

AMENDED Exhibit 867

**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

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
This Document Relates To: Dept. 12
ALL ACTIONS

Rule 30(b)(6) VIDEOTAPED DEPOSITION OF
CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER
SNAP INC., BY DAVID L. BOYLE

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

February 26th, 2025
9:41 a.m.

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

1 MS. TELLER: Objection to commentary.

2 Go ahead.

3 BY MR. AYERS:

4 Q. -- is that fair?

5 A. I'm really trying to answer as directly
6 as I possibly can without missing out on
7 information. So again I apologize if it's coming
8 across as evasive.

9 So maybe we can get back to the
10 question and I'll just try to do better at
11 answering.

12 Q. Sure. Do you recall the question?

13 A. I don't anymore, no.

14 Q. Okay. The question was, prior to 2024,
15 for the purposes of enforcement of Snap's terms of
16 service related to under 13 users, Snap relied on
17 its age gating self-reported age of the user as well
18 as user and parental reports submitted to Snap,
19 correct?

20 MS. TELLER: Objection. Vague.

21 THE WITNESS: So for the under 13
22 enforcement, the long-standing mechanisms
23 were these are self-reported age and age
24 gating at registration and then reports
25 from other users and parents prior to 2024,

1 so yes.

2 BY MR. AYERS:

3 Q. And then, so in that -- in that first
4 sentence, going back to Exhibit 2, the sentence goes
5 on, "so any child can create an account simply by
6 providing a fake birthday."

7 That's a true statement, correct?

8 A. I mean, I think that's somebody's
9 interpretation of the document writer, and it's
10 maybe a bit glib, because I don't think it's
11 necessarily that simple, and a lot of children as
12 well, you know, their parents are involved in the
13 creation of accounts and access to devices and
14 things of that nature.

15 But it does highlight a problem that we
16 need to continue to invest in additional ways to
17 verify users' ages, so I'll not dispute that there's
18 more we need to do and more that we are doing and
19 more that the industry is doing here.

20 Q. And so it's true that a user can create
21 an account simply by providing a fake birthday at
22 the account creation?

23 A. There's -- you know, if there's no
24 parent or someone standing over the shoulder and
25 supervising the creation of these accounts, then we

1 children and families by promoting digital
2 responsibility, online safety, and appropriate
3 technology use?

4 MS. TELLER: Objection. Scope, and to
5 counsel stating facts apparently.

6 Go ahead.

7 THE WITNESS: Yeah, it doesn't
8 specifically jog my memory, but if there
9 are documents, I'm happy to talk about
10 them.

11 BY MR. AYERS:

12 Q. And so sitting here today you're not
13 aware of whether Snap has been a member of FOSI
14 since December 2017?

15 A. I don't specifically know. I think,
16 you know, some other folks like on our public policy
17 team are more involved in some of the work with
18 third-party groups like this.

19 Q. Do you know if social media companies
20 like Meta, TikTok, and Google are also members of
21 FOSI?

22 MS. TELLER: Objection. Scope,
23 foundation.

24 THE WITNESS: I don't know.

25 ///

1 BY MR. AYERS:

2 Q. Are you aware that Snap, Meta, TikTok,
3 and Google also fund research done by FOSI related
4 to teen online safety?

5 MS. TELLER: Objection. Scope,
6 foundation.

7 I will note it seems to me like this
8 goes to the topic on which he's not
9 designated.

10 THE WITNESS: I'm not specifically
11 aware of that.

12 BY MR. AYERS:

13 Q. I hand you what's been marked as
14 Exhibit 3 to your deposition.

15 (Whereupon, Exhibit Snap-Boyle
16 30(b)(6) 3 was marked for
17 identification.)

18 MS. TELLER: You've got a couple extra
19 copies there that I'll take, David.
20 Thanks.

21 BY MR. AYERS:

22 Q. I will represent that Exhibit 3 is
23 Bates-numbered SNAP0316064. It is an e-mail from
24 Jacqueline Beauchere dated May 6, 2022, to Gina
25 Woodworth.

1 THE WITNESS: There's no way I could
2 really answer that question, because we
3 take action on those users whenever we
4 become aware of them.

5 BY MR. AYERS:

6 Q. But Snap has not undertaken any
7 research or study to identify the likely percentage
8 of Snapchat users that are under the age of 13?

9 A. Not that I'm personally aware of, no.

10 Q. Does Snap understand that COPPA
11 requires companies to take reasonable steps to
12 prevent underage users, those under 13, from
13 accessing the platform?

14 MS. TELLER: Objection. Scope.

15 And I'll again caution you, David, here
16 to the extent you feel like you can answer
17 this question in your sort of operational
18 capacity, please do, but don't refer to
19 conversations with counsel.

20 BY MR. AYERS:

21 Q. I just remind you that you're a Snap
22 designee, so you're a designee on these topics and
23 so you're speaking on behalf of Snap, not your
24 personal capacity.

25 A. Yeah.

1 This statement makes clear that because
2 users self-report their dates of birth, Snap's
3 "age-demographic data may differ from our users'
4 actual data."

5 Right? That's a true statement?

6 A. Yes, but that's because in the external
7 reporting we use the users' reported and supplied
8 ages. And we also have the inferred age, right, to
9 help supplement that, but our external reporting
10 here in these slides is based on the users'
11 self-reported ages.

12 So I think that's just what is being
13 noted here, is that the age demographic information
14 here is based on reported age rather than inferred
15 age.

16 Q. And the disclaimer then goes on to say,
17 "And because users who signed up for Snapchat before
18 June 2013 were not asked to supply their date of
19 birth, we may exclude those users from our age
20 demographics or estimate their ages based on a
21 sample of the self-reported ages that we do have."

22 Do you see that there?

23 A. Yes.

24 Q. Okay. Does that refresh your
25 recollection that before June 2013 Snap did not even

1 have users self-report their age?

2 MS. TELLER: Objection.

3 Mischaracterizes prior testimony.

4 THE WITNESS: But, yeah, you know, I
5 think I said it was around that time, and
6 this confirms that the date would have been
7 June 2013.

8 BY MR. AYERS:

9 Q. And so prior to June 2013 no age was
10 required at account signup, correct?

11 MS. TELLER: Objection. Scope.

12 THE WITNESS: Well, you know, I wasn't
13 here at that time, but my understanding is
14 this is accurate as it's written.

15 BY MR. AYERS:

16 Q. And Snap never asked pre-2013 users to
17 add their dates of birth, correct?

18 A. That is my understanding.

19 MS. TELLER: I think we've been going
20 for 15 since we talked about 10. Can we
21 take a break now?

22 THE WITNESS: If you want to close out
23 on this document, I'm happy to just finish
24 this one up before moving on.

25 MR. AYERS: Okay. Let's just go a

1 data for under 13 users, right?

2 A. It actually could because there's
3 parental accounts that can supervise those accounts
4 in the operating system.

5 Q. But only if that's set up. The Snap
6 system allows for users to put in whatever age they
7 want, correct?

8 A. Well, no, this is in Apple's system
9 where you can set up accounts for your teens and
10 kids and supervise them. So then we'd be able to
11 know who those supervised accounts are in Apple, and
12 right now we don't know that. So that would be
13 really helpful information for verifying ages.

14 Q. You don't know when or if that would
15 ever happen?

16 A. Not from Apple, no, but we are working
17 directly with Google on some of this. Again, it's
18 very early stages.

19 Q. Mr. Boyle, Snap allows users who enter
20 their birthdays under 13 to try again and again to
21 reenter that birthday until an account is created,
22 correct?

23 MS. TELLER: Objection. Vague.

24 THE WITNESS: Well, the challenge is
25 that because at the stage where users enter

1 their birthday we haven't collected any
2 unique personal identifiers like their
3 phone number or e-mail that they would use
4 to register, so then it's fairly difficult
5 to know how to, like, exactly block that
6 same user from returning and registering
7 again.

8 BY MR. AYERS:

9 Q. I mean, you could block them, correct?
10 If a user attempted to create an account and put in
11 an under 13 birthday, Snap could block them from
12 reentering another birthday, a different birthday
13 that's above 13, correct?

14 MS. TELLER: Objection. Vague.

15 THE WITNESS: Well, the thing that
16 would be difficult is to know is it that
17 same person coming back or is it just their
18 parents or their older sibling coming back
19 on the same device.

20 And a lot of younger users do share
21 devices with their family members, so if we
22 permanently blocked anyone from coming back
23 on that same device and reregistering, that
24 also might be blocking their parents'
25 account or that would be blocking other

1 people in their household's account, and
2 that would, I think, be a problem.

3 BY MR. AYERS:

4 Q. Well, Snap has ways to be able to tell
5 when a user -- it could require users to log out, it
6 could -- could require a lot of things, but Snap
7 allows users to immediately, immediately retry and
8 enter a different birthday to create an account,
9 correct?

10 MS. TELLER: Objection. Compound,
11 vague.

12 THE WITNESS: Right now we don't have
13 any additional, you know, sticky blocking
14 on the device from reregistering.

15 BY MR. AYERS:

16 Q. I'm handing you what's been marked as
17 Exhibit 6 to your deposition.

18 (Whereupon, Exhibit Snap-Boyle
19 30(b)(6) 6 was marked for
20 identification.)

21 BY MR. AYERS:

22 Q. Exhibit 6 is a Business Insider article
23 dated March 19, 2019, and the article is titled
24 "Snapchat admits its age verification safeguards are
25 effectively useless."

1 Q. And what specific steps, including
2 documents reviewed, individuals who you met with or
3 spoke to, and other steps that you've taken to
4 prepare for this topic?

5 MS. TELLER: I'll just object and note
6 that this topic was subject to our
7 objections which state that the witness
8 will be prepared to testify as to a general
9 description of the training, education, or
10 guidelines Snap provides to employees, if
11 any, regarding age verification.

12 You can answer the question, David.

13 THE WITNESS: So, sorry, what is the
14 question again?

15 BY MR. AYERS:

16 Q. What steps did you take to prepare for
17 this topic, Employee Training?

18 A. I spoke with Florence who manages the
19 team that does the specific enforcements.

20 Q. Anything else?

21 A. Not specifically.

22 Q. Okay. We can put that aside.

23 Sir, does Snap allow parents or other
24 users to report accounts they believe belong to
25 children under the age of 13?

1 A. Yes.

2 Q. Has Snap considered including in-app
3 reporting option for users and parents to report
4 accounts of kids under 13?

5 MS. TELLER: Objection. Vague.

6 THE WITNESS: So we currently allow
7 reporting through our web forum, and then
8 we are in the process of expanding that in
9 more of our in-application reporting flows,
10 so a fraction of external users are in that
11 experience.

12 One of the challenges with an in-app
13 reporting is that often these support cases
14 require providing more documentation, more
15 information, and so we found that they can
16 be resolved more easily through our web
17 process, but we are expanding the
18 in-application reporting option here to
19 more users over time.

20 BY MR. AYERS:

21 Q. So currently there's no in-app
22 reporting, correct?

23 MS. TELLER: Objection. Vague,
24 misstates prior testimony.

25 THE WITNESS: A proportion of users

1 have the in-app reporting option, and we're
2 evaluating expanding it to all users as
3 we're also adding more automation that I
4 was speaking about earlier like, you know,
5 using the third-party age verification
6 vendors which would help us automate more
7 of the enforcement and appeals.

8 So those two things are kind of working
9 in tandem.

10 BY MR. AYERS:

11 Q. Do you think that allowing in-app
12 reporting of underage accounts would have led to
13 significant increase in reported violations of
14 Snap's terms of service?

15 A. It's a possibility. I think that the
16 challenge is that very often these support cases use
17 the exchange of really sensitive information about
18 users that is not as easy through the application
19 itself. But we are working to expand the in-app
20 reporting for this case. You know, a percentage of
21 users have it available globally, and so we do
22 expect to expand it this year.

23 Q. So you do expect to expand in-app
24 reporting to all Snapchat users?

25 A. We expect that that will happen this

1 year. And the thing that will be happening
2 concurrently with that is as we're working with some
3 of the external age verification vendors, that will
4 help us automate more of those reports, if that
5 makes sense. Because we can then have the person
6 who gets reported -- we can take action, and then
7 they can easily, you know, appeal or refute it if
8 they, you know, can provide an ID or other means of
9 proving that they are of the right age.

10 So we are planning to expand the in-app
11 reporting option, and we're also planning to expand
12 the appeals options through other age verification
13 means.

14 Q. So what was the reason between -- for
15 Snap's decision to expand reporting to in-app?

16 A. Well, the biggest reason I think is
17 because, as I was mentioning earlier, when we will
18 have a means for people to more easily prove or
19 disprove what their age is through these vendors,
20 then it will be easier to handle a large number of
21 reports on this topic that might include less
22 information than they do on the web where people are
23 able to include more information.

24 Q. And it's fair to say other than the
25 recent addition of scans for public age declarations

1 that was implemented sometime in 2024, Snap relies
2 on users to identify -- user reports or parent
3 reports to identify under 13 users on Snap, correct?

4 A. Outside of the registration age gating
5 mechanisms, reports are a significant source of,
6 yeah, the action we take.

7 Q. Snap has received complaints about the
8 limitation of reports to its website for some time
9 now, so why the sudden change of heart and to start
10 implementing in-app reporting?

11 MS. TELLER: Objection. Argumentative,
12 vague.

13 THE WITNESS: Could you clarify what
14 you mean we've received complaints "for
15 some time now"?

16 BY MR. AYERS:

17 Q. Sure.

18 I mean, it's true, is it not, sir, that
19 Snap has received complaints about its lack of
20 in-app reporting of under 13 accounts?

21 A. You know, we receive a lot of customer
22 and parental feedback about a lot of topics. You
23 know, I'm sure that's something we have received
24 feedback on in some form, but that's not something
25 that we hear about regularly.

1 If anything, I'd say a bigger thing
2 that we hear from parents is that they want more and
3 richer reporting options on the web rather than
4 within the application itself, because from the web
5 it is easier for them to access, they don't need to,
6 you know, go through Snapchat and the mobile app and
7 figure out how everything works.

8 So I'm sure, you know, we do receive
9 feedback about that, but we receive a lot of other
10 feedback from parents about reporting in Family
11 Center, and a lot of the feedback is actually that
12 they'd like to see more web functionality.

13 Q. And you're talking about parents that
14 do not currently have Snapchat accounts that are
15 reporting their kids?

16 A. Yes.

17 Q. And what about users on Snapchat using
18 the app that identify under 13 accounts, wouldn't it
19 be easier for them to have in-app reporting?

20 A. That's a reason why we're working on
21 that, yes, but it's not something I would say we
22 hear significant feedback on that particular topic.

23 Q. Are you familiar with how to submit
24 user complaints on the web?

25 A. I am, yes.

1 Q. And you think it's easy?

2 A. I am -- I am not asserting that, but a
3 lot of parents especially actually do prefer
4 submitting on the web because that's easier for them
5 than installing the Snapchat app, figuring out, you
6 know, how to use the application.

7 So I'm not disagreeing we can make our
8 reporting flows better. We certainly can, and we're
9 continuing to improve on that.

10 Q. Isn't it true, sir, that you receive
11 significant complaints related to the inability to
12 figure out how to find the reporting on the website?

13 MS. TELLER: Objection. Vague.

14 THE WITNESS: You know, I don't
15 remember hearing significant complaints
16 about this particular topic, no. There are
17 a lot of things that we do hear significant
18 volume of complaints and feedback about,
19 and this isn't one of them.

20 BY MR. AYERS:

21 Q. Handing you what's been marked as
22 Exhibit 13 to your deposition.

23 (Whereupon, Exhibit Snap-Boyle
24 30(b)(6) 13 was marked for
25 identification.)

1 MR. AYERS: I'll state for the record
2 that the document is Bates-numbered
3 SNAP6754497.

4 She's having a little difficulty
5 finding it.

6 MS. TELLER: Do you want to go the next
7 one and come back to this one? I do see a
8 thick document halfway down through that
9 pile, so I don't know...

10 MS. FIDLER: No.

11 MS. TELLER: Okay. Sorry, Hillary.

12 MR. AYERS: Can we go off the record
13 for a moment?

14 MS. TELLER: No, no, no. Let's not go
15 off the record. You can do another
16 document --

17 MR. AYERS: Well, no --

18 MS. TELLER: -- but you can't ask the
19 witness about a document that I can't see.
20 So we're not going to go off the record for
21 this.

22 MR. AYERS: Well, you don't have a
23 choice in the thing.

24 We can go off the record. This is my
25 deposition.

1 MS. TELLER: I object to that, but I
2 don't want to put Michael in an awkward
3 position, so go ahead.

4 THE VIDEOGRAPHER: This is the end of
5 media file number 6. We're now going off
6 the record. The time is 4:44 p.m.

7 (Whereupon, a recess was taken.)

8 THE VIDEOGRAPHER: This is the
9 beginning of media file number 7. We're
10 now going on the record. The time is
11 4:46 p.m.

12 MS. TELLER: I'll just state something
13 on the record because Mr. Ayers didn't want
14 me to say it off the record, that I object
15 to having gone off the record there to find
16 a document that we could not, in fact,
17 find, and spent several minutes waiting for
18 that, which I don't know why we didn't just
19 move on at that point and find it on the
20 next break, which is not a good use of the
21 witness's time, and I object to doing that,
22 and I do not think we should be doing it
23 going forward.

24 We also took a 25-minute break most
25 recently even though we asked to come back

1 earlier.

2 MR. AYERS: We took a break at the
3 witness's request and counsel's request.
4 We were ready to truck along, but that's
5 fine.

6 BY MR. AYERS:

7 Q. Mr. Boyle, I'd like to -- I'd like for
8 you to explain for the jury how you would submit a
9 report on the website. So tell me, where would you
10 first go to submit a complaint -- I mean, excuse me,
11 a report of a user being under 13?

12 A. You go to the Snapchat support site
13 and, you know, find --

14 Q. So what's that website?

15 MS. TELLER: Were you finished with
16 your answer, David?

17 THE WITNESS: Well, you would probably
18 Google like "report a safety issue on
19 Snapchat" or "report a problem on
20 Snapchat."

21 BY MR. AYERS:

22 Q. Okay. So...

23 A. Then you click the first result in
24 Google, which is "safety reporting."

25 Q. And what do you do next?

1 A. Scroll down, click on the Snapchat
2 support site link there.

3 Q. And then what do we do next?

4 A. "I want to report an account," which is
5 preselected. Click the bottom one.

6 Q. Which bottom one?

7 A. "No, I can't report this issue in the
8 Snapchat app."

9 Q. And that -- and the reason why you
10 click that is because it's not offered in the
11 Snapchat app?

12 A. Well, yes, but also if I'm planning to
13 report on web, that's just what you would click
14 anyway.

15 Q. Okay. So then where do you go from
16 there?

17 A. Could you scroll down a little bit?

18 Q. What do you do next?

19 A. I mean, it obviously says the person is
20 under the age of 13, and that's within the fold of
21 what you're presenting here, so click that.

22 Q. And then what do you do?

23 A. You click it.

24 Q. Okay. And then what happens next?

25 A. You fill in the form.

1 Q. Okay. And then you fill this out, and
2 then what do you do?

3 A. You submit it, you submit your e-mail
4 address so the support team can correspond with you,
5 and...

6 Q. And then you submit?

7 A. Yep.

8 Q. And then what happens next?

9 A. Our privacy operations team will review
10 the report and correspond with the reporter. That's
11 why we collect the e-mail address, that's why we
12 collect more information.

13 Q. Do you need a user name to submit a
14 request?

15 A. No, you don't to submit one. You can
16 just submit with an e-mail. You need to submit a,
17 you know, report about the account, but to submit it
18 you need an e-mail.

19 Q. So you need a valid e-mail?

20 A. If you want to be able to correspond
21 with the support team about this issue, you do need
22 a valid e-mail because they'll provide follow-ups
23 over e-mail.

24 Q. And then once --

25 MR. AYERS: We can take this down.

1 Q. And then once a user report is
2 submitted, those support tickets are then logged in
3 Zendesk, is that correct?

4 A. Yes, they go to Florence's team.

5 Q. Did Snap stop investigating under 13
6 reports at some point in time?

7 MS. TELLER: Objection. Vague.

8 THE WITNESS: No, not to my knowledge.

9 (Whereupon, Exhibit Snap-Boyle
10 30(b)(6) 14 was marked for
11 identification.)

12 BY MR. AYERS:

13 Q. I'm handing you what's been marked as
14 Exhibit 14 to your deposition. I'll note for the
15 record that the document is Bates-numbered
16 SNAP6068569, and it's titled T&S/LEO Shared
17 Workflow.

18 Do you see that there?

19 A. Yes.

20 Q. Are you familiar with this document?

21 A. I'm not familiar with this specific
22 document, no.

23 Q. You've not seen it before?

24 A. No.

25 Q. It discusses the trust and safety and

1 what's kind of a just note in a meeting
2 where a number of other things were
3 discussed.

4 BY MR. AYERS:

5 Q. And where would you find that
6 information out? Where would you go get that
7 number?

8 A. I think we'd work with Florence's team
9 to look at the data I was talking about earlier,
10 which, you know, again as I mentioned, we don't have
11 long-term retention for it, but we could get, you
12 know, data for some limited period of time.

13 MR. AYERS: Okay. Go off the record.

14 I need to take a break.

15 THE WITNESS: Okay.

16 THE VIDEOGRAPHER: This is the end of
17 media file number 7. We're now going off
18 the record. The time is 5:13 p.m.

19 (Whereupon, a recess was taken.)

20 THE VIDEOGRAPHER: This is the
21 beginning of media file number 8. We're
22 now going on the record. The time is
23 5:31 p.m.

24 BY MR. AYERS:

25 Q. Mr. Boyle, how many age inference

1 models does Snap use?

2 A. So for our -- when we say "age
3 inference" at Snapchat, the primary way that we use
4 that is to refer to a singular model that outputs
5 inferred ages for users, which is then bucketized
6 between, you know, buckets of 13 to 17, 18 to 20, 21
7 to 24, 25 to 34, and 35 plus.

8 That model, I think the document that
9 we shared from [REDACTED], has gone through some
10 iterations over time, but that's a singular model.

11 And then to make a distinction between
12 that and -- we have the separate proactive
13 identification of potential under 13 users, which I
14 wouldn't really characterize that as an age
15 inference model, but it's more a text-based model to
16 understand accounts that are then subsequently
17 reviewed by the team for potentially being under the
18 age of 13. So I wouldn't characterize the second
19 one as an age inference model.

20 But hopefully that helps answer your
21 question.

22 Q. Yeah, when you were talking about that
23 second one, is that the screening that's done to --
24 for public accounts or declarations related to age
25 that you're speaking of?

1 A. Yes. And I wouldn't quite call that an
2 age inference model. It's more like proactive
3 detection that then queues up those accounts for
4 further review by the team.

5 Q. Because as you've testified earlier,
6 there is not an age inference model used by Snap to
7 detect under 13 users, correct?

8 A. The kind of primary age inference model
9 does not make under 13 predictions, so then it's
10 this public profile model that is specific for that
11 purpose.

12 Q. Who owns the age inference model?

13 A. So currently the age inference model is
14 owned by Jeb Boniakowsky's engineering team which is
15 the trust and safety engineering team within
16 Snapchat.

17 Q. And that what was a recent change,
18 correct?

19 A. That was in 2024, yes.

20 Q. Who had the ownership of the age
21 inference model prior to that?

22 A. Before that it was our monetization
23 engineering organization.

24 Q. And is it fair to say that the primary
25 purpose of the development of that age inference

1 model was for ad targeting?

2 A. So I think if we were to go back in
3 time, you know, many, many years ago when it was
4 originally developed before, you know, my time at
5 Snap, but in its very initial purpose it was to
6 ensure that we were able to comply with very
7 specific regulations around serving ads for
8 regulated goods and to meet advertiser expectations
9 around those products.

10 So, for example, if -- you know, we
11 didn't really want -- to make sure that you wouldn't
12 see an alcoholic beverage or, you know, online
13 sports betting ad if you're a user where you're not
14 eligible to use those products.

15 So that was the initial use of the
16 model, is for ad targeting and relevance and
17 regulation, and then over time we've used it in more
18 and more safety and other scenarios.

19 Q. I'm handing you what's been marked as
20 Exhibit 15 to your deposition.

21 (Whereupon, Exhibit Snap-Boyle
22 30(b)(6) 15 was marked for
23 identification.)

24 BY MR. AYERS:

25 Q. I'll represent for the record that it's

(Whereupon, Exhibit Snap-Boyle
30(b)(6) 16 was marked for
identification.)

BY MR. AYERS:

Q. I'll represent for the record it's
Snap -- Bates number SNAP4648461. It is titled "Age
Inference."

Are you familiar with this document?

A. Yes.

Q. Did you review this in your prep?

A. Yes.

Q. Okay. And if you look at the Meta
slipsheet, it is titled "[February 2019] Inferred
Age."

Do you see that there?

A. Yes, that's right.

Q. Is it fair to say that Snap states that
it uses age inference to enhance business insights
and comply with regulations such as preventing
alcohol ads from reaching users under 21? Correct?

A. I think the uses include but are not
fully limited to those, but this was just a brief
preamble to a document.

Q. The document acknowledges that based on
Snap's signup flow the company was highly confident

1 that many stated ages were incorrect, correct?

2 A. Well, the words in the document say,
3 "based on our existing new user sign-up flow, we've
4 observed scenarios where we're highly confident the
5 inputted age is incorrect."

6 Q. And one piece of evidence that was a
7 significant -- one piece of evidence was that a
8 significant percentage of users listed the same
9 day/month as their birthday, correct, like 12/12?

10 MS. TELLER: Objection to the
11 characterization of the document.

12 THE WITNESS: Yes.

13 BY MR. AYERS:

14 Q. And another indicator was that Snap
15 observed a default year setting causing -- a default
16 year setting, causing shifts in age distribution,
17 such as a transition from 1993 to 2000.

18 Is that a fair reading?

19 MS. TELLER: Objection. Vague.

20 THE WITNESS: I think the general
21 observation being made here is that if you
22 provide any form of default, that default
23 will have a disproportionate number of
24 selections. Even if we had a neutral age
25 selection, we'd see a disproportionate

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 3rd day of March, 2025.

19
20 _____
21 MAUREEN O'CONNOR POLLARD

22 CSR No. 14449
23
24
25