5, right?

7 MS. TELLER: Objection to
8 characterization of the document.

9 THE WITNESS: It's listed there, but I
10 think the number 1 priority was and
11 continues to be a focus on addressing these
12 severe harms.

13 BY MR. AYERS:

14 Q. And teen mental health didn't make the
15 top five, right?

16 A. It's not listed in the annual planning
17 document, but it doesn't mean we haven't committed
18 significant resources and operational resources to
19 those problems.

20 Q. If Snap had prioritized parental
21 perception of Snapchat over teen mental health, do
22 you believe that would be problematic?

23 MS. TELLER: Objection. Vague,
24 argumentative, compound, assumes facts not
25 in evidence, improper hypothetical.

1 answered, vague, foundation.

2 THE WITNESS: I think if there were any
3 specific studies or kind of point-in-time
4 studies or analysis, that likely would have
5 been conducted by our user research team.

6 Nothing specifically comes to mind, you
7 know -- there's not like one specific
8 metric or document I can recall, but I
9 think, you know, it's possible our user
10 research team at different points in time
11 has looked into questions like this.

12 BY MR. AYERS:

13 Q. I'm not asking you to speculate, sir.

14 I'm asking you, isn't it true that Snap
15 does not collect any data relating to the mental
16 health impacts of its platform?

17 MS. TELLER: Objection. Asked and
18 answered, vague, foundation.

19 THE WITNESS: I can't fully answer that
20 question. I again would just refer to I
21 think if that kind of data were being
22 collected, it would likely be by our user
23 research team, where we'd have to use more
24 nuanced quantitative methods that I'm not
25 aware of.

1 BY MR. AYERS:

2 Q. And are you aware that Morgan
3 Hammerstrom testified that no research on mental
4 health impacts was done?

5 MS. TELLER: Objection. Assumes facts
6 not in evidence.

7 THE WITNESS: Well, I think to my
8 earlier point, if we were doing that
9 analysis, it would be on the user research
10 team and so Morgan would be the best person
11 to respond to that.

12 BY MR. AYERS:

13 Q. And at any point in time have you ever
14 requested any study to be done or data related to
15 Snapchat's impact on teen mental health?

16 MS. TELLER: Objection. Vague.

17 THE WITNESS: I don't know off the top
18 of my head.

19 BY MR. AYERS:

20 Q. Did you not think that data related to
21 Snapchat's impact on teen mental health would help
22 inform your product roadmap?

23 MS. TELLER: Objection. Argumentative,
24 vague, compound.

25 THE WITNESS: You know, again, I think

1 word that you found those studies and I
2 don't doubt it, but I just -- I haven't
3 specifically read or seen studies like the
4 ones you're describing.

5 BY MR. AYERS:

6 Q. Wouldn't it be reckless for someone in
7 your position to ignore research about the risks of
8 the product you design?

9 MS. TELLER: Objection. Argumentative,
10 assumes facts not in evidence, vague.

11 THE WITNESS: I would not characterize
12 myself as a reckless person at all.
13 There's a lot of articles and information
14 released about Snapchat all the time, and,
15 you know, I can't speak for all of it.

16 BY MR. AYERS:

17 Q. Sir, what is Project Butterfly?

18 MS. TELLER: Objection. Foundation.

19 THE WITNESS: Project Butterfly, I, you
20 know -- I can't remember exactly what
21 the -- you know, like the mission statement
22 on this topic was when it originally came
23 up, but it definitely coincided with a
24 renewed effort to involve our marketing and
25 communications team and our safety work to

1 ensure that it was being communicated to
2 parents and their teens so they understand
3 the work that we're doing, they understand
4 parental controls, they can find them.

5 So I think it, you know, relates to
6 some of the work that, you know, you were
7 questioning me about earlier around
8 marketing communications work that our
9 marketing communications team was doing
10 within the safety cross-functional group to
11 ensure that we have communicated the work
12 that we're doing around safety with all
13 stakeholders and the public.

14 BY MR. AYERS:

15 Q. So it's fair to say that related to
16 parent perception, Snap created an entire
17 cross-functional team to address it, correct?

18 MS. TELLER: Objection. Misstates
19 prior testimony, vague.

20 THE WITNESS: I mean, I think it is
21 largely the same set of people that were
22 already working within our safety
23 cross-functional, but as we spoke about
24 earlier, we have several different
25 priorities for that safety cross-functional

1 group.

2 One of them was the marketing
3 communications aspects and parental
4 perception, and, you know, that work and
5 that project I think was, you know,
6 nicknamed Project Butterfly.

7 So, really, I think we're just talking
8 about the same topic and the same work that
9 we were speaking about earlier around
10 marketing communications and parental
11 perception.

12 BY MR. AYERS:

13 Q. I'm handing you what's been marked as
14 Exhibit 8 to your deposition.

15 (Whereupon, Exhibit Snap-Boyle-8 was
16 marked for identification.)

17 BY MR. AYERS:

18 Q. I'll represent for the record that
19 Exhibit 8 is Snapchat document Bates-numbered
20 SNAP6019186. And the document is titled "DAU Growth
21 Update, Snap Inc. - September 14, 2023 Board of
22 Directors Meeting."

23 Do you see that there, sir?

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

25 Q. Have you seen this document before?

1 A. Definitely is a document I would have
2 seen before and contributed to.

3 Q. Do you attend these meetings?

4 MS. TELLER: Objection. Vague.

5 THE WITNESS: I usually do, yes.

6 BY MR. AYERS:

7 Q. So what is this document?

8 A. This document is one of several
9 documents we produce for updates for our board of
10 directors meeting each quarter.

11 Q. Okay. If you scroll to page 3 of the
12 document, which is Bates ending in 88. Let me know
13 when you're there.

14 A. I'm there.

15 Q. It says right on page 3, in the middle
16 of the page, "We believe one of the main factors
17 driving DAU declines," daily active users declines,
18 "in our 13-17 year old segment in the US is parents
19 disallowing their 13, 14 and 15 year olds from
20 installing Snapchat due to safety concerns about
21 Snapchat and social media in general."

22 Do you see that there?

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

24 Q. The board presentation further revealed
25 that "47% of 13 and 14 year olds who aren't on

1 Snapchat cite their parents as the reason," right?

2 A. That's what it says.

3 Q. And is that research from your user
4 research group?

5 MS. TELLER: Objection. Foundation.

6 THE WITNESS: I can't say for certain,
7 but that kind of information most likely
8 would have come from our user research team
9 because they're responsible for some of
10 this survey-based data.

11 BY MR. AYERS:

12 Q. So it's fair to say that this is citing
13 that parental disapproval is a major factor driving
14 daily active users' decline among that age group,
15 correct?

16 MS. TELLER: Objection.

17 Mischaracterizes the document.

18 THE WITNESS: Well, just as stated, so
19 of the 13 and 14 year olds that are not on
20 Snapchat, 47 percent cite that their
21 parental, you know, disapproval is the
22 primary reason.

23 BY MR. AYERS:

24 Q. The document also indicates that Snap's
25 historical focus on teens may actually amplify the

1 problem, our problem, correct?

2 A. Sorry, which sentence are you referring
3 to?

4 MS. TELLER: I think he's looking at
5 the second-to-last sentence.

6 BY MR. AYERS:

7 Q. Yeah, the second-to-last sentence in
8 that same paragraph.

9 MS. TELLER: And I'll object as
10 mischaracterizes the document.

11 BY MR. AYERS:

12 Q. Do you see it there?

13 A. Well, I see the point being made here
14 that, so "our research shows that parents are up to
15 5x more likely to let their teenager use Snapchat"
16 if they also use Snapchat themselves, which that's
17 really the same point that I was speaking to you
18 about earlier, which is that from a parental
19 perception perspective, we are at a disadvantage
20 compared to some of these other platforms that have
21 higher use amongst parents and older users than we
22 do, because what we see is that the parents who use
23 Snapchat have a much higher perception of its safety
24 because they understand the problem.

25 And as you can see the last sentence,

1 quote, "Platforms with older demographics will not
2 have the 'fear of the unknown' issue we face," which
3 we believe is a big part of it, because virtually
4 all parents use YouTube, right? And we just see
5 that parents are more -- generally more approving of
6 platforms that they themselves use.

7 Q. And the sentence starts off, "Our
8 concentration with teens historically," right?

9 A. "Our concentration with teens
10 historically," yes.

11 Q. And is that an accurate statement?

12 MS. TELLER: Objection. Vague.

13 THE WITNESS: Well, I think the point
14 being made was the same one that we were
15 just talking about, which is that Snapchat
16 really just caught on with -- initially
17 with the younger millennial generation, and
18 then as they aged up, many of them have
19 continued to use Snapchat, but Gen X and
20 older users generally have never used
21 Snapchat, and those are a lot of the
22 parents, right?

23 And so because we never really caught
24 on with that demographic either when they
25 were growing up or as adults, we just have

1 lower usage amongst these older
2 demographics than these other products like
3 YouTube or Facebook or Instagram or others.

4 BY MR. AYERS:

5 Q. And then the document explains that
6 Snap formed Project Butterfly, a cross-functional
7 group, that includes marketing, comms, trust and
8 safety, product, legal, policy, and more, correct?

9 MS. TELLER: Objection. Vague.

10 THE WITNESS: I mean, I think there's
11 language here that, yeah, if you could
12 scroll down, that -- you know, the document
13 speaks for itself. "Project Butterfly -
14 that cuts across marketing, comms, trust
15 and safety, product, legal, policy, and
16 more. The goal of the group is to make
17 measurable progress building trust with the
18 parents of 13-17 year olds."

19 And then it lists out a number of
20 activities below that are not just
21 marketing and communication related, are
22 actually talking about product improvements
23 and safety improvements.

24 So, you know, I don't think it's
25 unreasonable to say that "The goal of a

1 So both of those things are true, that
2 like, yes, of course it, you know -- more users in,
3 you know, appropriate age groups above the age of 13
4 is, you know, good for our business generally, but a
5 lot of our growth opportunity at this point is with
6 users that are 18 and older. It's just a larger
7 population.

8 Q. Would you agree that Snap is highly
9 invested in retaining and growing its 13 to 17 user
10 base?

11 MS. TELLER: Objection. Vague.

12 THE WITNESS: Well, I think the thing
13 that we see with messaging services
14 generally is that any messaging service
15 that a user uses for a significant period
16 of time has very, very high long-term
17 retention, if that makes sense.

18 So we see that users that might start
19 using Snapchat when they're 16 or 17, a
20 really high proportion of them continue
21 using that service five or even ten years
22 later, because if that's the main way you
23 use to communicate with your friends,
24 that's -- it's a behavior that people don't
25 often change and just decide to switch from

1 using Snapchat or iMessage to, you know,
2 Facebook Messenger one day, right?

3 So messaging products tend to have
4 really high long-term retention, where
5 because your whole friend group, all of
6 your groups, your social network use the
7 same messaging service. Once people choose
8 a messaging service that they prefer, they
9 don't quickly or easily switch to a
10 different one.

11 So from that perspective, we definitely
12 want to ensure that as users join our
13 service for messaging, they continue using
14 it for many, many years beyond that.

15 BY MR. AYERS:

16 Q. You personally have been very concerned
17 about Snap losing the teen demographic, correct?

18 MS. TELLER: Objection. Vague.

19 THE WITNESS: Well, when, you know --
20 again, to the earlier point, because users
21 tend to stick with a messaging service for
22 a long period of time, if the rising, you
23 know, demographic of teens is using other
24 messaging services or other products,
25 that's a habit that they will probably

1 desktop or web experience for many years,
2 it really was a basic feature that our
3 users expected.

4 BY MR. AYERS:

5 Q. So, sir, sitting here today do you deny
6 that Snap was focused on seizing the back-to-school
7 season to boost engagement?

8 MS. TELLER: Objection. Vague.

9 THE WITNESS: I think, you know,
10 respectfully, Counsel, we're probably
11 talking about a couple of different topics
12 here.

13 On the point around back to school, the
14 back-to-school season, which also includes
15 college-age students, for what that's
16 worth, what we see in that fall season for
17 high school and college-aged students is
18 that it's a really important time of the
19 year where they're forming new friendships,
20 they're meeting new people, in real life
21 they're making new groups at their colleges
22 or their schools around sports or the
23 classes or activities that they're in.

24 So there's also a lot of additional
25 marketing that other services do around

1 that time. I mean, if you've seen -- on TV
2 you'll see ads for back-to-school sales, so
3 it's a commonly understood period in time
4 where there's additional marketing.
5 They're done by companies because it is a
6 formative time of year for a lot of people.

7 BY MR. AYERS:

8 Q. Sir, I've just handed you what's been
9 marked as Exhibit 14 to your deposition.

10 (Whereupon, Exhibit Snap-Boyle-14 was
11 marked for identification.)

12 BY MR. AYERS:

13 Q. It's a Snap document, SNAP3836439.

14 MS. TELLER: I'll just mark for the
15 record that counsel was making a hand
16 motion to suggest the witness should hurry
17 up finishing his answer, which I'm sure
18 he's not suggesting that the witness
19 shouldn't completely answer, but I did want
20 to get that on the record.

21 THE WITNESS: Would it be okay if we
22 take a five-minute break?

23 MS. TELLER: Yes. David, it's up to
24 you.

25 MR. AYERS: Can you give me the

1 And so, you know, I think the team here
2 is just saying they want to make sure we have the
3 best experience possible for them as they come back
4 and, you know, come back from vacation and start
5 using their PCs again more and get settled back in.

6 Q. And at the -- towards the bottom of the
7 document, under "Features" it states, "August saw
8 the transition from recovery after summer break in
9 North America to renewed growth."

10 Right? Do you see that there?

11 A. Yes. As I mentioned, during August
12 when everyone is traveling and on vacation, they use
13 their PCs a lot less, and they resume using them
14 again in, you know, September and late August.

15 Q. "We closed out August with our 7 day
16 average all time high at 857,000 unique users (the
17 answer to this month's click bait)."

18 Do you see that?

19 A. Yes.

20 Q. And then if you go above, it lists out
21 in Quarter 3 the top six product initiatives, right?
22 Do you see that there?

23 A. Yes, I'm just reading it. One second.
24 Thank you.

25 (Witness reviewing document.)

1 A. Yes, I see everything.

2 Q. And number 1, the number 1 top
3 initiative there is "more aggressive notifications
4 and OS teaching," right?

5 A. That's what it says.

6 Q. "Put simple, in-app instructions so
7 people allow their OS to show browser
8 notifications."

9 Do you see that?

10 A. Yes. I'm not sure if you've used a
11 messaging app on your computer before, but it's
12 actually really, really complicated to figure out
13 how to enable notifications in a browser, which for
14 a messaging app is really important. If you get a
15 message from someone, you usually want to get a
16 notification about it.

17 Q. And you wanted to make -- and the top
18 initiative was more aggressive notifications, right?

19 MS. TELLER: Objection.

20 THE WITNESS: That's not what this is
21 about. It is teaching of how to actually
22 enable notifications in a browser. It's
23 not about sending more notifications. It's
24 just making sure that people actually know
25 how to enable notifications in a desktop

1 browser, which is actually pretty
2 difficult.

3 BY MR. AYERS:

4 Q. And if you scroll to Bates ending in
5 989, which is page 5 of the document, let me know
6 when you're there.

7 A. 989. Yes.

8 Q. And under the first, the first KR --
9 what is a "KR"?

10 A. "KR" is an abbreviation for key result.

11 Q. And what's the "Web OKRs"?

12 A. "OKR" stands for objectives and key
13 results, so it's also an abbreviation.

14 Q. And so the first KR states, "Increase
15 Snapchat for Web daily active users from .4 million
16 to 1.6 million," correct?

17 A. That's what it says.

18 Q. And then if you go to the Status/Key
19 Launches, it states, "Transition from recovery after
20 summer break in North America to renewed growth,"
21 right?

22 MS. TELLER: Objection. Misstates the
23 document.

24 THE WITNESS: It says, "Transition from
25 recovery after summer break in North

AMENDED Exhibit 830 B

**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

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

CONTINUED VIDEOTAPED DEPOSITION OF
DAVID L. BOYLE

Held At: Kirkland & Ellis
2049 Century Park East
Suite 3700
Los Angeles, California

April 2nd, 2025
9:38 a.m.

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

1 A. I can't remember reading anything that
2 is that specific, no.

3 Q. Is it fair to say that Snap still
4 actively engineers notifications such as expiring
5 content reminders to deliberately create FOMO?

6 A. No. The point of these notifications
7 is not deliberately to create FOMO, it's to make
8 sure people know about things that happen on the
9 app, like one of their close friends posted a story
10 or sent a message.

11 Q. Does Snap ever balance its growth
12 notifications against the mental health risks for
13 its vulnerable users, which is teenagers?

14 MS. TELLER: Objection. Vague.

15 THE WITNESS: I mean, we definitely
16 have a number of features in place that do
17 try to limit the reach of notifications, so
18 obviously users need to opt in to
19 notifications to receive them at all.

20 We have settings that allow people to
21 disable specific types of notifications in
22 their settings page.

23 And then, lastly, for non-messaging
24 notifications, we do -- for users of all
25 ages we don't send them during nighttime

1 periods as well.

2 So there are a number of things that we
3 do to give people control and to avoid
4 sending notifications during inappropriate
5 times of day.

6 BY MR. AYERS:

7 Q. So you think -- you agree that it's
8 inappropriate for users, particularly teenagers, to
9 receive notifications at night?

10 A. I think particularly for notifications
11 that would be notifications that they didn't receive
12 directly from a friend or a message directly from
13 their friend, we don't think it's valuable to send
14 those notifications, you know, after midnight or the
15 very early hours of the morning when they're likely
16 sleeping. It's just better not to do that.

17 Q. Well, you're aware that Snap still
18 sends notifications at night, correct?

19 A. Well, if somebody sends you a direct
20 messaging notification at night, we will send that
21 because that is a friend that you've chosen to talk
22 to. But if it's growth notifications that is not
23 directly from a friend, we avoid sending those at
24 night.

25 Q. But doesn't that contradict your

1 opinion that it's not best for teens to be receiving
2 notifications in the middle of the night?

3 MS. TELLER: Objection.

4 Mischaracterizes prior testimony,
5 argumentative.

6 THE WITNESS: Yeah, it's not the right
7 characterization. I think when, you know,
8 someone sends you a direct message late at
9 night, that often can be because it's very
10 urgent or there's something that they need
11 help with. And ultimately people have
12 control over settings with quiet hours and
13 other features in the operating system
14 where they can control that.

15 I mean, I personally set that in my
16 iPhone where I don't receive any audible
17 notifications, I think, after 9:00 p.m.,
18 and those are common settings that people
19 use on their devices.

20 BY MR. AYERS:

21 Q. Do you think Snap should respect
22 people's choices not to receive notifications?

23 MS. TELLER: Objection. Vague.

24 THE WITNESS: Yes, we do respect
25 people's choices. And if they disable

1 re-enable them in the operating system if
2 they want to continue receiving messages
3 from their friends.

4 BY MR. AYERS:

5 Q. And indeed that's a specific strategy
6 by Snap in order to try to decrease the rate of
7 notification declines, correct?

8 A. I think every messaging app, you know,
9 including WhatsApp -- if you enable notifications in
10 WhatsApp, you'll notice that they have a lot of
11 prompts to enable notifications. We have prompts to
12 remind people when they've disabled notifications
13 and to just make sure that they know that.

14 Q. Does Snap allow users to schedule quiet
15 periods such as no notifications during school hours
16 or during bedtime?

17 A. We don't specifically allow that, but
18 as I mentioned earlier, the operating systems
19 provide pretty widely used controls where you can
20 create your, you know, device-wide quiet hours. I
21 mean, that's a feature I use, and it covers all
22 apps.

23 And we also have a way to mute
24 notifications from specific conversations or groups.
25 That's something a lot of users requested, because

1 15 minutes at this point.

2 Go ahead, Chris.

3 FURTHER EXAMINATION

4 BY MR. AYERS:

5 Q. Mr. Boyle, you recall you had a very
6 lengthy direct exam with counsel for Snap, correct?
7 Do you recall talking about Quick Add?

8 A. Yes.

9 Q. All right. I'm going to hand you what
10 is marked as Exhibit 47 to your deposition.

11 (Whereupon, Snap-Boyle-47 was marked
12 for identification.)

13 BY MR. AYERS:

14 Q. Exhibit 47 is Bates-numbered
15 SNAP2487541. It is titled "Voice of the Customer:
16 Friending," from October 2020, "Customer Ops
17 Channels: In-App-Reporting."

18 Are you familiar with this document,
19 sir?

20 A. Not this specific one, but the general
21 format of these reports from our customer support
22 team.

23 Q. The Voice of the Customer is Snap's
24 method of collecting user feedback on product
25 features, correct?

1 A. That's right, yes.

2 Q. And as the senior director of product
3 you would typically review Voice of the Customer
4 reports highlighting significant user concerns,
5 correct?

6 A. Yes, or members of my team would.

7 Q. And if you turn to page 8, Bates ending
8 in 48. Let me know when you're there.

9 A. Yeah.

10 Q. All right. There's feedback about
11 suggesting minors as friends for adults in Quick
12 Add, right?

13 MS. TELLER: Object to the
14 characterization of the document.

15 THE WITNESS: There's some feedback
16 there, yes.

17 BY MR. AYERS:

18 Q. And under "Filtering Tools" -- you see
19 that in the left-hand column?

20 A. Yes.

21 Q. All right. And then there's a bullet
22 point in the right-hand column next to it where it
23 says, in quotes, "'Stop suggesting minors a friends
24 for adults in Quick Add.'"

25 Right?

1 A. That's what it says.

2 Q. And this feedback explicitly flags that
3 minors are being surfaced to adult users on Quick
4 Add, correct?

5 MS. TELLER: Objection. Foundation.

6 THE WITNESS: That's what the report
7 says, but, you know, I don't know about the
8 specific case here. I don't know how they
9 would know that a person is a minor,
10 because when someone is suggested in Quick
11 Add, there isn't, you know, any information
12 on their profile other than a cartoon
13 avatar.

14 But, you know, we receive a lot of, you
15 know, reports about different topics, as
16 you can see here, you know, thousands.

17 BY MR. AYERS:

18 Q. Do you see any problems with minors
19 being recommended to adults via Quick Add?

20 MS. TELLER: Objection. Vague.

21 THE WITNESS: I think, you know, as
22 we've noted, we add safeguards to ensure
23 that if minors are recommended to adults,
24 it's only intended to be people that they
25 might already know or have multiple mutual

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 5th day of April, 2025.

19 <%21527,Signature%>
20

21 MAUREEN O'CONNOR POLLARD

22 CSR No. 14449
23
24
25