

AMENDED Exhibit 861

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

Rachel Hochhauser

1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 4:22-md-03047-YGR : MDL No. 3047

IN RE: SOCIAL MEDIA ADOLESCENT :
ADDICTION/PERSONAL INJURY :
PRODUCTS LIABILITY LITIGATION :

- - - - -X
- - - - -X

This Document Relates to: :

ALL ACTIONS :

- - - - -X

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

Coordination Proceeding :
Special Title (Rule 3.550) :

SOCIAL MEDIA CASES :

- - - - -X
- - - - -X

This Document Relates to: :

ALL ACTIONS :

- - - - -X

Videotaped deposition of RACHEL HOCHHAUSER
taken at the Kirkland & Ellis, 601 Lexington Avenue,
New York, New York, before Clifford Edwards,
Certified Shorthand Reporter and Notary Public, in
and for the State of New York on May 1, 2025, at
8:38 a.m. ET.

1 THE WITNESS: Okay.

2 MS. TELLER: We might do another --

3 THE WITNESS: Okay. So let's just

4 do --

5 MS. TELLER: Yeah, let's do --

6 THE WITNESS: -- another --

7 MS. TELLER: Yeah.

8 MR. GRADEN: We can do another.

9 MS. TELLER: Yeah.

10 MR. GRADEN: All right. Let's bring

11 up Tab 11. Exhibit number --

12 THE WITNESS: -- thirteen, I think.

13 MR. GRADEN: We'll mark this

14 Exhibit 13.

15 THE VIDEOGRAPHER: Oh, I'm sorry.

16 THE WITNESS: The enduring challenge

17 of keeping track of exhibits.

18 MR. GRADEN: This is a document

19 Bates-stamped SNAP2893997 through 4009 --

20 -4010 entitled "Back-to-School Summer

21 Perceptions, Product Research,

22 July-August 2023," with a document slip

23 sheet at the end identifying the

24 custodian as Morgan Hammerstrom. The

25 document is dated 9/14/23.

(Whereupon, Plaintiff's Exhibit SNAP 30(b)(6) 13, Document Bates-stamped SNAP2893997 through -4010 Entitled "Back-to-School Summer Perceptions, Product Research, July-August 2023," was marked for identification.)

BY MR. GRADEN:

Q Let me know when you've had a chance to look at this document.

A Okay.

Q All right. Have you seen this document before today?

A Yes.

Q Did you discuss this document with Ms. Hammerstrom?

A Yes.

Q Can you tell me, what is your understanding of -- of this document?

A My understanding of this document is that it contains an overview of research that was done to understand the 13- to 17-year-old age group of Snapchat users' perceptions of their own usage in the -- in the time of year generally that we refer to as back-to-school.

Q And this research done by Snap?

1 this question and answer that by "restrictions," you
2 mean, like, a school takes away their -- the
3 students devices, for example.

4 It wasn't built for that purpose.
5 Snapchat for Web was built because, again, we are a
6 communications platform and all of the
7 communication -- like, communications platforms have
8 a web-based functionality.

9 But if your question is: Is -- could a
10 student access Snapchat for Web if their phone
11 device, for example, was taken away, then if they
12 had another device through which they could access
13 the web, then, yes, they would be able to
14 functionally do that.

15 Q Under the -- after the school use case,
16 there was also -- there's also a note for, Increased
17 communication utility with communities?

18 A Uh-huh.

19 Q What does that signify?

20 A It doesn't say specifically here, but I
21 take that to mean the school community feature.

22 And so increased communication utility
23 would be being able to, you know, share, for
24 example, stories or media with people in your school
25 community.

1 Q What is a -- a school community?

2 A So a school community is a feature on
3 Snapchat which is intend -- which connects people
4 with -- who are students at the same school by class
5 year, and is built as a way for them to -- you know,
6 for people to connect with other students in the
7 school.

8 Q So if somebody puts in their -- their
9 birth date when they sign up, will a particular
10 graduation class be recommended that they -- that
11 they join? Is that the -- is that the community?

12 A So this is my best understanding of the
13 onboarding process as it currently stands.

14 It's my -- my best understanding is that
15 once you have a Snapchat account in -- at some point
16 in the process you are given the -- you know, the
17 option of joining a school community and you can
18 search for your school in the -- in the list of
19 schools or put in your school's name and that -- and
20 your community would be surfaced.

21 And then there's a -- a -- you know, a
22 back-end process by which we look at whether the
23 person who is asking to join that community, that
24 Snapchat community, is actually a member of that
25 school.

1 So the use case for Snapchat is really
2 communications, like communications with people that
3 they -- that users choose to be connected to.

4 As I'm sure you know, users on Snapchat
5 have to choose -- accept each other bi-directionally
6 to be friends and communicate. Like, there's no
7 option to just randomly communicate with people.

8 So I can't speak specifically to the --
9 to the engineering aspect of scrolling, but it's
10 not -- like, it's not the primary use case for
11 Snapchat to look at content.

12 Q What about push notifications? Those are
13 recommendations: Stop -- stopping the sending of
14 push notifications to students. Social media
15 platforms do not need to send students push
16 notifications during the school day and in the
17 evening when they are sleeping.

18 Is that something that Snap has
19 implemented?

20 A Well, again, because Snapchat is used for
21 communications, the note- -- the -- you know, the
22 overwhelming majority of notifications from Snapchat
23 are -- is a notification that you have a message.

24 So it's essentially, you know, the
25 equivalent of a phone ringing. You can't be a

1 communicat- -- like, you can't be a communications
2 platform without telling people that somebody is
3 trying to communicate with you.

4 But there is -- there are settings within
5 the app for notifications, as well as obviously at
6 the device level, that people can -- can use.

7 Q So the answer is no?

8 A The answer is what I just gave you.

9 Q That Snap is not implementing the
10 stopping of sending of push notifications to
11 students?

12 MS. TELLER: Objection. Asked and
13 answered.

14 A The answer -- I can repeat my answer but
15 that's --

16 BY MR. GRADEN:

17 Q It's a yes or no answer?

18 A It's not a -- well, I'm not going to
19 argue with you.

20 MS. TELLER: Yeah, hold on.

21 Counsel can't interrupt you. So,
22 Rachel, I -- Ms. Hochhauser, I think the
23 question on the record was that Snap is
24 not implementing the stopping of sending
25 of push notifications to students, to

1 which I objected, Asked and answered.

2 I'm sure counsel will let you answer
3 that question now.

4 A Yeah. The answer is that it is -- that
5 is better done and more effectively done at the
6 device level and that there are settings within the
7 app that the user can choose to -- to set at
8 their -- to the way that they want.

9 BY MR. GRADEN:

10 Q So Snap is not implementing that
11 particular setting across the board?

12 A So Snap has looked at what the most
13 effective and efficient way of controlling those
14 notifications are and the answer is as I've given
15 it, which is at the device level and by user
16 changing -- users changing their settings.

17 Q If you turn to page 14, there is a
18 section here on "Directly engage with -- directly
19 engage in work with schools and families."

20 Do you see that?

21 A If you'd give me a moment.

22 MS. TELLER: I think it's -- it's
23 page number 12.

24 THE WITNESS: Number 12?

25 MS. TELLER: Yeah. I'm trusting our

C E R T I F I C A T E

I hereby certify that I am a Notary Public,
in and for the State of New York, duly commissioned
and qualified to administer oaths.

I further certify that the deponent named in
the foregoing deposition was by me duly sworn, and
thereupon testified as appears in the foregoing
deposition; that said deposition was taken by me
stenographically in the presence of counsel and
reduced to typewriting under my direction, and the
foregoing is a true and accurate transcript of the
testimony.

I further certify that I am neither of
counsel nor attorney to any of the parties to said
suit, nor am I an employee of any party to said
suit, nor of any counsel in said suit, nor am I
interested in the outcome of said cause.

Witness my hand and seal as Notary Public
this 4th day of May, 2025.

<%20976,Signature%>

Clifford Edwards

New York Notary ID Number: 01ED6430906

Notary commission expires: 3/28/2026