

AMENDED Exhibit 863

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

Claudia Chan

1

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

CLAUDIA Y. CHAN

Held At:	Munger, Tolles & Olson
	350 Grand Ave., 50th Floor
	Los Angeles, California

February 7th, 2025
9:59 a.m.

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

1 MS. BELL: Objection to form, and
2 misstates testimony.

3 THE WITNESS: I don't think it's --
4 yeah, I don't think I said I never worked
5 with trust and safety before.

6 BY MS. FIDLER:

7 Q. But you've never conducted an audit
8 with them on the -- on whether your account creation
9 process allows underage users to access the
10 platform?

11 A. I talk to them like all the time. So
12 even though maybe there wasn't an official audit
13 conducted, that's -- you know, everything in the
14 roadmap, all of our features, my trust and safety
15 partners have visibility and transparency into
16 everything that we're doing, and I take their
17 feedback into account.

18 Q. And you testified earlier that that
19 visibility is primarily through interoffice
20 communications?

21 A. No. Also launch e-mails, launch
22 reports, feature specs, all the docs as well.

23 (Whereupon, Exhibit Snap-Chan-7 was
24 marked for identification.)

25 ///

1 allows Snap employees to make content not visible,
2 and that in order for accounts to be locked they
3 have to be directly referred to trust and safety?

4 MS. BELL: Objection to form, and lack
5 of foundation.

6 THE WITNESS: I'm not familiar with
7 Snap Graph.

8 BY MS. FIDLER:

9 Q. Then how do you have knowledge that if
10 you identify accounts under 13 on Spotlight that you
11 lock the accounts? Where does that knowledge come
12 from?

13 A. Just being the age verification owner
14 across Snap, like I know of all the initiatives that
15 are going on related to potential under 13.

16 Q. And so responding to parental reports
17 and this so-called Spotlight moderation, are there
18 any other post-registration account verification
19 that Snap does?

20 MS. BELL: Objection to form.

21 THE WITNESS: There's also a pilot we
22 are working on with an age verification
23 vendor.

24 BY MS. FIDLER:

25 Q. What vendor is that?

1 A. k-ID.

2 Q. Was that ever documented?

3 A. It should be. It's very recent,
4 though. It happened after I left the team.

5 Q. Can you give an estimate of what time?

6 A. The time of the pilot happening or --

7 Q. Yeah, the time of the pilot happening.

8 A. Oh, I see.

9 I don't know the full details. I'm
10 still like part of some of the Slack channels so I
11 saw they are launching it soon, I just don't know
12 exactly when.

13 Q. But it's not launched currently, is
14 that fair?

15 A. Yeah, I believe it's not yet in
16 production.

17 Q. Were you on the team when they
18 activate -- were you on the team when they began
19 conversations with KDI?

20 A. Yes.

21 Q. Were you part of those conversations?

22 A. Some of the conversations.

23 Q. When did those conversations start?

24 A. I don't remember.

25 Q. Was it within the last six months, last

1 Q. Would you agree that the way Snap
2 handles birthday and registration contributes to
3 false age entries?

4 MS. BELL: Objection to form.

5 THE WITNESS: No.

6 BY MS. FIDLER:

7 Q. Okay. Let's talk about one choice.
8 Snap automatically defaults to the
9 birthday field to 18 years old, right?

10 A. Yes.

11 Q. And so that means that if a user
12 doesn't manually enter their real birthday they are
13 automatically set to 18, correct?

14 A. Yes.

15 MS. BELL: Objection to form. Calls
16 for speculation.

17 BY MS. FIDLER:

18 Q. And that means that the option for a
19 minor signing up for -- signing up -- pardon me,
20 strike that.

21 That means the easiest option for a
22 minor signing up is just to leave the prefilled date
23 as 18, correct?

24 MS. BELL: Objection to form.

25 THE WITNESS: I don't know if that's

1 A. No. We only talked about the UI
2 treatments, agnostic of any region at all.

3 Q. So I just handed you what's been marked
4 as Exhibit 13 to your deposition. Do you recognize
5 this e-mail?

6 A. Yes.

7 Q. And the subject of it is "[Launch
8 Report] UK Registration Age Gating," correct?

9 A. Mm-hmm. Yes. Sorry.

10 Q. And this is from April 2023?

11 A. Yes.

12 Q. So there's a lot of attorney redactions
13 on here, as you'll see, but if you scroll -- if you
14 go over to page 7 which ends in Bates number
15 2268192, at the very bottom [REDACTED] begins an
16 e-mail.

17 Who is [REDACTED], or [REDACTED] if I'm
18 mispronouncing his name?

19 A. He's one of the engineers I work with.

20 Q. And he says, "Hi team, Per UK
21 regulations requirements, we're changing the
22 registration birthday page UI to make the default
23 date of birth more neutral as compared to defaulting
24 it to 18 years old based on the current date."

25 Do you see that?

1 A. Yes.

2 Q. And then there's, The feature will
3 include this change, and it looks like it shows a
4 blank date.

5 So Snap launched that UK users would
6 now see a blank date instead of the auto-filled
7 birthday, is that correct?

8 A. Yes.

9 Q. And Snap tracked whether this change
10 had any effect on new user registrations?

11 A. It was one of the metrics we looked at
12 in the A/B test.

13 Q. So Snap was concerned on how changing
14 the default age date to a blank would affect new
15 user registrations, is that fair?

16 MS. BELL: Objection to form.

17 THE WITNESS: In general for all of our
18 A/B studies, registration success is one of
19 the many metrics we look at.

20 BY MS. FIDLER:

21 Q. If you go over to the page that ends in
22 197, it says, The result is slightly negative and
23 almost neutral compared to another treatment.

24 And then it gives some metrics.

25 Do you see where it says, "Estimated

1 the record, and the time is 2:06 p.m.

2 (Whereupon, a recess was taken.)

3 THE VIDEOGRAPHER: We are now going
4 back on the record, and the time is
5 2:14 p.m.

6 BY MS. FIDLER:

7 Q. Hi, Ms. Chan.

8 Can you pull back out Exhibit 7,
9 please.

10 A. Yes. Yeah.

11 Q. This is the Slack message between you
12 and Mr. Jaklitsch that we looked at earlier,
13 correct?

14 A. Yeah.

15 Q. And this is from January of 2024,
16 correct?

17 A. Mm-hmm.

18 Q. And so this is after the Ofcom -- or,
19 excuse me, the UK age gating change, correct?

20 A. Yes.

21 Q. On the second page you write, "we
22 actually have not touched the US birthday flow in
23 reg."

24 And then you add a sad face emoji,
25 right?

1 A. Yeah.

2 Q. So that confirms that after UK -- after
3 Snap launched a UK version it had never changed the
4 US regulation flow, correct? Or, excuse me,
5 registration flow.

6 A. As of that specific time frame we had
7 not updated it yet.

8 Q. And you still haven't, correct?

9 A. It's actually been in A/B testing.

10 Q. But A/B testing has not implemented,
11 right?

12 A. Not 100 percent ruled out.

13 Q. Yes. So sitting here today, when a US
14 teenager creates an account on Snapchat they will
15 still see the default birthday of age 18, correct?

16 A. Yes. That's what's in production.

17 Q. I'm going to hand you what's been --
18 actually strike that.

19 Ms. Chan, earlier you testified that
20 you had no evidence that under 13 users were on
21 Snapchat and that Snap would never conduct research
22 on users under the age of 13, is that correct?

23 A. I don't recall saying we had no
24 evidence of under 13, since we do proactively delete
25 and block anyone we identify as under 13.

1 what they mean by "the particular date they
2 want."

3 BY MS. FIDLER:

4 Q. Would you expect the e-mail to say it
5 makes clear that once they've set their birthday and
6 not the date that they want?

7 MS. BELL: Objection to form.

8 THE WITNESS: I'm personally kind of
9 confused by this bullet point myself.

10 BY MS. FIDLER:

11 Q. Me too. You can set that aside.

12 Mrs. Chan, were you employed at Snap in
13 May of 2019?

14 A. I was.

15 Q. Generally would you agree that official
16 public statements made by Snap's senior leadership
17 is a reflection of the company's policies and
18 practices?

19 MS. BELL: Objection to form.

20 THE WITNESS: I would like to think so.

21 BY MS. FIDLER:

22 Q. Do you know who [REDACTED] is?

23 A. I actually don't know who that is.

24 Q. You never heard of [REDACTED]?

25 A. No. I've been at the company for a

1 long time, so there's a lot of names.

2 Q. That's fair.

3 Do you know who [REDACTED] is?

4 A. No.

5 Q. Would it surprise you if I told that
6 you [REDACTED] was the senior director of
7 international public policy?

8 A. I just don't know those names.

9 Q. Fair enough.

10 Are you aware that in May of 2019 that
11 both of these individuals testified before the UK
12 digital culture and medium sports committee?

13 A. No.

14 Q. Were you ever made aware that they were
15 asked about how Snap's age verification system works
16 at that hearing?

17 MS. BELL: Objection. Lack of
18 foundation.

19 THE WITNESS: Maybe, but it's been so
20 many years, like it's hard for me to
21 remember.

22 BY MS. FIDLER:

23 Q. Are you aware that Mr. [REDACTED] admitted
24 that Snap's age verification system was effectively
25 useless in stopping underage users from signing up?

1 MS. BELL: Objection. Lack of
2 foundation.

3 THE WITNESS: I don't know the details
4 of the trial or what he testified.

5 BY MS. FIDLER:

6 Q. But that's a serious admission from one
7 of Snap's senior public policy officials, wouldn't
8 you agree?

9 MS. BELL: Objection to form, and lack
10 of foundation.

11 THE WITNESS: I don't have context as
12 to why he said that.

13 BY MS. FIDLER:

14 Q. But you would agree if he said it
15 that's a serious admission, right?

16 MS. BELL: Same objections.

17 THE WITNESS: I don't know if I'm
18 qualified to say whether that's true or
19 not.

20 BY MS. FIDLER:

21 Q. Well, if Snap's age verification system
22 was effectively useless, that wouldn't be good,
23 right?

24 MS. BELL: Objection to form.

25 THE WITNESS: Again, I don't know what

1 he meant when he said that.

2 BY MS. FIDLER:

3 Q. Well, I'm just asking you generally, if
4 Snap's age verification system was effectively
5 useless, that would be bad, right?

6 MS. BELL: Objection to form.

7 THE WITNESS: Again, I'm just like
8 surprised, and I don't know why he said
9 that.

10 BY MS. FIDLER:

11 Q. I'm not asking you why he said it. I'm
12 asking you, if Snap's age verification system was
13 indeed effectively useless, that would be bad,
14 correct?

15 MS. BELL: Objection to form.

16 BY MS. FIDLER:

17 Q. It wouldn't be good, right?

18 MS. BELL: Objection to form.

19 THE WITNESS: I think what I can say is
20 our goal is to let people put in their
21 accurate birthday, so I don't -- I just
22 don't know how to answer that because
23 that's so counter to, like, what I've been
24 working on for the last six years or so.

25 MS. FIDLER: I'm going to strike that

1 as nonresponsive.

2 BY MS. FIDLER:

3 Q. I'd like you to answer my question.

4 If Snap's age verification system was
5 effectively useless in stopping underage users from
6 signing up, that would be bad, correct?

7 MS. BELL: Objection to form.

8 THE WITNESS: My personal opinion is
9 that any user input age gate is not going
10 to be as accurate as, like, actual age
11 verification and identity verification,
12 which is why that's a solution we're
13 working towards.

14 BY MS. FIDLER:

15 Q. I'm going to hand you what's been
16 marked as Exhibit 16.

17 (Whereupon, Exhibit Snap-Chan-16 was
18 marked for identification.)

19 BY MS. FIDLER:

20 Q. Ms. Chan, I'll represent to you that
21 this is a printout of a Business Insider article
22 from the -- covering the testimony that [REDACTED]
23 [REDACTED] and [REDACTED] gave.

24 Do you see the second bullet point on
25 the first page, it says, "[REDACTED] admitted that the

1 system is effectively useless in stopping underage
2 users from signing up to the Snapchat app."

3 Do you see that?

4 A. I see that.

5 Q. If you go over to the second page, the
6 article describes how a member of Parliament tested
7 age -- tested Snap's age verification system
8 himself, correct?

9 A. Which --

10 Q. I can read it to you. It says, "Labour
11 MP Ian Lucas asked a series of questions about how
12 age-verification works on the platform. He
13 demonstrated a flaw in the system by trying to sign
14 up to the app during the hearing and putting in his
15 date of birth as 2008.

16 "When he was rejected as underage,
17 meaning he was under the age of 13, he tried again
18 with his real age and was able to create an account
19 - his argument being that an underage user can
20 easily bypass Snapchat's system."

21 Do you see that?

22 A. I see that now, yeah. Thanks for
23 reading that.

24 Q. No problem.

25 And then MP Lucas says, "'Your age

1 verification system does not work for a popular way
2 of signing up to Snapchat. Do you agree?'"

3 And [REDACTED] -- Mr. [REDACTED], the senior
4 official of public policy, said, On initial signup,
5 we certainly agree.

6 You're responsible for age verification
7 at the initial signup, correct?

8 MS. BELL: Objection to the preamble.
9 Lack of foundation.

10 THE WITNESS: Yeah, I think I mentioned
11 age verification is a cross-functional
12 initiative. I own the product side of our
13 age gate and registration.

14 BY MS. FIDLER:

15 Q. As the product manager for age
16 verification, what changes did Snap implement after
17 Mr. [REDACTED] publicly admitted the system wasn't
18 working?

19 MS. BELL: Objection. Lack of
20 foundation.

21 THE WITNESS: Sorry, I just want to
22 make something clear.

23 So I'm the PM of activation and so that
24 includes registration, login, and new user
25 onboarding. Age verification is a feature

1 as part of registration, but it's a
2 cross-function owned initiative, so I'm not
3 the only person who is working on age
4 verification.

5 I just wanted to make that like super
6 clear. Like I'm not -- like that's not my
7 only job.

8 BY MS. FIDLER:

9 Q. But it's one of your main jobs,
10 correct?

11 A. It's part of the registration flow,
12 which is why it would fall into my team's roadmap.

13 (Whereupon, Exhibit Snap-Chan-17 was
14 marked for identification.)

15 BY MS. FIDLER:

16 Q. I'm going to hand you Exhibit 7, but
17 keep that -- oh, 17, pardon me. Keep Exhibit 16 on
18 the side.

19 A. Okay.

20 Q. This is a 2020 Quip called "Age Gating
21 in Registration." Correct?

22 A. Yes.

23 Q. And you're listed as the PM, right?

24 A. Yep.

25 Q. No other PMs are listed?

1 A. I'm the PM for registration.

2 Q. Okay. So you're the product manager
3 for age verification, and no other PMs are, correct?

4 MS. BELL: Objection to form.

5 THE WITNESS: So I work on this very
6 closely, again, with the very large
7 cross-functional team, and I'm one of --
8 I'm one of many stakeholders in age gating.
9 From a very functional, like, product
10 feature perspective, because the
11 engineering team partners with me, like I
12 would be the main person working with the
13 engineering team on a day-to-day basis.

14 BY MS. FIDLER:

15 Q. Right.

16 But from the product management side
17 who manages the product of age verification, that is
18 your job, correct?

19 A. I would say it's me plus David Boyle on
20 the product side.

21 Q. So as the PM responsible for age
22 verification, what changes did Snap implement after
23 Mr. [REDACTED] publicly admitted that the system wasn't
24 working?

25 MS. BELL: Objection. Lack of

1 foundation.

2 THE WITNESS: So over the past few
3 years I think I've mentioned we tried
4 different types of UI treatments for the
5 way people can enter their birthday, and
6 that's like internal things that we wanted
7 to do in the age gating process.

8 And then externally we've discussed
9 with vendors on an actual, like, just
10 non-user reported age gating, which is
11 identity verification.

12 BY MS. FIDLER:

13 Q. To this day when a user under the age
14 of 13 inputs their birthday as under 13 into
15 Snapchat, does it do exactly as the Business Insider
16 article describes where a user is kicked back to the
17 page and they're immediately able to log back in?

18 MS. BELL: Objection to form.

19 THE WITNESS: I don't know what this
20 Business Insider article means, to be
21 honest.

22 BY MS. FIDLER:

23 Q. I'm sorry, can you describe what UI
24 treatments are?

25 A. Oh, yes.

1 So UI just means user interface. And
2 when you think about inputting data on a mobile app,
3 there are multiple ways you can do it. So one is --
4 for birthdays specifically one is like a scrollable
5 picker. The other could be like typing in through
6 your keyboard, like, the dates. So those are like
7 the types of user interfaces.

8 Q. So those are the different user
9 interfaces treatments that you described. None of
10 them are actually implemented, correct?

11 A. So the one that's implemented in the UK
12 is like the neutral dash day picker.

13 Q. I understand that.

14 But none of them were implemented in
15 the US, right?

16 A. Those have been A/B testing globally.

17 Q. And again for the record, A/B testing
18 is not launched, correct?

19 A. Not yet in production 100 percent.

20 Q. So sitting here today, Snap's age
21 verification system works exactly how it did when
22 Ofcom raised concerns and when Mr. [REDACTED] testified
23 in front of the UK committee, is that accurate?

24 MS. BELL: Objection. Lack of
25 foundation.

1 THE WITNESS: So since this time frame
2 we've done a lot of different A/B tests on
3 various treatments, and we've also engaged
4 vendors on discussing like potential --
5 like identity verification.

6 We've also talked to Google and Apple
7 about a device-level identity verification
8 as well as solutions.

9 MS. FIDLER: I'm going to move to
10 strike that as nonresponsive.

11 BY MS. FIDLER:

12 Q. What I'm asking is if sitting here
13 today -- not your A/B testing, not your pilots that
14 you're discussing with vendors, I'm asking sitting
15 here today does Snap's age verification in the US
16 for US teenagers work exactly how it did when Ofcom
17 raised concerns in 2023 and when [REDACTED]
18 testified in front of the UK committee in 2019?

19 MS. BELL: Objection. Lack of
20 foundation.

21 THE WITNESS: So in our production app
22 the experience -- I don't know like exactly
23 the time frame, but the experience is that
24 it defaults to the 18 age and people can
25 scroll through it.

1 BY MS. FIDLER:

2 Q. So it does default to age 18, which is
3 the concern that Ofcom raised. Sitting here today
4 that's how US teenagers experience Snapchat. It
5 also still -- if a user under 13 enters a birthday
6 under the age of 13, they're immediately able to try
7 again. That's true, correct?

8 MS. BELL: Objection to form, and lack
9 of foundation.

10 THE WITNESS: So functionally that's
11 the way it works, but I want to make sure
12 that the context is that we've tried a lot
13 of different treatments, and we're working
14 on a non-user inputted birthday gate as
15 well which we think will be more effective.

16 BY MS. FIDLER:

17 Q. But trying to implement it is not the
18 same as being implemented, correct?

19 MS. BELL: Objection. Argumentative.

20 THE WITNESS: So there's a lot of due
21 diligence that goes into it, so we've been
22 doing that process, and that's part of the
23 implementation process.

24 BY MS. FIDLER:

25 Q. Due diligence since 2019?

1 and we want to make sure that's also
2 heavily protected.

3 So there's a lot of privacy concerns,
4 data concerns, legal concerns that I would
5 want to work with cross-functional
6 stakeholders, so it would not just be an
7 easy terms of service update.

8 BY MS. FIDLER:

9 Q. And you testified earlier that the
10 atlas team that you worked with frequently houses
11 user data. Don't they house user reported age?

12 A. I believe so.

13 Q. So what's the privacy concern, then?
14 Because it's already housed within atlas, correct?

15 A. Yes.

16 MS. BELL: Objection to form.
17 Compound.

18 THE WITNESS: I think what you're
19 asking, though, for is the accuracy or
20 perceived accuracy of the reported age,
21 which is very different from an inferred
22 age.

23 So what I'm talking about is not the
24 reported age because obviously like user
25 consented to giving us that information. I

1 think what you're talking about is like the
2 accuracy of that.

3 BY MS. FIDLER:

4 Q. No. What I'm asking about is the
5 reported age that you collect during account
6 registration, which is your responsibility, correct?
7 You testified earlier that it was you and David
8 Boyle who were responsible for age verification on
9 the product side, right?

10 A. Yes.

11 Q. And during that process you collect
12 ages from your users when they enter their date of
13 birth, yes?

14 A. User reported age, yes.

15 Q. And you testified shortly ago that you
16 have no data or metrics or otherwise audit or track
17 to ensure that that data, the reported ages of its
18 users, is accurate. Is that what you testified to?

19 MS. BELL: Objection to form.

20 THE WITNESS: So what I mean is that if
21 you want to actually try to tell if a
22 reported age is accurate or not, we would
23 have to build an actual inference model on
24 the growth side, which would require a lot
25 of new data, a lot of new ways of even like

1 thinking of storing all of this, like,
2 detail data.

3 So we don't have that, and it would not
4 be an easy fix.

5 BY MS. FIDLER:

6 Q. And have you ever tried?

7 A. I personally haven't. I know Nik
8 started thinking about it, which is probably like
9 maybe what this doc is about, but I don't want to
10 assume like that's...

11 Q. And when you left the growth team in
12 November 2024, had Snap developed any way to
13 ascertain whether the reported age of its users was
14 accurate?

15 MS. BELL: Objection to form.

16 THE WITNESS: I don't have experience
17 with that personally.

18 BY MS. FIDLER:

19 Q. Sounds like a lack of due diligence.

20 MS. BELL: Objection. Argumentative.

21 If you have a question, please ask your
22 question.

23 BY MS. FIDLER:

24 Q. Would you agree?

25 A. I don't agree with that.

1 MS. BELL: Objection to form.

2 BY MS. FIDLER:

3 Q. Would you agree that Snapchat has been
4 collecting user reported ages since at least 2015?

5 A. I'm not sure before I joined the
6 company.

7 Q. Well, at least since you joined the
8 company in 2018?

9 A. Reported age, yes.

10 Q. So for more than six years Snap has not
11 attempted any way to ascertain whether the reported
12 ages of its users is accurate, is that your
13 testimony?

14 MS. BELL: Objection to form.

15 THE WITNESS: I don't even know how we
16 would get that information, as I mentioned
17 earlier.

18 BY MS. FIDLER:

19 Q. Okay. So we just talked about how you
20 help ensure that Snap's terms of service are
21 communicated to its users, is that right?

22 A. Yes.

23 Q. And do you know if Snap's terms of
24 service prevent -- prohibit users from having
25 multiple accounts?

1 BY MS. FIDLER:

2 Q. And so to your knowledge there's no
3 internal studies or reports analyzing how difficult
4 it is for users, particularly minors or their
5 parents, to delete accounts?

6 A. Not that I've seen.

7 Q. Does Snap allow users to pause their
8 accounts?

9 A. Users can deactivate their accounts.

10 Q. And by deactivation, do you mean the
11 30-day cool-off period before accounts are deleted?

12 A. Yes.

13 Q. So Snap doesn't allow users to pause
14 their account and then log back in after 30 days, is
15 that correct?

16 A. Not after 30 days. Before 30 days they
17 can.

18 Q. Do you know that other social media
19 platforms like Facebook, Instagram, and TikTok all
20 allow users to temporarily pause their accounts?

21 A. I didn't know they all had that.

22 Q. Do you dispute that they do?

23 MS. BELL: Objection to form.

24 THE WITNESS: I just don't know.

25 ///

1 BY MS. FIDLER:

2 Q. Ms. Chan, I'm going to hand you three
3 different documents. They'll be collectively marked
4 as Exhibit 28. I'll represent to you that they are
5 printouts from Instagram Help Center website,
6 Facebook's Help Center online, and as well as
7 TikTok's.

8 (Whereupon, Exhibit Snap-Chan-28 was
9 marked for identification.)

10 MS. BELL: Can we mark one 28A, another
11 28B --

12 MS. FIDLER: We'll just mark them as
13 separate exhibits. I was trying to speed
14 up the process, but...

15 (Whereupon, Exhibit Snap-Chan-29 and
16 30 were marked for identification.)

17 BY MS. FIDLER:

18 Q. Here's the first one. This is
19 Exhibit 28 (handing).

20 Let me know if you need time to review
21 the documents.

22 A. Okay.

23 (Witness reviewing documents.)

24 A. Okay.

25 Q. You see that each of the three

1 platforms allow users to temporarily pause their
2 account or deactivate their account?

3 A. Yeah, I see that.

4 Q. And that's different than the 30-day
5 deactivation period that Snap offers, correct?

6 A. It's slightly different, yeah.

7 Q. Well, slightly different as in that
8 users on TikTok, Facebook, and Instagram can pause
9 their account for as long as they want and the
10 account will still be present when they log back in,
11 whereas Snapchat only offers 30 days and then their
12 account will be deleted, is that fair?

13 A. Yes.

14 MS. BELL: Objection to form. Lack of
15 foundation.

16 BY MS. FIDLER:

17 Q. So fair to say that a pause function
18 lets users take a break without permanently deleting
19 their account, right?

20 MS. BELL: Objection to form. Lack of
21 foundation.

22 THE WITNESS: We have deactivation and
23 deletion as well in Snapchat.

24 BY MS. FIDLER:

25 Q. But the deactivation period at Snap is

1 30 days, and if a user does not log back in for
2 30 days, then their account is deleted, correct?

3 A. That is how the process works now.

4 Q. So fair to say it's more of just a
5 deletion service, there just happens to be a
6 cooldown period?

7 MS. BELL: Objection to form.

8 THE WITNESS: We make it clear that
9 it's deactivating for 30 days and then goes
10 to deletion.

11 BY MS. FIDLER:

12 Q. And do you see on Facebook's where it
13 says if you deactivate your account, you can
14 reactivate it whenever you want, there's no time
15 limit on that?

16 A. Yes.

17 Q. And do you see on TikTok's where TikTok
18 says deactivating -- or, "Deactivating your TikTok
19 account allows you to put it on a temporary hold.
20 When you're ready to get back on TikTok, you can
21 reactivate it anytime."

22 Do you see that?

23 A. Yep.

24 Q. And then do you see on Instagram's
25 where it says, "If you temporarily deactivate your

1 account" -- and there's no time limit listed on
2 that.

3 So that's fundamentally different than
4 the 30 days that Snapchat offers, agreed?

5 MS. BELL: Objection to form. Lack of
6 foundation.

7 THE WITNESS: It looks different.

8 BY MS. FIDLER:

9 Q. Would you agree that account pausing is
10 particularly important for teens who may need to
11 step away from social media for their mental health,
12 academic focus, or personal well-being?

13 MS. BELL: Objection to form, and lack
14 of foundation.

15 THE WITNESS: I'm not an expert in that
16 area so I don't know how to answer that.

17 BY MS. FIDLER:

18 Q. But this is your product focus, right,
19 or one of your product focuses?

20 MS. BELL: Objection to form.
21 Misstates testimony.

22 THE WITNESS: The feature we have is
23 that people can deactivate their account,
24 and then if they don't log in after
25 30 days, it will be deleted.

1 BY MS. FIDLER:

2 Q. And that's different than the services
3 that the other platforms offer, yes?

4 MS. BELL: Objection to form. Lack of
5 foundation.

6 THE WITNESS: The product feature is
7 different.

8 BY MS. FIDLER:

9 Q. But Snap is aware that users on
10 Snapchat want this feature, correct?

11 MS. BELL: Objection to form. Lack of
12 foundation.

13 THE WITNESS: I've seen people ask for
14 it, but they also -- people ask for a lot
15 of features on Snapchat so I don't know if
16 I would characterize it as like a lot of
17 people asking for it.

18 BY MS. FIDLER:

19 Q. But some users are, right?

20 A. There are users that deactivate their
21 account.

22 (Whereupon, Exhibit Snap-Chan-31 was
23 marked for identification.)

24 BY MS. FIDLER:

25 Q. Ms. Chan, I'm handing you what's been

1 marked as Exhibit 31 to your deposition. This is a
2 December 2023 Quip that's called "Pause Account
3 MVP," and you're listed as the product manager.

4 Do you see that?

5 A. Yeah.

6 Q. What does "MVP" mean?

7 A. Minimally viable product.

8 Q. And what does minimally viable product
9 mean?

10 A. It just means like the first version of
11 a feature.

12 Q. So fair to say it's like a version of a
13 product with just enough features to be usable?

14 A. Yeah.

15 Q. And this Feature Overview outlines what
16 we just talked about, that it offers -- that
17 Snapchat offers the ability to delete accounts, but
18 users have 30 days to log back in or their accounts
19 are purged?

20 A. Yeah.

21 Q. That's what we just talked about.

22 And it says, "We receive customer
23 feedback that Snapchatters would like the ability to
24 pause or deactivate their account instead of going
25 straight to deletion. This feature will give users

1 the ability to do that."

2 Correct?

3 A. Yes.

4 Q. So this is a feature that Snap
5 recognized that users wanted, but never implemented
6 it, correct?

7 MS. BELL: Objection to form.

8 THE WITNESS: We had this on our
9 roadmap, but it had not been implemented
10 yet.

11 BY MS. FIDLER:

12 Q. And Snap has never taken -- never done,
13 to your knowledge, any research on the effects of
14 whether the inability to pause an account but,
15 instead, only have 30 days to log back in can lead
16 to compulsive use, correct?

17 MS. BELL: Objection to form, and lack
18 of foundation.

19 THE WITNESS: I have not personally
20 seen that research.

21 BY MS. FIDLER:

22 Q. But Snap has done a lot of research on
23 how to get users to come to the platform or user
24 registration or creation, correct?

25 MS. BELL: Objection to form.

1 mischaracterizes testimony.

2 THE WITNESS: I think what I mentioned
3 were a couple of, you know, the high
4 priority considerations, and one of them is
5 creating and building a data infrastructure
6 that's privacy centric in which we feel
7 comfortable with collecting data.

8 BY MS. FIDLER:

9 Q. Do you believe that Snap does not have
10 the financial capability to build out such resource?

11 MS. BELL: Objection to form.

12 THE WITNESS: I personally don't think
13 it has anything to do with the financial
14 capability. It's more of designing that
15 complicated system with privacy engineering
16 and legal.

17 BY MS. FIDLER:

18 Q. So Snap does have the financial
19 resources to do it?

20 MS. BELL: Objection to form. Asked
21 and answered.

22 THE WITNESS: Yeah, I think so.

23 BY MS. FIDLER:

24 Q. And then earlier you walked with
25 counsel step by step through the account creation

1 process.

2 Do you recall that?

3 A. Yep.

4 Q. We're going to walk through that
5 together.

6 A. Okay.

7 Q. And this is a screen mirroring that I'm
8 doing.

9 I think the first step that you
10 indicated was that Snap required a first and last
11 name. Is that fair?

12 A. Yes.

13 Q. Okay. I'll enter a first and last name
14 of XY and no last name. And I'm able to continue on
15 to the next step.

16 Next step, it defaults to 18. Continue
17 on to the birthday, and it automatically generates
18 my username for me.

19 Do you see that?

20 A. I see that.

21 Q. And then I believe you testified that
22 the next step was that Snap required phone or e-mail
23 verification. Is that right?

24 A. It should be password.

25 Q. Oh, password? Okay. We'll do a

1 password of Snap11111. Okay.

2 And then the next step would be an age
3 -- e-mail or phone verification, right?

4 A. Yes.

5 Q. So I'm going to do an e-mail
6 verification, and I'm going to type in
7 snap@snapsnapsnapsnapchat.com.

8 Agree that's not a real e-mail?

9 MS. BELL: Objection to form. Calls
10 for speculation.

11 BY MS. FIDLER:

12 Q. And I'm able to create an account and
13 move on to onboarding. Is that fair?

14 A. Yeah, I see it live.

15 MS. FIDLER: No further questions.

16 THE VIDEOGRAPHER: Do you want to
17 switch?

18 MS. BELL: No. We're done.

19 THE VIDEOGRAPHER: Okay. This
20 concludes the video deposition of Claudia
21 Chan. We are now going off the record.

22 The use of time was Ms. Fidler used
23 6 hours and 30 minutes, and Ms. Bell used
24 16 minutes.

25 And we are now off the record at

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 remotely taken, do
8 hereby certify that the foregoing
9 transcript is a true and correct record
10 of the testimony given; that said
11 testimony was taken by me
12 stenographically and thereafter reduced
13 to typewriting under my direction; and
14 that I am neither counsel for, related
15 to, nor employed by any of the parties
16 to this case and have no interest,
17 financial or otherwise, in its outcome.

18 Dated this 17th day of February,
19 2025.

20 <%21527,Signature%>

21 _____
22 MAUREEN O'CONNOR POLLARD

23 CSR No. 14449
24
25