

AMENDED Exhibit 880

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

US States AADC Overview

Privileged and Confidential

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Last Updated: Sep 26, 2023

Background

EU AADC. In Sep 2021, Google launched the concept of “Minor Mode” in the UK+EEA+CH to meet requirements of UK’s [HYPERLINK [REDACTED]] and the Irish DPC’s [HYPERLINK "https://www.dataprotection.ie/sites/default/files/uploads/2021-12/Fundamentals%20for%20a%20Child-Oriented%20Approach%20to%20Data%20Processing_FINAL_EN.pdf" \h]. For history of those implementations, see [HYPERLINK [REDACTED]" \h]. *For brevity, in this doc, we will refer to these implementations as “EU AADC”.*

Now in the US. As of Sep 2023, we believe we will need to apply AADC-style implementations in three US states - [HYPERLINK "https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2273" \h]* (July 2024), [HYPERLINK "https://laws.flrules.org/2023/201" \h] (July 2024), and [HYPERLINK "https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00056-R00SB-00003-PA.PDF" \h] (Oct 2024). Additionally, several states have passed other types of minor-focused legislation. While this doc is specific to AADC-like requirements in the US, it folds into a still-in-development broader strategy to manage Minor legislation in the US overall.

REDACTED - PRIV

Goal of this document

This doc is to provide centralized product guidance for teams to be able to build their plans to meet US AADC requirements, and to detail the centralized solutions that Google products can leverage.

Non-Goals

- Does not cover non-AADC types of minor-focused state legislation (such as Utah SB 152 / HB 311, Louisiana HB61, etc).
- Does not list the detailed implementation plans of each individual product / PA

High-level requirements of US state AADC laws

AADC-style laws apply to products “likely to be accessed” by U18s. They require these products to be designed in the [HYPERLINK ██████████]’s”, and have specific requirements for minors’ privacy.

In broad strokes, these laws ask for:

- **Age assurance.** We need to take measures to ensure that we are appropriately treating underage users even if they declare their age to be over 18.
- **High-privacy default settings.** Settings must be 'high privacy' by default unless there is a compelling reason in the best interest of the child for the setting to be otherwise.
- **No "nudge techniques" or "dark patterns".** We can't use "nudges" to encourage children to provide unnecessary personal data or turn off privacy protection. For example, buttons for a user to "Accept" or "Decline" a data collection setting should not encourage the user to "Accept" by making the button more visible, or saying "(recommended)".
- **Notice and transparency.** We need to make it easy for minors to understand how their information is used in our systems with clear, age appropriate language.
- **Location.** Use of precise location should be off by default unless it is in the best interest of the child to do otherwise

Commented [1]: IIUC only CA requires age inference, then what does this means for other states like FL?

Detailed legal analysis for CA AADC is [HYPERLINK ██████████ \h].

Regions where AADC implementations will be applied

Consider global first. Philosophically, any features or implementations in Google products that are protective of minors, and built with the [\[HYPERLINK](#)

[REDACTED] "h] in mind, should be applied to minors globally. In 2021 - 2022, based on what we believed was best for minors, several products applied some EU AADC implementations [HYPERLINK "https://docs.google.com/[REDACTED] "h]. Teams making changes for US state AADC should first consider if they can and should apply these changes globally, both for the benefit of minor users, and to reduce complexity.

Even if not global, think beyond three states. At a minimum, we expect US AADC implementations will be applied in California, Florida, and Connecticut. However, the ever-changing landscape of U18 legislation may lead to a decision **to push most US AADC implementations to all of the US, and potentially globally,** [REDACTED]

To that end, it is critical that whatever implementations teams build for US AADC, they are comfortable that this solution **may** get applied to all of the US, and potentially globally in the future.

Product Considerations for US AADC

Since the general frame of AADC compliance was established for EU AADC, the effort for the US versions involves mostly porting over [HYPERLINK "[REDACTED] "h]. The primary questions teams need to answer for the US implementations of AADC are:

1. **New products / features.** Are there new products/features that were not considered in Sept 2021, either because they were not available at the time, or because they are not available in the EU? For these products, teams need a plan for the US AADC, aligning with their existing AADC implementations.
2. **Potentially revisit past decisions.** Some implementations for EU AADC were done in a short timeframe. Teams may want to evaluate the effectiveness of the implementations for EU and make different choices for US AADC. As mentioned above, it is very possible that the US implementations will be applied to all of the US, and potentially globally in the future. Teams' US AADC solutions should be built with that in mind.

Central solutions

Several infrastructure solutions are being developed and managed centrally, both to

Capabilities

The [HYPERLINK "[REDACTED] "h] team will

Commented [2]: The capabilities team is hosting the infrastructure, but the [REDACTED] Unfortunately there is no nice link target yet after the recent re-org. Maybe we can use [REDACTED] or something pointing to the (deprecated) identity-verification team like [REDACTED] or [REDACTED]

[REDACTED]
[REDACTED] (similar to [HYPERLINK
[REDACTED]
[REDACTED] " \h). This Capability will be separate from
[REDACTED] and will be applied to at least CA, FL, and CT, with the goal
to apply AADC Minor treatment to US states in the future.

[REDACTED]: [HYPERLINK
"https://docs.google.com/[REDACTED]
[REDACTED] \h]

Age Assurance (Age Inference + Age Verification)

Google's [HYPERLINK
"https://docs.google.com/[REDACTED]
[REDACTED] \h] program is a collaboration between
Core, Unicorn, and Ads Demographics teams to build and maintain [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Due to sensitivities around inferring age and requiring verification, the inference model is only
applied in regions where [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [HYPERLINK
"https://docs.google.com/[REDACTED]
[REDACTED] \h] and [HYPERLINK
"https://docs.google.com/[REDACTED]
[REDACTED] \h]

State inference

The [HYPERLINK [REDACTED] \h] team is building a signal to indicate what state
a user resides in. [REDACTED]
[REDACTED]
[REDACTED]
More info: [HYPERLINK
[REDACTED]
[REDACTED]

Minor Moment

When a user is newly designated a Minor, [REDACTED], they get notified that there have been some changes to their account (see [HYPERLINK "https://docs.google.com/[REDACTED] \h] for details).

We are currently determining what, if any, changes will be needed for these notifications for US AADC. [HYPERLINK "mailto:[REDACTED] \h] on point.

Account Creation settings

AADC-like states are likely to require that we present U18 users with explicit choices regarding their privacy settings within the account creation flow. [REDACTED]

One way of achieving this would be to [REDACTED]. Another potential solution will be to [REDACTED].

The team is actively discussing the best approach with a July 2024 deadline in mind. [HYPERLINK "mailto:[REDACTED] \h] on point.

US AADC program structure

The US AADC program consists of the [REDACTED] for US AADC regulations. The [REDACTED] information about the regulation requirements, status and approach for central solutions for the compliance effort, updates from leadership and executive forums, and guidance on any necessary reviews for AADC compliance.

US AADC Core Team

PERLINK [REDACTED] \h]	Program Management, Kids & Families Compliance
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mailto:[REDACTED]" \h]	
PERLINK mailto:[REDACTED]" \h]	Product Management, Kids & Families Compliance
PERLINK mailto:[REDACTED]" \h]	Engineering Lead, Kids & Families Compliance
PERLINK mailto:[REDACTED]" \h] PERLINK mailto:[REDACTED]" \h]	Legal, Kids & Families Compliance

Aliases

List name	Purpose
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Meetings

Meeting	Purpose	Cadence	Invitees	Owner
[REDACTED]	Deep dive into [REDACTED] plans, and address any questions	Adhoc (Targeting biweekly)	[REDACTED]	[HYPERLINK "mailto:[REDACTED]" \h] for PA PgMs
[REDACTED]	Geared towards [REDACTED] and [REDACTED] understand overall program approach, requirements, status, and cross-PA implications	Monthly (3rd Thursday)	[REDACTED] ([HYPERLINK [REDACTED] \h])	[HYPERLINK "mailto:[REDACTED]" \h]
[REDACTED]	Geared towards [REDACTED] to understand technical implications of Emmett State updates, including [REDACTED]	Monthly (2nd Wednesday)	[REDACTED] ([HYPERLINK [REDACTED] \h])	[HYPERLINK "mailto:[REDACTED]" \h]

Timeline

Below represents high-level timeline estimates assuming a target rollout of July 1 2024. Exact dates per PA/product may vary.

Product teams solidify their US AADC approach with [REDACTED]	End of October 2023
[REDACTED]	Q4 2023 (date TBD)
[REDACTED]	Early March 2024
[REDACTED]	March - April 2024
[REDACTED]	May - June 2024

Resources

Program

[HYPERLINK

"https://docs.google.com/[REDACTED] \h]

[HYPERLINK

"https://docs.google.com/[REDACTED] \h]

Central Solutions

[HYPERLINK

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