

AMENDED Exhibit 859

**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

Michael Weissinger

1

1 UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

10 SPRING STREET COURTHOUSE

11 COORDINATION PROCEEDING)
12 SPECIAL TITLE [RULE 3,400]) Lead Case No. for
13 SOCIAL MEDIA CASES) Filing Purposes
14) 22STCV21355
15)
16 This Document Relates to:)
17 STATE OF TENNESSEE, et al.,)
18 vs.)
19 META PLATFORMS, INC., and) CONTAINS HIGHLY
20 INSTAGRAM, LLC, Case No.) CONFIDENTIAL
21 23-1364-IV) INFORMATION
22 -----X

23 VIDEOTAPED DEPOSITION OF MICHAEL E. WEISSINGER

24 SEATTLE, WASHINGTON

25 WEDNESDAY, DECEMBER 18, 2024

9:18 A.M.

Job No.: 7024847

Pages: 1 - 344

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

1 Q. Okay. And does this look like a
2 true and accurate copy and summary of your
3 education and experience?

4 A. Yep.

5 Q. Okay. Anything notable missing or
6 significant as it relates to your education or
7 experience?

8 A. No, this is -- at a high level,
9 this is what it is.

10 Q. Okay. You can put that to the
11 side. Thank you.

12 What is your official title at
13 Snap?

14 A. My official title is principal
15 product manager.

16 Q. Principal product manager.

17 Okay. What does that mean, just
18 sort of in layman's terms?

19 A. So I've had three titles at Snap.
20 I was group product manager, I was senior
21 manager, and now I'm principal product manager.

22 Product managers in general are the
23 same -- basically are responsible for helping to
24 define the product, and help to build plans and
25 features that kind of align with what our goals

1 or objectives are.

2 Q. Okay. I think I understand.

3 Walk me through when you became
4 principal -- I think you said principal product
5 manager. When -- when was that?

6 A. So it's a little bit confusing. So
7 I've been at the same level, so Level 7, my whole
8 period. Just my name -- my title has changed.
9 We've just decided from an HR perspective that --
10 just the name Level 7 is different -- Level 7
11 product manager is a different title.

12 So there was no, like, formal
13 promotion or anything. It was more like a change
14 in the organizational chart or -- so...

15 Q. Structure. Okay. I understand.

16 And so you've been doing the same
17 type of things along the way as group product
18 manager and principal product manager. Would you
19 say that generally?

20 A. Well, I have increased my scope of
21 responsibilities during the time there.

22 Q. Okay. Tell me about that, please.

23 A. So when I joined Snapchat, I was
24 responsible for what -- content ranking. I was
25 the PM that supported our content ranking teams.

1 Content ranking is the set of teams that are
2 responsible for deciding what content appears in
3 the app.

4 Then I transitioned to a role where
5 I was focused on what we call Spotlight.
6 Spotlight is a short-form video product. And
7 there I took on responsibilities of the -- the
8 user experience, so like what the users see, as
9 well as kind of the ranking aspect, so what --
10 what content is surfaced.

11 And then my next role was I became
12 responsible for content product overall. So this
13 is in addition to kind of Spotlight, our
14 short-form video experience. I'm also -- the
15 team that I'm leading now is also responsible for
16 Stories, which is our product that allows users
17 to post images and videos to our experience. So
18 I'm responsible for the -- the user experience as
19 well as the ranking and moderation and
20 understanding.

21 And then as well on the creator
22 experience side, how do we improve the experience
23 for creators to submit and succeed in ranking,
24 and also kind of how they can learn how they're
25 performing.

1 Q. Okay. You're responsible for a
2 lot.

3 A. Mm-hmm.

4 Q. Fair enough.
5 Okay. Spotlight and Stories. And
6 what about Discover, is that sort of a part of
7 Stories?

8 A. So if you open up the app, you open
9 up to a camera, and on the right side of the app
10 there will be two tabs. The first tab to the
11 right of the camera is what we would call the
12 Stories tab. On that tab the first carousel you
13 see is the friends' Stories carousel. This is
14 private stories that are shared and posted
15 amongst friends.

16 The next carousel is our
17 subscription Stories carousel. These are stories
18 that are posted by public creators who you have
19 chosen to follow.

20 And then the last part of that tab
21 is what we call Discover, which is a series of
22 tile -- image face tiles that are stories from
23 creators that you do not follow.

24 Q. Understood. And do you have a
25 supervisory role over Discover as well?

1 A. Yes.

2 Q. Okay. And that --

3 A. From a product -- from a product
4 perspective.

5 Q. From a products perspective. Okay.
6 And that includes ranking like you
7 described?

8 A. (The witness nods.)

9 Q. Okay.

10 A. Yes.

11 Q. So we've got Stories, Discover,
12 we've got Spotlight. Anything else in a bucket
13 that fits under your supervisory purview at Snap?

14 A. The only other kind of like bucket
15 that's most recently happened like in the past
16 two to three months is I have a product manager
17 who is responsible for what -- our machine
18 learning platform. So this is kind of the
19 horizontal -- the platform that engineering teams
20 will leverage if they're building or training
21 machine learning models.

22 Q. Okay. And are you a part of
23 that -- I think you said, "I have a product
24 manager." I didn't understand that.

25 So do you work with someone who

1 does that?

2 A. Yeah, so a -- a person on my team
3 works and interfaces with the engineering team
4 that's responsible for our core ML platform,
5 which internally is called Bento.

6 Q. When you say "ML platform," that's
7 machine learning, correct?

8 A. So this is the platform that allows
9 engineering teams at Snap to collect signals or
10 information or data that are used to train
11 models, machine learned-based models, and then
12 are used to -- this platform is also used to
13 infer or recommend or serve kind of that -- those
14 recommendations from those models.

15 Q. Okay. And do you work on and with
16 machine learning models?

17 MS. TELLER: Objection. Vague.

18 THE WITNESS: I would say I work
19 with the machine learning engineers who
20 are responsible for those.

21 BY MS. LEYIMU:

22 Q. When you talked about the person on
23 your team who interfaces with engineers with
24 respect to machine learning, who is that person?

25 A. That's -- that's one -- that's one

1 person, and they're working on just that, the ML
2 platform. But that's [REDACTED].

3 Q. Okay. Can you spell that last name
4 for me, please.

5 A. [REDACTED]

6 Q. Okay. Has he been on the team
7 since you've been there?

8 A. He is. He used to report into our
9 ads organization, and then we just made a
10 decision to kind of have him report into me
11 instead.

12 Q. Okay. When you talk about -- and
13 you said "ML" earlier, and I just want to note --
14 confirm what that is.

15 When you say "ML," you're
16 affirming -- referring to machine learning,
17 correct?

18 A. That's correct.

19 Q. When you talk about ranking and
20 your work with ranking, does that involve machine
21 learning?

22 A. Yes, usually. Yes.

23 Q. When you spoke about signals
24 information and data that goes into the machine
25 learning -- and we can get into this later -- but

1 as Exhibit 13 -- 14. I'm sorry. Exhibit 14.

2 The Bates end in 2857687.

3 (Exhibit No. 14 was marked for
4 identification.)

5 BY MS. LEYIMU:

6 Q. I will give you a minute to orient
7 yourself, and then I will have a couple of
8 questions and I will direct you to where those
9 are.

10 A. (Peruses document.) Okay.

11 Q. Now, the cover page is yellow with
12 a picture of the Snapchat logo like many other
13 sort of internal Snapchat presentations.

14 Do you see that?

15 A. Yes.

16 Q. And it's called Stories Ranking
17 101. Do you see that?

18 A. Yes.

19 Q. And have you seen this document
20 before? Do you recognize it?

21 A. Yes.

22 Q. Okay. And you saw this document
23 and recognize it from the ordinary course of
24 business working in your capacity at Snap. Is
25 that right?

1 A. Yes. I believe [REDACTED] on my
2 team made this at that time.

3 Q. Okay. Did you say [REDACTED]?

4 A. Yes.

5 Q. All right. And he's a product --
6 is he a product manager or group product manager?
7 Who is he?

8 A. He's a product manager, but he no
9 longer works at Snap.

10 Q. Okay. When did he stop working at
11 Snap, to your knowledge?

12 A. Probably Q4 of 2023.

13 Q. Do you know why he left?

14 MS. TELLER: Objection.
15 Foundation.

16 THE WITNESS: I wasn't his
17 manager at the time.

18 BY MS. LEYIMU:

19 Q. Okay. Okay. Now, Stories ranking
20 we had spoken about a little bit earlier today.
21 Do you recall that?

22 A. Mm-hmm. Yes.

23 Q. And I think we first talked about
24 it in reference to the "What Weissinger is
25 working on" e-mails that you used to send. Do

1 you recall that?

2 A. Yes.

3 Q. All right. And -- let's see
4 here -- some of this has overlapped with what we
5 just looked at, but it's all about ranking
6 content within a particular feature of the app.
7 Correct?

8 MS. TELLER: Objection. Vague,
9 compound.

10 THE WITNESS: Correct.

11 BY MS. LEYIMU:

12 Q. Now, there are several different
13 places where Snap ranks Stories. Fair enough?

14 A. Yes.

15 Q. I'm going to direct your attention
16 to Bates ending in 57689.

17 It says, "Where do we rank
18 Stories?" Do you see that?

19 A. Yes.

20 Q. And this page looks very similar to
21 what we looked at with -- with Abigail on the
22 demo screen with the phone.

23 Do you see that?

24 A. Yes.

25 Q. Except they have more friends. And

1 it says, "Where do we rank Stories?" at the
2 beginning. Do you see that?

3 A. Yes.

4 Q. Okay. Where -- where does Snap
5 rank Stories?

6 A. So we rank Stories in the friends
7 carousel at the top, and then kind of the
8 subscriptions carousel in the middle, and then
9 the "foryou" section, which I believe -- or is
10 called Discover now.

11 Q. Okay. And could you explain to the
12 jury why Stories ranking is important?

13 A. I think the -- because essentially
14 we have thousands of stories that we could
15 recommend to you, and so what we're trying to do
16 is find the most relevant stories for you.

17 Q. And we talked about relevance, what
18 that means before, and relevant is indicative of
19 a user action in response, such as a share, a
20 reply, a favorite, that sort of thing, correct?

21 MS. TELLER: Objection.

22 Mischaracterizes prior testimony.

23 THE WITNESS: I mean, I think
24 "relevance" I'm using as a term to say
25 this is something that we think you'll

1 enjoy. And there are signals that we
2 talked about that can play a role in
3 kind of understanding whether you will
4 enjoy it or not.

5 BY MS. LEYIMU:

6 Q. Understood. And those signals in
7 part are user behavior, correct?

8 A. Correct.

9 Q. And that -- and when I talk about
10 favorite and tap and watch and view time, that's
11 what we're talking about, correct?

12 A. Yes.

13 Q. What's a long watch?

14 A. A long watch is five seconds -- a
15 watch that's five seconds.

16 Q. Okay. So if a user on Snap is
17 watching something that's longer than five
18 seconds, Snap is tracking that, correct?

19 A. Correct.

20 Q. And Snap is using that as a signal
21 to then rank, correct?

22 A. Correct.

23 Q. Okay. Is -- you would agree that
24 Stories ranking is also important to increase
25 user engagement and generate advertising revenue,

1 correct?

2 A. Yes.

3 MS. TELLER: Objection.

4 BY MS. LEYIMU:

5 Q. What was your answer?

6 MS. TELLER: I'm sorry. Let me
7 just get an objection on the record.
8 I'm reading the question in the prompter
9 here.

10 MS. LEYIMU: He was answering --

11 MS. TELLER: The objection --

12 MS. LEYIMU: -- before you
13 objected.

14 MS. TELLER: Okay. I think --

15 MS. LEYIMU: I just want a clean
16 answer for the record.

17 MS. TELLER: I totally
18 understand, and I just want a second to
19 read the question. I need to do that
20 while I'm not talking at the same time.

21 Objection. Foundation, vague.

22 BY MS. LEYIMU:

23 Q. Okay. And if you go with me to
24 7690, Bates ending in 7690, could you read the
25 first sentence of this slide, which states,

1 "Why" -- which asks, "Why is Stories ranking
2 important?"

3 A. [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]

7 Q. Okay. You would agree that one of
8 Snap's primary levers for growing engagement is
9 Stories ranking. Correct?

10 MS. TELLER: Objection.

11 Foundation.

12 THE WITNESS: It's one of -- one
13 of the areas of growth, yes.

14 BY MS. LEYIMU:

15 Q. Sure. And you would agree, based
16 on your experience and knowledge, that users
17 express that they deeply want to engage with
18 Stories shown by doing -- taking certain actions
19 such as replying and sharing, correct?

20 MS. TELLER: One minute.

21 Objection. Foundation, vague.

22 THE WITNESS: User -- can you
23 just repeat it one more time?

24 BY MS. LEYIMU:

25 Q. Sure. Actually, let's do it this

1 way: Do you agree with the third sentence on
2 this slide that: "When users are shown Stories
3 they deeply want to engage with, example, reply
4 and share, it inspires them, their friends,
5 creators, and publishers to post more Stories,
6 spinning the Stories flywheel faster."

7 Do you agree with that?

8 MS. TELLER: Objection.

9 Foundation.

10 THE WITNESS: I -- so this
11 sentence is getting at does surfacing
12 more relevant content drive kind of
13 creation. I think for some users, it
14 definitely does. Showing them content
15 that they are interested in will make
16 them more likely to post.

17 I think for the majority of
18 users, showing them content that they're
19 interested in or enjoy will have no
20 effect on kind of whether they will
21 post.

22 BY MS. LEYIMU:

23 Q. And you try to make -- as your
24 part -- is it part of your job to figure out what
25 will make them want to engage with that post?

1 MS. TELLER: Objection. Vague.

2 THE WITNESS: I see our job as
3 showing them content that they will
4 enjoy and be entertained by. That --
5 you know, how do we understand whether
6 they enjoy or are entertained by it? It
7 can be that they interact with it.
8 Those are one -- parts to it, yep.

9 BY MS. LEYIMU:

10 Q. Do you agree that key engagement
11 metrics includes Stories view time, Stories
12 viewers, and Stories replies? Do you agree with
13 that generally?

14 MS. TELLER: Objection. Vague.

15 THE WITNESS: I would say those
16 are a -- those are some of the key
17 engagement metrics for Stories, yes.

18 BY MS. LEYIMU:

19 Q. All right. Turn with me, if you
20 will, to -- let's see -- Bates ending in 694.

21 Actually, let's stop at 693 just
22 before.

23 This is a similar image to the one
24 we just saw in the last document that talks about
25 inputs into the machine learning model, the

1 BY MS. LEYIMU:

2 Q. Is that a new thing for you -- you
3 to hear, that Snapchatters use Snapchat at
4 school?

5 A. No.

6 Q. And you understand that teenagers
7 use Snapchat during school hours?

8 MS. TELLER: Objection.

9 Foundation.

10 THE WITNESS: They use Snapchat
11 at school hours. I will say their
12 content view time is -- you can
13 definitely see kind of when they're in
14 school versus out of school.

15 (Exhibit No. 20 was marked for
16 identification.)

17 BY MS. LEYIMU:

18 Q. And let me hand you what's been
19 marked as Exhibit 20. Here you go.

20 Are you familiar with this
21 document?

22 I'll give you time to review it,
23 but are you familiar with this document, just at
24 first blush looking at the presentation?

25 MS. TELLER: Mr. Weissinger,

1 take the time you need to answer the
2 question.

3 THE WITNESS: It -- it appears
4 to be a town hall slide deck.

5 BY MS. LEYIMU:

6 Q. Okay. The Bates on this document
7 is SNAP2970343 for the record.

8 And what is the Snapchat Product
9 Town Hall, as you've described?

10 A. Generally the product and design
11 team will do a presentation for all of Snap
12 product and design.

13 Q. Okay. And have you seen this
14 document -- this particular document before?

15 A. Probably, but not since Q3 2023.

16 Q. Okay. And I will represent to you
17 that this was produced to us from your custodial
18 file.

19 When you've had sufficient chance
20 to review the document, I have some questions for
21 you. Would you like a little bit of extra time?

22 A. I mean it's over a hundred pages.
23 How would you like me to proceed here?

24 Q. What I think makes sense is that I
25 can direct you to where I have my questions, and

1 you can review it, and then if you need any extra
2 time, you can ask for that.

3 How does that work?

4 A. Okay. Sounds good.

5 Q. Okay. All right. If you could
6 turn with me to end Bates 70371.

7 And the title of this slide is
8 "Teens in the US Back 2 School." Do you see
9 that?

10 A. Yes.

11 Q. Okay. And there is a section that
12 says "High School Communities." Do you see that?

13 A. Yes.

14 Q. Are you familiar with what high
15 school communities are on Snapchat?

16 MS. TELLER: Objection.

17 Foundation.

18 THE WITNESS: I'm familiar with
19 communities on Snapchat. I know that we
20 have college communities on Snapchat.
21 I'm not sure if we ever launched high
22 school communities or not.

23 BY MS. LEYIMU:

24 Q. Okay. High school communities is
25 referenced here, and underneath it says:

1 "15 million students across 24,000 U.S. high
2 schools."

3 Do you see that?

4 A. Yeah, I see that.

5 Q. Okay. Turn with me, if you will,
6 to Bates ending in 70359.

7 And you've got to flip up for that.

8 Okay. Could you read the header
9 for us, please?

10 A. "Teens in the US Product Research."

11 Q. And there's an Insight No. 1, and
12 it says "Back to School." Correct?

13 A. Correct.

14 Q. Okay. Could you read what's under
15 that?

16 A. "Teenagers use Snapchat to connect
17 with classmates and back to school is where we
18 see the largest spike in friendships made
19 throughout the year."

20 Q. Okay. And there are a couple of --
21 there's a graph, right, and in that graph, it
22 shows "US group chat friending volume peaks
23 during the first week of school," and in
24 parentheses it says "2022."

25 Do you see that?

1 A. Yes.

2 Q. And there are a couple of quotes
3 below. Do you see that?

4 A. Yes.

5 Q. Okay. Could you read those quotes
6 for the jury, please.

7 A. "I will use Snapchat more once
8 school starts because I will make more friends
9 and get to use it more often. People will ask me
10 for my Snapchat at school."

11 Q. Okay. During the course of your
12 time at Snap, did you ever see any presentation
13 by a Snap employee about how to decrease the risk
14 of the app interfering with school systems and
15 education?

16 MS. TELLER: Objection.

17 Compound, foundation.

18 THE WITNESS: I cannot recall
19 that.

20 BY MS. LEYIMU:

21 Q. Okay. Teens are an important
22 segment as far as users on Snap to you, correct?

23 A. Yes.

24 Q. Okay. And they're important to
25 Snapchat. Fair enough?

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3 does hereby certify:

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