

AMENDED Exhibit 883

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 B. Lue

1

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF LOS ANGELES
9 SPRING STREET COURTHOUSE

10 COORDINATION PROCEEDING)
11 SPECIAL TITLE [RULE 3.400]) Lead Case No.
12) 22STCV21355
13 SOCIAL MEDIA CASES)
14 _____)

15
16
17
18 Wednesday, March 26, 2025

19 CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER
20
21
22

23 Video-Recorded Oral Deposition of
24 DAVID B. LUE held at the offices of Kirkland
25 & Ellis LLP, 2049 Century Park East,
Los Angeles, California, commencing at
9:16 a.m. PST on the above date, before
Michael E. Miller, Fellow of the Academy of
Professional Reporters, Certified Court
Reporter, Registered Diplomate Reporter,
Certified Realtime Reporter and California
CSR #13649.

26
27 GOLKOW - VERITEXT
28 877.370.DEPS | fax 917.591.5672
29 deps@golkow.com

1 the target audience?

2 A. It was more around they would
3 start an ad and they would wait for eight
4 hours before seeing any feedback that their
5 ad was doing anything in the system. And it
6 was just not a good advertiser experience.

7 And so working across different
8 teams to try and improve that initial
9 experience, to know that their dollars are
10 being spent.

11 Q. Okay. And then you started
12 working at Snap in May of 2016; is that fair?

13 A. Correct.

14 Q. And you were product manager
15 for ranking, serving and marketplace?

16 A. Correct.

17 Q. And then you were the senior
18 product manager, which -- overseeing all of
19 Snap ad serving, ranking and marketplace; is
20 that right?

21 A. Correct.

22 Q. And then in January of 2018,
23 you became the head of product ranking and
24 marketplace, where you led multiple product
25 teams within the monetization product

1 organization, right?

2 A. That is correct.

3 Q. And that oversaw ad ranking,
4 marketplace, targeting and machine -- and the
5 machine learning platform?

6 A. Correct.

7 Q. Ad targeting, does that refer
8 to the inference model for age and user
9 interest?

10 A. Targeting, in its most basic
11 definition, is more around a lot, like,
12 advertisers have a specific set of people
13 they want to target. You know, Nike may want
14 to target people who are interested in
15 running or who had purchased last season's
16 shoe. TurboTax may want people who are
17 looking to file taxes.

18 So targeting is more around
19 trying to match who the advertiser is trying
20 to reach with the right user on the platform.

21 Q. Okay. And so similar to your
22 role at Facebook, you were -- your job
23 responsibilities focused around optimization
24 of the advertisers' experience?

25 A. It was something that was --

1 yes, the advertiser experience is around, you
2 know, it's an investment, they want to make
3 sure that they're seeing positive return on
4 their investment on the platform.

5 But in order to facilitate
6 that, right, you -- the whole goal is to make
7 sure that we're serving the right ad to the
8 right user at the right time.

9 Q. And then it shows that from
10 May 2018 to February 2021, you oversaw the
11 content ranking and revamp of the
12 recommendation engine?

13 A. Correct.

14 Q. And what did that entail?

15 A. Snap has a variety of different
16 content experiences, things like friend
17 Stories, Stories from your friends, and
18 again, there's -- oftentimes there's lots of
19 Stories from your friends, and so deciding
20 which ones to serve earlier, sooner, would
21 just help drive a better experience for the
22 end Snapchatter.

23 So those are really around,
24 again, similar principle, making sure we're
25 serving the right piece of content to the

1 right user at the right time.

2 Q. And this is -- this relates to
3 Spotlight product?

4 A. There's multiple business lines
5 within the content; Spotlight was one of
6 them.

7 Q. What are other ones?

8 A. Friend Stories. I believe
9 there's subscriptions and For You.

10 Q. And you held this
11 responsibility with all of those areas?

12 A. I was responsible for the
13 content ranking portion, so again, this is
14 more around the decisioning engine of --
15 given we receive content, which of these
16 should we rank and show first. It was
17 obviously highly cross-functional with many
18 other teams.

19 Q. What about friends'
20 recommendation? Did the recommendation
21 engine touch friend recommendations?

22 A. Can you elaborate on, like,
23 what you mean by friend recommendations?

24 Q. Well, what does that, friend
25 recommendations, mean to you at Snap in

1 connection with, you know, the Snapchat app?

2 A. I'm not sure. There's a couple
3 of different areas, so I'm trying to get
4 clarity around, like my exposure is more
5 around the friends' Stories, which is content
6 that your friends would post to their Story
7 for their friends to view, and then our
8 machine learning model would try to figure
9 out which story to rank first.

10 Q. Okay. Snapchat at various
11 times recommends other users and friends to
12 users, correct?

13 MS. DEGTYAREVA: Objection,
14 vague and ambiguous.

15 A. I believe there's a friend
16 section. I do not work on that.

17 BY MR. AYERS:

18 Q. Okay. Your résumé also
19 indicates that you had a team of 12 product
20 managers reporting to you. Was that right?

21 A. It's a combination of product
22 managers and product marketing managers.

23 Q. And what's the difference
24 between those two?

25 A. The product managers more focus

1 on the building of a product or feature.

2 They partner -- their closer counterpart is
3 the engineering team.

4 Product marketing is more the
5 go-to-market dimension, so their counterparts
6 were more the sales organization and making
7 sure that what we -- you know, we were
8 receiving proper inbound and knowing what our
9 customers were looking for to make sure that
10 we're building the right thing, as well as
11 also making sure that what we're building was
12 properly being brought to market.

13 Q. And you've led and been closely
14 involved in several initiatives at Snap that
15 relied heavily on telemetry data, right?

16 A. Could you elaborate on what you
17 mean by telemetry data?

18 Q. Does that term, "telemetry
19 data," mean anything to you?

20 A. Does it -- it could be a
21 variety of things.

22 Q. Okay. Does it mean information
23 that Snapchat automatically collects in the
24 background, things like when someone opens an
25 app, views a story, taps on a place, uses a

1 lens, scrolls Spotlight or sends a message?

2 MS. DEGTYAREVA: Objection,
3 speculation, assumes facts, compound.

4 A. Sorry, you asked many different
5 things in there. Could you repeat maybe the
6 first part of the question?

7 BY MR. AYERS:

8 Q. Sure.

9 I mean, when we're talking
10 about telemetry data, is that what we're --
11 is that the type of information we're talking
12 about, the stuff that Snapchat would
13 automatically collect in the background?

14 MS. DEGTYAREVA: Same
15 objections.

16 A. You mentioned a couple of
17 things, for instance -- you said tap the
18 lens. I think focus on like the friends, for
19 example. So we -- these are actions a user
20 is directly taking, so if they decided to
21 watch their Friend A's story, and they reply
22 to it, that's explicit user interactions that
23 reflect that they enjoyed that person's
24 friend story, and we would use that as a --
25 signals back into our system.

1 BY MR. AYERS:

2 Q. Okay. So what is your -- I'm
3 just trying to get your understanding of
4 telemetry data. So what would be your
5 definition of that or understanding of what
6 would be comprised?

7 MS. DEGTYAREVA: Objection,
8 vague and ambiguous, asked and
9 answered.

10 A. Again, telemetry is such a
11 broad topic, again, that comes back just --
12 going back to my example, a lot of it was
13 focused on explicit user interactions that
14 were taken that would be helpful to ascertain
15 was what we decided to show the right thing
16 or not.

17 BY MR. AYERS:

18 Q. Okay. And some of these things
19 would be items that users -- actions users
20 would take, like such as when someone opens
21 up an app or views a story or taps on a place
22 in a map, correct?

23 A. Correct. Those are examples of
24 explicit user interactions.

25 Q. Okay. And those explicit user

1 interactions can be described as telemetry
2 data, right?

3 A. I believe they're types of
4 signals. Again, when telemetry, from my --
5 is a very broad term again. So again, that
6 could mean many different things to me. But
7 again, I focus largely on like the explicit
8 user interactions.

9 Q. Okay. And you've used
10 SLQ-based dashboards, correct?

11 A. SL --

12 Q. I'm sorry, SQL.

13 A. SQL, so sequel. As most
14 product managers, we rely on dashboards to
15 understand -- to understand how, like, our
16 product is behaving and understand, like, the
17 product metrics.

18 Q. And you've used statistical
19 modeling, correct?

20 A. Could you be more specific?
21 Statistical modeling can be applied in all
22 sorts of different venues and facets.

23 Q. And have you applied it in
24 connection with your role at Snap?

25 A. As a product manager working on

1 machine learning, statistics are used in the
2 underlying machine learning models.

3 Q. Is it fair to say that the
4 telemetry data helped Snap understand how
5 users engage with the Snapchat app, for
6 instance, how they click on things, how long
7 they stay on a feature and whether certain
8 features are working as intended?

9 MS. DEGTYAREVA: Objection,
10 vague and ambiguous, misstates the
11 testimony, and compound.

12 A. So I think a couple things.
13 Again, telemetry can mean a variety of
14 things, but what I will say is that from --
15 if I think about a -- a machine learning
16 model system, say we're trying to show you
17 the right ad. If the person sees the ad and
18 decides to click on it and decides to, say,
19 buy the pair of Nike shoes, as a human, that
20 is a good outcome. That presumably means
21 they derived value and that is what would --
22 the positive signals that we would feed that
23 would help inform our next decision round.

24 BY MR. AYERS:

25 Q. So it's common for you to

1 analyze this type of data using SQL?

2 A. I was more on the product side,
3 so again, I would lean heavily on our machine
4 learning engineers and data scientists for
5 the actual exact underlying mechanics of how
6 some of the analysis and dashboards were
7 produced.

8 Q. But you would review those
9 outputs by the engineers and data scientists
10 using SQL?

11 A. Again, I don't know the exact
12 underlying methodology whether they were
13 using SQL or something else, but when we're
14 in weekly meetings, yeah, we would review as
15 a team to understand how the product was
16 performing.

17 Q. And you would review those as a
18 team in connection with those product and --
19 managers?

20 A. Yeah, I would say it's
21 generally practice for most product managers
22 to be running meetings with their respective
23 teams and the different product areas and
24 review them as a group.

25 Q. You left Snap just last month,

1 content, and we would decide which of these
2 we thought would pique the users' interest
3 the most.

4 Q. Are you aware of -- that Snap
5 has an auto-rejection model in which content
6 that a user tries to upload to Spotlight is
7 submitted through?

8 A. I am not familiar with that
9 process.

10 MR. AYERS: All right. Let's
11 take a look at folder F.

12 (Whereupon, Snap-Lue-5, Content
13 Moderation: Spotlight Age-Gating,
14 SNAP5350932 - SNAP5350960, was marked
15 for identification.)

16 BY MR. AYERS:

17 Q. I'm handing you what's been
18 marked as Exhibit 5 to your deposition. For
19 the record, Exhibit 5 is Bates-numbered
20 SNAP5350932, and it is titled Content
21 Moderation: Spotlight Age-Gating.

22 Are you familiar with this
23 document, sir?

24 A. I am not.

25 Q. And this is dated

1 September 29th, 2020.

2 Do you see that there at the
3 top?

4 A. I do.

5 Q. Would you -- would this fall
6 within your time period where you had
7 responsibility for Spotlight?

8 A. Yes, Spotlight ranking.

9 Q. And if you look to the
10 custodian of the document on the last page,
11 you'll see that right there in the middle,
12 David Lue is a custodian of this document,
13 right?

14 A. Yes, I see my name there.

15 Q. Okay. Do you have any reason
16 to doubt that this document was found within
17 your custodial file at Snap?

18 A. I do not have any reason to
19 doubt, correct.

20 Q. This is a Quip, correct?

21 A. Give me a few minutes to look
22 through this.

23 (Document review.)

24 A. It's a printout, but you're
25 saying it's a Quip, like Q-U-I-P, is that

1 what you meant?

2 BY MR. AYERS:

3 Q. Yeah. Right there at the top
4 it says: This Quip is used for discussion
5 and brainstorming?

6 A. Yes. Yes.

7 Q. And then it shows a link to
8 the -- to the MVP Quip, Age in Spotlight
9 Ranking?

10 A. I see that.

11 Q. And that would be the area in
12 which you had responsibility, right?

13 A. Yes, I worked on Spotlight
14 ranking.

15 Q. Okay. And if you look right in
16 the middle of the page under Overview, it
17 states: We want to build age-gating in
18 Spotlight so that we are serving content
19 categories to the appropriate age groups, and
20 to set a foundation if we ever want to add in
21 user-controlled content-gating.

22 Right?

23 A. I see that sentence.

24 Q. Okay. And so is it fair to say
25 that age-gating was part of the Spotlight

1 ranking, correct?

2 A. Not -- not entirely. Again, I
3 have never seen this. A lot of these, my
4 primary responsibilities were, again, largely
5 trying to predict and understand which
6 Spotlight content a person might be most
7 interested in.

8 I'm not sure -- I've not seen
9 this document on age-gating, and so again, I
10 did not -- I've not seen it, and our focus
11 was more around ranking the content that we
12 thought we had received to show the right
13 piece of content to the user.

14 Q. And you did not use the age
15 inference model in connection with Spotlight
16 ranking?

17 A. I don't remember. Again, we
18 had age. I don't know exactly which age
19 field was being used. But again, I don't
20 remember the specifics of the actual ranking
21 models themselves. Again, we were largely
22 focused on making sure that we were just
23 trying to serve the right piece of content.

24 Q. But what does that mean, you
25 were focused on serving the right piece of

1 content?

2 I mean, were you trying to
3 serve the right piece of content to the
4 appropriate age groups?

5 A. So if I zoom out, the -- in
6 Spotlight, more focused on things like did
7 the person actually favorite the piece of
8 content. So you can -- there's a hard button
9 on -- at least back in 2020, there was ways
10 for users to reflect that they enjoyed the
11 piece of content and could interact with it.
12 They could watch it to completion. They
13 could share it with friends.

14 So these were the primary
15 signals that we would use to help fuel the
16 next round of content decisioning.

17 Q. And so if you look in the
18 middle of the page, continuing that same
19 paragraph, the document goes on to state:
20 We'll be approaching this at a content level,
21 indicating some content as not appropriate
22 for some age groups, and on a creator level,
23 showing similarly aged creators to similarly
24 aged cohorts.

25 Do you see that?

1 A. I see that passage.

2 Q. And so was this important to
3 you in your role in monetization as well as
4 overseeing the Spotlight ranking about making
5 sure that certain content is -- identifying
6 certain content which is not appropriate for
7 some age groups?

8 A. So on -- just on the
9 monetization front, again, advertisers will
10 define certain types of users that they want,
11 Gillette probably wants to target people who
12 are in the market for razors, so they will
13 provide age targeting.

14 On the Spotlight ranking
15 dimension, again, I've not seen this, but we
16 were downstream from these teams, from the
17 content moderation team, the various policy
18 teams, and we were -- our primary focus was
19 to take engagement and try to serve the right
20 piece of content.

21 We were not -- again, these
22 types of -- again, what I can read here,
23 trying to define rules or -- we were not part
24 of those conversations. I was not part of
25 those conversations.

1 Q. So it wouldn't be important to
2 you -- let me strike that.

3 It wouldn't be relevant to you
4 in your role of overseeing Spotlight ranking
5 of whether there were -- there was content
6 that was not appropriate for certain age
7 groups?

8 A. The way I'd phrase it, we were
9 there to -- we were not there the ones
10 defining what was appropriate -- again, we
11 were not part of those conversations, did not
12 work on these teams.

13 However, as, like, the serving
14 engine, if there were rules or guardrails
15 that these teams decided that they wanted in
16 place, we would work with them to enable
17 them.

18 Q. And do you know if there's any
19 rules that were in place for age-gating
20 content during Spotlight ranking?

21 A. I don't remember.

22 Q. So you don't know one way or
23 another sitting here today; is that fair?

24 A. Again, it's been several years.
25 I don't -- I can see what's in front of me.

1 Again, I know that if the teams upstream
2 decided that they wanted to enforce certain
3 rules, then we would work with them to enact
4 those, because we're the ones ultimately
5 deciding -- the machines that would actually
6 decide to serve.

7 But again, we were not part of
8 these conversations around deciding the rules
9 themselves.

10 Q. Is it fair to say, sir, that
11 Snap was concerned about its perception with
12 parenting groups, regulators and safety
13 partners?

14 MS. DEGTYAREVA: Objection,
15 speculation, vague and ambiguous.

16 A. Again, I was not part of this
17 conversation. I can't speak to that.

18 BY MR. AYERS:

19 Q. You don't know one way or
20 another if Snap was concerned with its
21 perception?

22 MS. DEGTYAREVA: Objection,
23 speculation, vague and ambiguous.

24 BY MR. AYERS:

25 Q. Is that your testimony?

1 A. Again, our team's -- our goal
2 was to try and deliver a good Spotlight
3 experience to our community members, and
4 that's what we focused on. I was not part of
5 those conversations. I can't speak to that.

6 Q. How long were you at Snap?

7 A. Close to nine years.

8 Q. So nine years, you have no idea
9 whether Snap was focused on its perception
10 with respect to parenting groups, regulators
11 or safety partners?

12 MS. DEGTYAREVA: Objection,
13 speculation, vague and ambiguous,
14 asked and answered.

15 A. I was not. Again, as the point
16 person, our goals, we were always making sure
17 that we were delivering value to our
18 community members.

19 BY MR. AYERS:

20 Q. To your advertisers?

21 A. I'd say in the case of
22 monetization, can be like value both to
23 advertisers and the Snapchatters. Again,
24 hopefully we can serve an ad to your favorite
25 retailer. During my time on Spotlight and

1 content, I was, again, trying to serve you
2 the piece of content that we think you'd find
3 engaging.

4 Q. But you don't know one way or
5 another if Snap was delivering content to --
6 was delivering inappropriate content to
7 certain age groups, right?

8 MS. DEGTYAREVA: Objection,
9 vague and ambiguous, speculation.

10 BY MR. AYERS:

11 Q. It wasn't part of your job
12 function?

13 A. Again, like within Spotlight,
14 our focus was to make sure that we were --
15 given the piece of content that were passed
16 on to us from upstream teams, we were trying
17 to make sure we were serving -- showing --
18 serving the right piece of content.

19 Q. But you don't know one way or
20 another how that content was age-gated to the
21 appropriate age groups, right?

22 A. I don't remember, and again,
23 our teams were not in these discussions of --
24 I've never seen this. We were there -- if we
25 were told certain rules need to be put in

1 place, we would go in to enforce them.

2 Q. And it goes on to state here,
3 sir, right, that: By building age controls
4 and making an external push with parental
5 groups -- parents' groups, regulators and
6 safety partners, we can shift the external
7 perception of Snapchat.

8 Right? That's what it says?

9 A. I can see that sentence.

10 Q. And if you then move to page 4,
11 which is at Bates ending in 35.

12 Are you there?

13 A. Yeah.

14 Q. You'll see right there, there's
15 a section called Creator Age?

16 A. Yeah, I see that.

17 Q. And then it says, under Creator
18 Age: Based on a person's inferred age, we
19 should limit the exposure of a young person's
20 Snap to an older audience.

21 Do you see that there?

22 A. Yep, I see that sentence.

23 Q. And then there's a chart with a
24 column A for inferred age, which shows the
25 handling of inferred age for different age

1 groups, right?

2 A. I see that table.

3 Q. And the table includes six
4 different age groups, right?

5 A. You're referring to the columns
6 A through F?

7 Q. No, I'm talking -- the row --

8 A. The rows.

9 Q. It starts at -- underneath
10 Inferred Age --

11 A. Okay.

12 Q. -- it goes 2 through 7?

13 A. Yeah, I see that.

14 Q. You see that there?

15 A. Yep.

16 Q. So you agree with me that
17 there's six different age groups there,
18 right, related to the handling of inferred
19 age?

20 A. The -- I see six rows.

21 Q. The six rows have different age
22 groups, right?

23 A. Yeah, the column A has six
24 different rows of different age groups.

25 Q. And those age groups are often

1 called cohorts, right?

2 A. Yep. And it's one way to
3 cohort users, correct.

4 Q. And those -- if you just go
5 down with respect to that column, the
6 different age groups are less than 13, right?
7 Those are under-13?

8 A. Again, I've never seen this
9 table, but --

10 Q. That's what it says, right?

11 A. Yeah, it says under-13.

12 Q. Right. And then the next
13 cohort is ages 13 through 17, right?

14 A. Yep, I see that.

15 Q. Then the next cohort is 18 to
16 20?

17 A. Yep.

18 Q. And then the next cohort is 21
19 to 24?

20 A. Yep.

21 Q. And the next cohort is 25 to
22 34, correct?

23 A. Yep, I see that.

24 Q. And then there's above age 35,
25 right?

1 A. Correct.

2 Q. And those comprise the six
3 cohorts related to inferred age, right?

4 A. So again, that's what's stated
5 on this table.

6 Q. And then across the top row, it
7 is shown with various age buckets, right?

8 A. Correct, yep.

9 Q. And that goes: Shown to 13-17,
10 shown to 18-20, shown to 21-24, shown to
11 25-34 and shown to 35 plus, right?

12 A. Yep, I see those columns.

13 Q. And then under the Inferred
14 Age, it says for the under-13 cohort, no
15 filtered. Right?

16 A. It says: No, dash, filtered,
17 right.

18 Q. That means those users are
19 filtered out; is that fair?

20 MS. DEGTYAREVA: Objection,
21 speculation.

22 A. I have not seen this. I didn't
23 write this. I don't know what they're
24 getting at from...

25 ///

1 BY MR. AYERS:

2 Q. So you don't know what it means
3 to be filtered?

4 A. Filter like -- it could mean
5 many things in different contexts. In this
6 context. I'm not exactly sure what
7 they're --

8 Q. What does filtered mean to you,
9 sir?

10 A. I think one would be enabled to
11 be filtered. You prune them out.

12 Q. You what?

13 A. You prune them out. You
14 remove.

15 Q. You remove them? Remove them
16 from what?

17 A. Again, totally context
18 dependent.

19 Q. Okay. Well, you're -- again,
20 you oversaw machine learning platform at --
21 at Snap, right? That is what you represented
22 on your résumé, that you were the head of
23 product, ranking and marketplace and that you
24 oversaw machine learning platform at Snap,
25 right?

1 A. Again, I -- there might be some
2 résumé -- more of my time was spent on
3 monetization. I had a brief stint in content
4 rank and had some exposure on the actual ML
5 platform side.

6 Q. So you did not actually oversee
7 the machine learning platform at Snap; is
8 that right? And you didn't work on it?

9 A. Machine platform in this
10 scenario actually refers to just underlying,
11 like, tools built for other internal teams.

12 Q. Like Bento?

13 A. Like Bento.

14 Q. You oversaw Bento and worked in
15 it?

16 A. I did not oversee it. I was a
17 product manager that part-time lent some help
18 to them. We eventually hired a dedicated
19 product person that -- I don't know who he
20 reports to now.

21 Q. But filtered -- in a machine
22 learning model, you would understand that
23 filter would be to exclude -- as excluding
24 that content from the model, right?

25 A. In the -- to -- your exact

1 question is in -- actually, could you repeat
2 the question?

3 Q. Yeah.

4 You indicated, right, that
5 filtering meant to exclude; is that correct?

6 A. I think in a generic sense,
7 filtering means to remove.

8 Q. Okay. And so you'd remove it
9 from the results?

10 A. I guess, like, remove from
11 results can -- that's more of a generalized
12 statement. I guess it still varies by
13 context and application.

14 Q. When you say to exclude, what
15 do you mean?

16 A. I guess in what -- like, so
17 exclude if you say -- you know, you make not
18 eligible.

19 Q. What?

20 A. You make not eligible or --
21 yeah, you can remove.

22 Q. You make not eligible, okay.

23 So what this document is saying
24 is, is that it would be -- under your
25 understanding of what filtered would mean, it

1 Design Proposal, SNAP5919460 -
2 SNAP5919490, was marked for
3 identification.)

4 BY MR. AYERS:

5 Q. I'm handing you what's been
6 marked as Exhibit 6 to your deposition.
7 Exhibit 6 is Bates-numbered SNAP5919460 and
8 is titled an AEME Design Proposal.

9 AEME stands for
10 Auto-Moderation, Explore, Human Moderation.

11 Do you see that?

12 A. Yes, I do.

13 MS. DEGTYAREVA: I object to
14 the use -- actually, strike that.
15 It's fine.

16 BY MR. AYERS:

17 Q. You see that, sir?

18 A. Yeah, I do.

19 Q. Okay. Are you familiar with
20 AEME?

21 A. Briefly. It's been several
22 years.

23 Q. What's your understanding of
24 it?

25 A. This was our initial system to

1 help facilitate -- to help enable Spotlight.
2 We had -- you know, it's a community product,
3 so people are submitting content, and this
4 was meant to help increase that exploration
5 dynamic.

6 Q. And so this was a proposal for
7 Snap's Spotlight moderation model, right?

8 A. No, it was not. It was still
9 downstream. It was not moderation specific.
10 This was more to take content and submissions
11 to Spotlight and make them eligible for
12 viewership.

13 The primary premise here was,
14 again, Spotlight when people decide to submit
15 and post content and contribute to the
16 ecosystem. It's a pretty crummy feeling if
17 you spend all this effort and never saw the
18 light of day. So this is a system to try and
19 help provide a better creation experience.

20 Q. All right. And if you look to
21 page 61 of the document, do you see that,
22 page ending 61, it's the second page. It's a
23 comment.

24 A. Yep.

25 Q. This is you, right, your

1 comment?

2 A. Yep.

3 Q. And this is a to-do of sorts,
4 right? And it states: Include current
5 ingress, slash, egress stats, highlight how
6 low -- how goal of this effort isn't to
7 explore all submissions but rather to help
8 capitalize on our total exploration budget,
9 e.g., exploration budget constraints.

10 Do you see that there?

11 A. I do.

12 Q. And this was a comment you left
13 on November 19th of 2020.

14 Was that during the time that
15 you oversaw Spotlight ranking?

16 A. Yes.

17 Q. Okay. So is this a document
18 you prepared?

19 A. I don't remember any -- I also
20 don't remember when Spotlight officially
21 launched, so this might have been around that
22 time.

23 Q. Okay. But you're definitely
24 commenting and working on this document,
25 correct?

1 A. Yes.

2 Q. If you turn to Bates ending in
3 64, there's a list of pre-filters, right?

4 A. Yeah, I see that header.

5 Q. There's a header, Pre-Filters,
6 Auto-Moderation Modeling and Thresholds.

7 Right?

8 A. Yep, I see that.

9 Q. And so what's the purpose of
10 pre-filters?

11 A. Can you give me a minute to
12 read this a little bit?

13 (Document review.)

14 BY MR. AYERS:

15 Q. If you look on the next page,
16 65, you also make several comments, right,
17 indicating that you're one of the authors of
18 this document?

19 A. Okay. So could you repeat your
20 question?

21 Q. What are the purpose of the
22 pre-filters?

23 A. So the -- again, I think these
24 are copied from a Spotlight content
25 moderation content filters doc. I think,

1 from what I remember, the general premise is
2 that there's an abundance of submissions to
3 Spotlight. A lot of people have -- want to
4 express their creativity, and there are more
5 things submitted than we can possibly show or
6 consider.

7 And we want to try and -- you
8 know, the whole goal is to make sure that we
9 were serving, you know, engaging content, and
10 if there are things, submissions that we
11 believe we can -- up front that might not be
12 aligned with that initiative, then given our
13 limited kind of exploration budget, we'd want
14 to prioritize other ones.

15 So if I -- for instance, if I
16 look at this low media quality, I think some
17 people might have posted Snaps that were very
18 blurry, and so ostensibly, that would result
19 in not a good, you know, consumer viewing
20 experience. So those would be just removed
21 up front to make way for potentially other
22 engaging content.

23 Q. All right. So the filtering
24 out would be -- it would be, to your --
25 consistent with your definition of filtered

1 earlier, to exclude that content from
2 eligibility, right?

3 A. I don't remember the exact --
4 like, the earlier, but I guess in this
5 context from what I can see in these bullet
6 points, it is removing Snaps that we believe,
7 for instance, that might be blurry or might
8 not be the right aspect ratio for the
9 experience.

10 Q. But you're excluding them from
11 eligibility to be seen on Spotlight, correct?

12 A. I don't remember if we excluded
13 them to be eligible at all or maybe perhaps
14 just to deprioritize and make way for content
15 that we think might have been higher quality.

16 Q. All right. And if you actually
17 go to Bates ending in 67, you'll see that you
18 have a comment listed there at D8, right?

19 And you write: Since
20 presumably, after pre-filters and
21 auto-moderation, the Snap will then either be
22 Live or Rejected.

23 Right? Do you see that?

24 A. I see that.

25 Q. And doesn't that accurately

1 reflect what the pre-filters are doing, that
2 they're excluding those Snaps from going
3 live?

4 A. From what I can gather here --
5 again, I don't remember writing this, but
6 yeah, from what I see here, pre-filters and
7 auto-moderation, like, the Snap will either
8 be live or rejected. So if rejected means
9 filtered out, then it might mean filtered
10 out.

11 Q. And that's what it means,
12 right? Rejected means filtered out, so the
13 content won't go up on Spotlight for others
14 to see?

15 A. Yeah, I think, like, filter and
16 eligible, like you can be rejected for all
17 sorts of reasons.

18 Q. All right. So if you go back
19 to 64, you'll see that there is -- it says,
20 in the middle of kind of the filtering-out
21 list, there's Filter out Snaps from minor --
22 from minors, right? You see that there?

23 A. Yep, I see that bullet.

24 Q. Then it says: Threshold,
25 inferred age, less than 13.

1 CERTIFICATE

2 I, MICHAEL E. MILLER, Fellow of
3 the Academy of Professional Reporters,
4 Registered Diplomate Reporter, Certified
5 Realtime Reporter, Certified Court Reporter
6 and Notary Public, do hereby certify that
prior to the commencement of the examination,
DAVID B. LUE was duly sworn by me to testify
to the truth, the whole truth and nothing but
the truth.

7 I DO FURTHER CERTIFY that the
8 foregoing is a verbatim transcript of the
9 testimony as taken stenographically by and
before me at the time, place and on the date
hereinbefore set forth, to the best of my
ability.

10 I DO FURTHER CERTIFY that pursuant
11 to FRCP Rule 30, signature of the witness was
12 not requested by the witness or other party
before the conclusion of the deposition.

13 I DO FURTHER CERTIFY that I am
14 neither a relative nor employee nor attorney
15 nor counsel of any of the parties to this
16 action, and that I am neither a relative nor
employee of such attorney or counsel, and
that I am not financially interested in the
action.

17 <%20911,Signature%>

18 MICHAEL E. MILLER, FAPR, RDR, CRR
19 Fellow of the Academy of Professional Reporters
20 NCRA Registered Diplomate Reporter
21 NCRA Certified Realtime Reporter
California CSR #13649

22 Dated: April 7, 2025
23
24
25