

AMENDED Exhibit 9

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT) MDL Number:
ADDICTION/PERSONAL INJURY PRODUCTS) 4:22-MD-C047-YGR
LIABILITY LITIGATION)

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

COORDINATION PROCEEDING)
SPECIAL TITLE [RULE 3.400])
SOCIAL MEDIA CASES) Lead Case No. for
Filing Purposes
22STCV21355

This Document Relates to:

STATE OF TENNESSEE,
ex rel. JONATHAN SKRMETTI,
ATTORNEY GENERAL and REPORTER,
v.
META PLATFORMS, INC., and
INSTAGRAM, LLC,
Case No. 23-1364-IV

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER
VIDEOTAPED DEPOSITION of KANG-XING JIN VOLUME I
Palo Alto, California
October 24, 2024

Job No. 6933402
Pages 1 - 328
Stenographically reported by:
JENNY L. GRIFFIN, RMR, CSR, CRR, CCRR, CRC
CSR No. 3969

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1 Does that make sense?

2 A. Yes.

3 Q. Any questions about anything we've just
4 gone through?

5 A. No.

6 Q. Mr. Jin, you're here testifying in this
7 case because you were employed at Facebook, which
8 later became Meta, for approximately 17 years?

9 MR. SCHMIDT: Objection. Form.

10 BY MR. PHELPS:

11 Q. Is that right?

12 A. Yes.

13 Q. And is it true that you started as an
14 engineer for the company?

15 A. Yes.

16 Q. You were one of the first hundred or 200
17 employees of Meta; is that right?

18 A. I believe so. I'm not exactly sure how
19 many employees were at the company when I joined;
20 but I believe it was around, you know, less than
21 200.

22 MR. SCHMIDT: Brian, I don't want to make a
23 speech. Can I have a standing objection just on the
24 Meta? because I think it's important the distinction
25 between Facebook and Instagram in this case, and I

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1 think it's getting blurred in your questions. If I
2 can just have a running objection on that, that will
3 keep me from having to jump in. But that will be
4 our objection, just so you know.

5 MR. PHELPS: Can you say more about -- and
6 that's fine; but just so I understand, can you say
7 more about the lack of clarity you're thinking of?

8 MR. SCHMIDT: Of course. Like, I don't
9 mind if you just use "Meta" on a shorthand. But
10 like on a question like that, he never worked for
11 Instagram; he worked for Facebook. And then
12 Facebook became Meta. And that's just imprecise in
13 terms of what that implication is. That's the
14 reason for my objection.

15 Thank you.

16 BY MR. PHELPS:

17 Q. You were in the ballpark of one of the
18 first hundred employees or so of the company now
19 known as Meta?

20 A. Yeah, I believe so. As I mentioned, I
21 don't know exactly what number it was.

22 Q. Relative to the size of Meta today, when
23 you started, it was a pretty small company?

24 A. Yeah.

25 Q. You have a degree in computer science; is

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1 that right?

2 A. Yes.

3 Q. And over the years -- well, you started as
4 an engineer. You rose up the ranks all the way to a
5 vice president at the company; isn't that true?

6 A. Yes.

7 Q. Is it fair to say that you were one of the
8 employees that interacted fairly regularly with the
9 CEO of the company, Mark Zuckerberg?

10 A. I think it depends on, like, what context
11 or time period I was working.

12 I definitely had interactions with Mark;
13 but, you know, how regularly, I think, varied fairly
14 dramatically based on what I was working on.

15 Q. Okay. And so you had various roles within
16 the company over your 17-year tenure?

17 A. Yes.

18 Q. And in the end, your role at least
19 partially involved wordings to protect kids' mental
20 health and well-being on Meta's products. Isn't
21 that true?

22 A. So at the last part of my work, one of the
23 areas I was working on included some of the
24 well-being work as well as some of the work related
25 to infrastructure for parental supervision tools.

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1 So that was the scope of -- the relevant scope, I
2 think.

3 Q. We'll try to understand that story over our
4 time together. And to do that, let's start at the
5 beginning.

6 So you enrolled in Harvard University in
7 the fall of 2002?

8 A. Yes.

9 Q. What do you recall about your first day of
10 class?

11 A. I mean, it was a long time ago; so I
12 honestly don't recall that much. Is there anything
13 specific you're looking for here?

14 Q. Did you meet anybody notable on your first
15 day of class?

16 A. Yeah. I mean, I guess specifically for
17 this context, I think I met Mark -- again, I'm not
18 sure if it was the first day of class; but it was
19 certainly, like, in one of the classes I took
20 freshman year. And we would have met early in that
21 time.

22 Q. In the fall of your freshman year?

23 A. Yeah.

24 MR. PHELPS: Jim, can you play Clip 3.

25 MR. SCHMIDT: Do you guys have a transcript

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1 that I can look at of what's -- what are we playing
2 here?

3 MR. PHELPS: We'll go ahead and --

4 THE WITNESS: Oh, is this Mark's
5 commencement speech?

6 MR. SCHMIDT: Well, I need to know if I
7 need to object to it. I don't know what this is.
8 Is there a -- I've got a URL that I've never seen
9 before.

10 Do you have a transcript of what you're
11 playing?

12 MR. PHELPS: I don't have a transcript.
13 We'll play it, and then you can object if you'd
14 like.

15 MR. SCHMIDT: Okay.

16 (Exhibit 1 was marked for
17 identification and is attached to the
18 transcript.)

19 (Whereupon, a video was played.)

20 BY MR. PHELPS:

21 Q. Mr. Jin, do you recognize that video?

22 MR. SCHMIDT: Just -- hold on. Do that
23 again, please.

24 MR. PHELPS: You want me to do it again?

25 MR. SCHMIDT: Start over.

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1 BY MR. PHELPS:

2 Q. Mr. Jin, do you recognize that video?

3 MR. SCHMIDT: I'll object. Just a sec.
4 I'm sorry to interrupt.

5 I'll object. I think if you're going to
6 play a video, you've got to give us what you're
7 playing. It's not reasonable to come in with a
8 video that we don't have, we can't access in the
9 middle of a deposition, we don't have a transcript
10 for.

11 But that one seems pretty benign, but I
12 just want to put that marker down in the event we
13 have other video.

14 MR. PHELPS: We do, and your objection is
15 noted.

16 MR. SCHMIDT: I know it is.

17 THE WITNESS: Sorry. Could you repeat the
18 question?

19 BY MR. PHELPS:

20 Q. Mr. Jin, do you recognize that video?

21 MR. SCHMIDT: Same objection.

22 THE WITNESS: Yeah, I do.

23 BY MR. PHELPS:

24 Q. Do you know who the speaker is?

25 A. Yes.

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1 Q. Who is the speaker?

2 A. It's Mark.

3 Q. Mark who?

4 A. Mark Zuckerberg.

5 Q. And who is Mark Zuckerberg?

6 A. He's the CEO of Meta.

7 Q. And does he discuss you in that video?

8 A. He does.

9 MR. SCHMIDT: Same objection.

10 BY MR. PHELPS:

11 Q. So you met Mark, or Mr. Zuckerberg, on one
12 of your early days at Harvard in the fall of 2002?

13 A. Yes.

14 Q. Did you two become friends?

15 A. We did.

16 Q. How did you guys spend your time together?

17 A. Well, we had several classes together.

18 Again, it's been a while; but I think we had -- I
19 think he was referencing CS121, which was one of the
20 computer science classes we had together.

21 I believe we also had some math classes
22 together as well. So we spent time in class
23 together, and I think we also spent some time
24 outside of class as well.

25 Q. Mr. Zuckerberg would go on to found the

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1 company that was, for many years, known as Facebook
2 and is now called Meta. Is that right?

3 A. Yes.

4 Q. But you met him before he did that; right?

5 A. Yes.

6 Q. Okay.

7 MR. SCHMIDT: Can I say one thing?

8 I will put a request. It might facilitate
9 my objection on the video if you let us know on the
10 break what other video you're going to use. So I'll
11 put a request in for that.

12 BY MR. PHELPS:

13 Q. I'd like to spend some time having you
14 explain to the jury what you know about the story of
15 Meta's founding, its early days, and its business
16 model.

17 You and Mr. Zuckerberg were sophomores in
18 college when Mr. Zuckerberg first built the website
19 that would become known as Facebook. Is that true?

20 A. I believe that's right, yes.

21 Q. That was February 2004?

22 A. So I think Facebook launched at Harvard in
23 early February of 2004. I believe he was working on
24 it ahead of February 2004. Again, it's been a
25 while; so I might not be perfectly correct on the

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1 dates.

2 Q. Understood.

3 And you were one of Facebook's first
4 hundred users; is that right?

5 A. I think that's about right, yes.

6 Q. Do you know roughly what number Facebook
7 user you were?

8 A. So my user ID is -- or -- it still is --
9 34.

10 So I think definitely one of the first 34.
11 There were a lot of testing accounts; so it would
12 probably be less than -- or earlier than 34.

13 Q. And now there are billions of people who
14 use Meta's products; right?

15 A. I believe so, yes.

16 Q. Did Facebook become popular on campus?

17 A. It did, yes.

18 Q. Tell me about that.

19 A. It -- I think -- so as I remember it --
20 and, again, this was a very long time ago -- Mark
21 launched the site. He invited a bunch of his
22 friends to join. And then pretty quickly it spread
23 through campus, where I think -- I don't know exact
24 timelines, but it definitely felt like, probably by
25 the end of the first year of it being live, almost

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1 everyone on campus was using it. So from that
2 perspective, it certainly got a lot of adoption.

3 Q. Can you describe, to the best of your
4 recollection, Facebook's functionality in those
5 early days.

6 A. Yeah. And for clarification, you're
7 talking 2004, like, when it launched?

8 Q. Yeah. That's correct.

9 A. Right. So, again, very long time ago. And
10 so some of these features may have happened later.
11 I don't precisely remember.

12 But, initially, I think it was pretty
13 simple. You would create your own profile, and that
14 was really where things were centered. And in your
15 profile you could probably upload photos at some
16 point as well as -- I think there were modules
17 around what classes you were taking. And so it was
18 really meant to be a essentially enhanced version of
19 the college facebook that had existed previously.
20 So I believe that was the initial functionality or
21 the functionality in its first year.

22 Q. And so the product was initially geared
23 towards college students; is that right?

24 A. Yes.

25 Q. And, typically, college students, by and

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1 MR. SCHMIDT: Sure.

2 THE VIDEOGRAPHER: Going off the record at
3 10:41 a.m.

4 (Recess taken.)

5 THE VIDEOGRAPHER: We're back on the record
6 at 10:56 a.m.

7 BY MR. PHELPS:

8 Q. Mr. Jin, just a couple more questions about
9 age, and then we can move on.

10 Just to kind of sum up, you became aware at
11 some point, based on internal Meta research, that
12 there was an issue with reported age; isn't that
13 right?

14 MR. SCHMIDT: Objection. Form.

15 THE WITNESS: Yes.

16 BY MR. PHELPS:

17 Q. And the implication of that is folks who
18 are under 13 years old may be accessing Facebook or
19 Instagram or other Meta products; right?

20 MR. SCHMIDT: Same objection.

21 THE WITNESS: That's right. So if, when
22 people signed up, they're giving a false age, then
23 there's probably some subset of those people who are
24 under the required age.

25 ///

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1 BY MR. PHELPS:

2 Q. And appreciating it wasn't your area of
3 focus, I'm wondering, when you became aware of that
4 issue, did that concern you?

5 A. I think somewhat, but it wasn't my major
6 area of focus; so I don't think I spent a huge
7 amount of time on it.

8 Q. Right. I'm not asking how much time you
9 spent on addressing the issue; but just as a
10 personal matter, when you learned that there were
11 folks under 13 on Facebook and Instagram, what was
12 your reaction?

13 MR. SCHMIDT: Object to characterization.

14 THE WITNESS: So I honestly don't remember
15 that much because, as I mentioned, it wasn't my main
16 area of focus.

17 I would -- I probably wasn't too surprised,
18 because it's pretty straightforward for people to
19 enter a different age, and I don't think I had a
20 really good handle on the size of the problem.

21 BY MR. PHELPS:

22 Q. When you say it was "pretty straightforward
23 for people to enter a misleading age," that would
24 include kids under 13 who wanted access to products
25 like Facebook and Instagram?

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1 MR. SCHMIDT: Objection. Form.

2 THE WITNESS: That's right. Again, I
3 haven't actually gone through the sign-up flows in a
4 long time; but my understanding is, at least at one
5 point, you just needed to enter your, you know,
6 maybe name and email and then date of birth. But
7 there wasn't, like, additional verification on that
8 date of birth.

9 So as I, like -- given that it's pretty
10 straightforward to do that, I, you know, would not
11 be surprised if people were entering inaccurate
12 ages.

13 BY MR. PHELPS:

14 Q. Including people who are 9, 10, 11, 12
15 years old who wanted access to Instagram and
16 Facebook?

17 MR. SCHMIDT: Objection. Form.

18 THE WITNESS: So it's hard for me to know,
19 like, the exact ages of the people. If I had to
20 guess, it would probably be more on the, like, 12,
21 you know, 13 threshold based on just the popularity
22 of the services and the age ranges. But that's,
23 again, not really grounded in a lot of data because
24 it's not something I was directly working on.

25 ///

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1 as a very high-level simplification, that was why I
2 highlighted those three drivers, of which data is
3 one of them.

4 BY MR. PHELPS:

5 Q. And the same thing is true for time spent;
6 right? As a general matter, the more eyeballs are
7 on a platform screen, holding everything else equal,
8 the more profits that ad platform would be able to
9 generate; right?

10 MR. SCHMIDT: Objection. Form.

11 THE WITNESS: Again, I think it depends on
12 the specific audiences you're talking about. But,
13 you know, in general, with the assumption that the
14 audience is monetizable and the rate at monetization
15 doesn't decrease as time, you know, and reach goes
16 up, then yes.

17 BY MR. PHELPS:

18 Q. We talked a little bit about time spent --
19 daily active users in the context of time spent.
20 What I want to talk about -- I want to do that
21 exercise again in the context of data. Right?

22 And so if we have two daily active
23 Instagram users, Kid 1 and Kid 2. Okay? And Kid 1
24 uses Instagram for five minutes a day and Kid 2 uses
25 Instagram for five hours a day -- are you with me so

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1 (Lunch recess taken.)

2 (Mr. Ward entered the deposition room.)

3 THE VIDEOGRAPHER: We're back on the record
4 at 2:27 p.m.

5 BY MR. PHELPS:

6 Q. Hello again, Mr. Jin.

7 A. Hi.

8 Q. We spent some time talking about your work
9 on the ads team. I want to transition the
10 conversation to your work as -- your work for the
11 company between roughly 2012, 2013 through 2018.

12 Does that sound okay to you?

13 A. Yes.

14 Q. What roles did you have between
15 transitioning off of the ads team until you adopted
16 the role of head of health in 2018?

17 A. Yeah. I had a few roles. So when I first
18 moved off of ads, I joined the Facebook app team; so
19 it was the team that was responsible for the
20 Facebook product. And I joined on the engineering
21 side.

22 So I moved from managing the ads
23 engineering group to managing the engineering group
24 associated with the Facebook app. I'm not sure if I
25 was managing the whole group or part of it, but it

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1 was a meaningful part of the group.

2 So that was the first role I had. I think
3 that was probably 2013 to 2014 or thereabouts.

4 And then at some later point the
5 organization did a restructuring where they
6 transitioned to be more product group-oriented. So
7 it used to be, like, you know, all of engineering
8 for Facebook app reported in to one person, all of
9 product reported in to another. They transitioned
10 to more of a, like, individual product group leads
11 who had product and engineering for a part of the
12 group reporting in to them. I don't know exactly
13 when that happened, but I think it was probably
14 around 2015, you know, or 2016.

15 And so then I transitioned to be one of the
16 product group leads still within Facebook app,
17 although there were a couple of other things that I
18 can talk about that were outside of the scope of
19 Facebook that I rolled into my organization.

20 So I did that for several years. There
21 were, again, a few reorganizations through that.
22 So, you know, at various times I worked on things
23 likes Facebook groups, some of the Messenger Kids
24 work, and some of the teens work, which I'm guessing
25 we'll talk about. But those were some of the things

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1 I worked on in that latter half of my time on
2 Facebook app.

3 Q. Okay. Tell me about the teens work you
4 did.

5 A. Yeah. I don't remember the exact time
6 period here. I think it was probably 2016 to 2018.
7 And so for clarity, this wasn't the only thing I was
8 working on. It was kind of a portfolio; so it was
9 one of the things within my team that there was a
10 more full-time person on.

11 But I think at a high level, Mark -- that's
12 Mark Zuckerberg -- had some concerns that our
13 products were losing relevance to teens, both
14 relative to, you know, where we were before as well
15 as, like, other competitive entrants to the market.
16 And I think he, as a result, organized a response to
17 that, of which some of the work on my team was one
18 part of.

19 Q. Were there strategies that the company
20 considered to address issues it was having with the
21 teen audience between 2016 and 2018 that you recall?

22 A. Yeah, there were some. And I think there's
23 probably some in the documents you're about to
24 reference.

25 But, for example, there was an investment

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1 on stories as a format. And that was something
2 that, you know, Facebook app worked on and Instagram
3 worked on.

4 And there were, you know, other efforts
5 that were really product-focused to try to get our
6 products to be more useful for teens.

7 Q. Tell me about stories for a second. Can
8 you explain what stories are to the jury in the
9 context of Facebook and Instagram?

10 MR. SCHMIDT: Objection. Foundation.

11 THE WITNESS: Yeah. So stories are
12 essentially a format where people can share photos
13 or videos of, you know, what's going on in their day
14 on Facebook or Instagram. They're maybe
15 differentiated from the previous more feed-oriented
16 format because they're full screen and also have
17 some ephemerality component, ephemerality meaning
18 they don't stick around forever and they usually
19 expire after some time period.

20 So that's the concept of stories. I think
21 probably Snapchat was the first to popularize the
22 format, and then later other apps adopted it.

23 BY MR. PHELPS:

24 Q. So to unpack the concept of ephemerality a
25 bit, can you just help me understand -- or help the

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1 jury understand what it means for a story to be
2 ephemeral in terms of the user experience?

3 A. Sure. So, essentially, if you post a video
4 to your story, it stays -- it only stays visible to
5 your friends or followers for a set amount of time;
6 so like, for example, 24 hours.

7 And so if anyone logs in and wants to see
8 your story, they can see it for 24 hours. If they
9 log in after 24 hours has passed, there's just
10 nothing for them to see. That's kind of the basic
11 premise.

12 Q. And I think you said that stories were an
13 idea that the company considered and ultimately
14 shipped to help address concerns about its
15 performance with the teen audience; is that right?

16 A. Yeah. And I think, for clarity, several of
17 these things weren't shipped only for teens. I
18 think a lot of these were tied to more general
19 concerns the company had around just its -- the
20 relevance of its products.

21 In some ways, I think it was similar to in
22 the 2012 period, where there was a big shift to
23 mobile and the company needing to adapt to changes
24 in technology and the market.

25 Stories was one kind of adaptation. So I

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1 think some of the impetus was definitely related to
2 teen usage; but some of it, I think was a more
3 general challenge and -- for example, for a product
4 like stories, that was shipped to everyone; right?
5 It was not, you know, an only-teens product.

6 Q. Do you remember other strategies that you
7 worked on to help address the concern relating to
8 the company's performance among kids between 2016
9 and 2018?

10 MR. SCHMIDT: Objection. Form.

11 THE WITNESS: Yeah. There were a few
12 others, I think. And when I say "worked on," I was
13 often one degree removed from these. It was part of
14 a portfolio. But one of the things some people on
15 my team worked on included Messenger Kids as another
16 example.

17 BY MR. PHELPS:

18 Q. What about the live feature? Was that
19 another feature you worked on that could address the
20 company's perceived issues with teens between 2016
21 and 2018?

22 A. So with live, I definitely worked on it. I
23 don't remember the exact capacity I worked on it.
24 It might have been more as a peer to Fidji. Fidji
25 is another leader who I think maybe had that as more

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1 directly in her portfolio.

2 It definitely was a major initiative within
3 the company in that time frame. I honestly don't
4 recall how much of that was specific for teens,
5 though. My impression is the live work was meant to
6 be, again, more crosscutting and as part of a
7 portfolio of things that were related to adapting to
8 some of the technological changes we were seeing.

9 Q. What about the issue of audience controls?
10 Was -- are you familiar with that term?

11 A. Yes.

12 Q. What are audience controls?

13 A. So I think the way that I'm familiar with
14 it, audience controls are essentially controls that
15 you give to people that let them specify who they
16 share with.

17 So, you know, if I make a post, maybe I
18 only want to send it to my friends or maybe I only
19 want to send it to my coworkers or I want to have
20 different groups of people be able to see my
21 content. And that's kind of the high-level
22 definition of an audience control.

23 Q. Okay. What about the camera? Was the
24 camera something you worked on between 2016 and 2018
25 that, at least in part, was aimed at addressing a

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1 perceived issue in terms of Meta's popularity with
2 teens?

3 A. Yeah. I think another -- the camera was
4 one of the things my team worked on. Again, one
5 degree removed.

6 And on that one, I think it was a little
7 bit of a collaborative effort. So the stuff that my
8 team worked on was more, I think, on the technical
9 infrastructure side as well as a few of them were
10 Facebook app-specific things.

11 And I believe the technical infrastructure
12 was also, you know, later used in Instagram and in
13 other places. But I was much less involved on that
14 side.

15 Q. So we've talked about camera; we've talked
16 about live. We've talked about ephemeral stories;
17 we've talked about audience controls.

18 Do you remember anything else you worked on
19 between 2016 and 2018 that was intended to help Meta
20 address concerns that it was losing market share
21 with teens?

22 A. Yeah.

23 MR. SCHMIDT: Object to the preamble.

24 THE WITNESS: Specific questions, you
25 mentioned camera, live, stories. What were the

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1 other ones? Sorry.

2 BY MR. PHELPS:

3 Q. I think you've got to answer the question.

4 A. Okay. Nothing that jumps out. But I think
5 there's a couple documents that may have other
6 things that, if you showed them to me, I might be
7 able to recall a few more.

8 Q. Understood.

9 A. And then I also -- sorry -- I also
10 mentioned Messenger Kids, which, I think, was a
11 separate product named for kids as well.

12 Q. Any way you put it, there's a lot of
13 investment by the company between 2016 and 2018 into
14 addressing this perceived issue with the teen
15 market. Isn't that right?

16 MR. SCHMIDT: Object to characterization.

17 THE WITNESS: I would say it was definitely
18 one of Mark's priorities and concerns during this
19 period. And, you know, as part of that, I think he
20 also supported investment in this area.

21 BY MR. PHELPS:

22 Q. It was one of the top priorities in the
23 company between 2016 and 2018 to address its
24 perceived loss of market share with teens; isn't
25 that true?

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1 A. I don't remember the exact time frame. So,
2 like, I'm not sure -- I can definitively say it was
3 the top priority in 2016 or 2017 or 2018, but I
4 think somewhere in that time period it was one of
5 the top priorities. And I think in some of the
6 documents there might be more specific dates there.

7 MR. PHELPS: And that's totally fair. I
8 just wanted to set the stage. Why don't we get into
9 some documents. So I'm going to show you what will
10 be marked as Exhibit 12.

11 (Exhibit 12 was marked for
12 identification and is attached to the
13 transcript.)

14 BY MR. PHELPS:

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

17 A. Okay.

18 MR. PHELPS: Jim, do you know what document
19 I'm referring to?

20 THE WITNESS: I don't think I've seen this
21 before; so I might need a little bit of time if you
22 want me to go through all the slides.

23 MR. PHELPS: Yeah. And I'll focus you on
24 the slides that I'm interested in, but take your
25 time and let me know when you're ready to speak

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1 about this.

2 THE WITNESS: Okay.

3 BY MR. PHELPS:

4 Q. Cool.

5 Just while you're getting oriented, I'll
6 say for the record this is an email from yourself to
7 [REDACTED], Connor Hayes, [REDACTED] in
8 February -- on February 1st, 2016, titled "Re: Teens
9 Deck" with an attachment "m team offsite teens kx
10 edit 2.1."

11 Does that look right to you?

12 A. Yes. Yeah, I think it does. Just give me
13 a few minutes to read.

14 Q. Yeah. Take all the time you need.

15 A. Okay. I have skimmed it. I may need to
16 refer back.

17 Q. Understood. And I'm going to focus on the
18 attachment, by and large. I just want you to verify
19 that the title of the attachment is -- at least the
20 file name that we see in the first email -- is
21 "m teams -- m team offsite teens kx edit 2.1.pptx."

22 Do you see that?

23 A. Yeah. That is the title.

24 Q. And so is it reasonable to infer that these
25 are your edits on a document that are going to be

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1 used in connection with the M Team off-site that was
2 forthcoming?

3 A. Yes. I think it's reasonable to infer
4 that. So I don't have, like, a direct memory of
5 this thread; but on reading it, I think my
6 interpretation now is there was an M Team review.

7 I don't think it was specifically for
8 teens. If I had to guess, I think it was probably
9 just part of a regular M Team review. As part of
10 that, it looks like Chris Cox, who was my manager,
11 had asked me to take point in synthesizing some of
12 the data. And I was working with a few of the
13 people who actually were more hands on and had the
14 data to do that.

15 Q. And the idea is that this would be a
16 presentation that would ultimately go to a team
17 of -- a team of individuals who helped manage the
18 company?

19 A. So I think -- assuming it went to M Team,
20 then yes, it would go to the M Team group. As I
21 mentioned earlier, my impression of M Team was it
22 was less of a decision-making body and more of a
23 context-sharing body.

24 So I think the characterization of, like,
25 is M Team working collectively together as a group

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1 to manage the company maybe is a little nuanced.
2 But, you know, it definitely was a group where
3 several senior leaders in the company were
4 represented.

5 Q. Okay. Let's go to the first substantive
6 page of the slide. It's got a pagination of "1" and
7 "Teens" at the top. Let me know when you're there.

8 A. I'm there.

9 Q. And so this document is describing the
10 situation and how the company is doing with respect
11 to teens and sort of call it the first quarter of
12 2016. Is that the context we gain from this slide?

13 A. I think it's meant to overview the deck;
14 right? And so I think the first slide is, I think,
15 teeing up a set of things summarizing the overall
16 situation. And then, you know, what the company or
17 the product teams are doing in response.

18 Q. Okay. And what's the next slide say?

19 A. "The Situation."

20 Q. And can you read the situation as it's
21 reflected on page 3 of the slide.

22 A. Yes. It says:

23 "We have a significant DAP and
24 engagement problem with teens and young
25 adult people in the US. This is worse

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1 than we previously thought and getting
2 worse over time. We know this is true
3 in other markets" -- so outside of the
4 US -- "and are in the process of
5 getting analogous data."

6 Q. Could you explain to the jury just in
7 layman's terms what those first two sentences mean?

8 A. Yeah. So, again, this is more me
9 interpreting this rather than remembering it
10 directly.

11 So significant DAP -- DAP stands for daily
12 active people. So I think we talked about some of
13 these measures previously, both monthlies and
14 dailies; so I think in this case we're using
15 dailies, but I think you could easily use monthlies
16 as well.

17 What that is saying is essentially -- I
18 guess I'm inferring here -- and it's probably in
19 later slides -- showing that the number of active --
20 daily active teens and the number of daily active
21 young adults in the United States is probably
22 declining in some way. And so that's probably what
23 that problem refers to.

24 And then separately, the engagement
25 sentence here -- so TS over DAP, I believe TS here

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1 probably means time spent. And so, essentially, at
2 least in this deck, engagement was defined as time
3 spent over DAP, which is the amount of time each
4 daily user was spending.

5 And so it sounds like that was also
6 probably declining or at least not looking
7 incredibly healthy from a business perspective.

8 Q. And do you know what the impact of this
9 situation would be on Meta's business if this
10 problem wasn't addressed?

11 A. So I think -- I guess it probably would
12 depend on the time horizon. From a short-term,
13 like, advertising perspective, I actually don't
14 think this would have been that big of a problem
15 because my understanding is just, like, teens as a
16 segment are a relatively small percentage of the
17 overall advertising market.

18 On the other hand, I think from a, like,
19 core product perspective, right, in the long term,
20 if this segment is not finding the products
21 relevant, my understanding was there was a fair
22 amount of concern around that; right?

23 So if new, like, teens -- I think we're
24 talking about teens and young adults are, like, no
25 longer signing up to begin with, then, you know, as

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1 they get older, they're presumably also not, you
2 know, going to stay engaged.

3 So I think there was a fair amount of
4 concern around the products losing relevance for an
5 increasingly large set of people and that being
6 maybe the main near-term sense of urgency around
7 this problem.

8 Q. Do you know if teens are also important as
9 a population group for Meta because they have the
10 ability to influence cultural trends?

11 A. It's possible. I mean, I think I may have
12 heard that being one of the reasons articulated. I
13 don't think it was, like, the primary one, as I
14 remember it.

15 Q. Okay. I want to go to a slide that says
16 "Why didn't we realize this sooner?" I think it's
17 page 13. Let me know when you've reached it.

18 A. I am at page 13.

19 Q. On this slide there's a series of reasons
20 why the company didn't sooner appreciate that it was
21 having a problem with the teen cohort. Isn't that
22 right?

23 A. Yes. I think it's talking about some of
24 the data and analytics issues that are contributing
25 to the lack of that understanding.

1 Mr. Zuckerberg relating to this email in September
2 of 2021?

3 A. I do not think I heard anything from Mark
4 directly, no.

5 Q. What about in October 2021?

6 A. Again, I think not directly from Mark to
7 me, no.

8 MR. PHELPS: Okay. Let's go to the next
9 exhibit.

10 Jim, this is P0352 on our own internal
11 schematic.

12 And, Mr. Jin, can you please keep this
13 exhibit handy because we'll be coming back to this.
14 But we're going to talk about Exhibit 40 here for a
15 minute.

16 (Exhibit 40 was marked for
17 identification and is attached to the
18 transcript.)

19 BY MR. PHELPS:

20 Q. And, Mr. Jin, I'm happy for you to review
21 as much of this as you need. I'll let you know I'm
22 going to be focusing, really, on the first half of
23 the first page of this exchange.

24 A. I've skimmed it, yeah.

25 Q. This is a workplace chat between yourself

1 and Emily Dalton Smith; correct?

2 A. Yes.

3 Q. Okay. Ms. Dalton Smith says:

4 "Hey, just checking in. You doing
5 okay? The leak situation is tough."

6 Do you see that?

7 A. Yes.

8 Q. Did you understand that to be a reference
9 to a set of leaked materials obtained from Meta's
10 internal repositories that were disclosed to the
11 Wall Street Journal during the second half of 2021?

12 A. Yeah, I believe so. I think you might be
13 referencing the Jeff Horwitz/Frances Haugen leak.
14 So I believe -- I believe this is probably in
15 reference to that, yeah.

16 Q. Okay. And that -- we don't need to dive
17 into the specifics, but is it your basic
18 understanding that that reporting that you just
19 described raised questions about the Instagram
20 platform's potential negative impacts on young
21 people's mental health and well-being?

22 A. So --

23 MR. SCHMIDT: Object to the
24 characterization.

25 THE WITNESS: So I think there were, as you

1 know, a lot of documents leaked and a lot of
2 different stories written.

3 So I don't know if this chat thread is in
4 reference to a specific one or not. It may have
5 been in reference to the general situation. I think
6 a lot of folks were kind of shaken up by it because
7 this had been one of their coworkers who had taken a
8 lot of, you know, documents.

9 And I would say some folks, even if they
10 agreed with the intent or the overall goals of that
11 individual, had maybe mixed feelings on the specific
12 method they took.

13 So it's -- again, reading it now, it's hard
14 for me to know whether it was in reference to
15 specifically some of the well-being-related leaks
16 versus other things.

17 BY MR. PHELPS:

18 Q. Okay. Let's dig in further.

19 And you say at 14:55:

20 "I'd like for us to focus on
21 understanding the substance of the
22 criticisms, e.g., which ones are both
23 valid and important to address. And
24 for those, how do we want to change?

25 "I feel like too much of the focus

1 has been around just pushing back on
2 everything, even though I agree some is
3 poorly contextualized."

4 Did I read that correctly?

5 A. You said 14:55. Oh. Where it says,
6 "Number 1, I'd like for us to focus."

7 Yes.

8 Q. And then at 14:52, you say:

9 "For example, still haven't heard
10 back about central ownership and
11 staffing for well-being. It really
12 seems like, if we don't do this, we're
13 explicitly choosing not to invest in
14 these areas, even though the initial
15 ask is so small relative to what we're
16 funneling into metaverse or other
17 product development."

18 Did I read that right?

19 A. Yes, you did.

20 Q. Mr. Jin, were you frustrated that, by
21 October -- early October 2021, you had not heard
22 back about your recommendations relating to central
23 ownership and staffing for well-being?

24 A. I'm trying to remember how I felt.

25 I'm not sure -- I was certainly concerned

1 that we hadn't heard back, and -- because I
2 obviously believed in the recommendation that we put
3 forward. So I was concerned about that.

4 Q. And what did you mean when you wrote:

5 "Even though the ask is so small
6 relative to what we're funneling into
7 metaverse and other product
8 developments"?

9 A. So I believe this was based on my
10 understanding of the total headcount both already
11 allocated to some of these areas or that maybe may
12 be additionally allocated in future years.

13 And I don't have the exact numbers in my
14 head now, but I probably had some sense that, you
15 know, the number of people working on AR/VR, for
16 example -- in total; right -- probably greatly
17 exceeded the number of people that were currently
18 working on some of the issues that had been outlined
19 in the document.

20 So I believe that's probably what I was
21 referencing there.

22 Q. Did that concern you?

23 A. It did, yes.

24 Q. Why?

25 A. I thought -- and, again, based on the

1 context that I have, which may be different from
2 other people -- that the ask we had put together was
3 well thought through and a pretty reasonable ask.
4 And I thought it was important that the company
5 prioritize it.

6 Q. And because that ask would enable the
7 company to better support users experiencing things
8 like problematic use, bullying and harassment, and
9 SSI on its platforms; right?

10 A. I think that following the recommendations
11 in that ask would have allowed the company to make
12 faster progress on top of what it was currently
13 doing for those issues.

14 Q. Let's go back to Exhibit 39, which is the
15 Nick Clegg email.

16 So we spent a lot of time talking about
17 Mr. Clegg's August 2021 email. Do you see that the
18 next email in this string is a November 10th, 2021,
19 email from Mr. Clegg also to Mr. Zuckerberg and
20 others?

21 A. Yes. The 1:53 a.m. email?

22 Q. Yes.

23 So Mr. Clegg says:

24 "Circling back re: investment
25 needed to strengthen Meta's position on

1 well-being. See original email from
2 Aug below."

3 Did I read that correctly?

4 A. You did, yes.

5 Q. Okay.

6 "This investment is important to
7 ensure we have the product road maps
8 necessary to stand behind our external
9 narrative of well-being on our apps,
10 and soon in the metaverse."

11 Did I read that correctly?

12 A. You did, yes.

13 Q. Okay.

14 "This work and narrative has, of
15 course, become a more critical focal
16 point for policymakers, regulators, et
17 al., in recent weeks. This is not
18 likely to diminish going forward."

19 Did I read that correctly?

20 A. Yes.

21 Q. And it looks like we can summarize it -- I
22 won't read the whole thing into the record -- that
23 Mr. Clegg offers a scaled-down proposal.

24 Do you see that?

25 A. Yes.

1 Q. Okay. And so this is a scaling down of
2 what had been proposed in August 2021. Is that your
3 understanding at a high level?

4 A. Yes.

5 Q. Mr. Clegg concludes:

6 "Given the increased urgency of
7 all this since the initial escalation
8 in August, are you supportive of
9 funding this scaled-back proposal?"
10 Did I read that correctly?

11 A. Yes.

12 Q. Naomi Gleit responds:

13 "Mark, FWIW, this is my number one
14 below-the-line project to fund on
15 social impact, i.e., before climate.
16 We've also scaled this request back to
17 ask for XFN only and 0 ENG, given that
18 there are none. Smiley face."
19 Did I read that correctly?

20 A. Yes.

21 (Whereupon, Mr. Ward entered the
22 deposition room.)

23 BY MR. PHELPS:

24 Q. And then there's an email back from Susan
25 Li, who I think we established is the company's CFO?

1 A. That's right. I believe she was the CFO by
2 this time.

3 Q. Okay. Ms. Li says:

4 "I'll defer to Mark on the
5 decision here, and we have a budget
6 meeting on Monday. But unfortunately
7 XFN heads are running even more
8 constrained than ENG."
9 Do you see that?

10 A. Yes.

11 And just one revision. I'm actually not
12 sure when Susan formally became the CFO; so it's
13 possible she wasn't CFO at the time of this email,
14 but she was a senior leader in finance who was
15 involved in the headcount process.

16 You probably can confirm the actual date
17 she became CFO.

18 Q. Okay. In any event --

19 A. But yes, your reading is correct.

20 Q. Let me just read it one more time to get a
21 clear record.

22 That's okay.

23 Did you ever hear from Mr. Zuckerberg a
24 response to the proposal conveyed by Mr. Clegg in
25 August of 2021?

1 A. I did not hear anything directly from Mark
2 to me, no.

3 Q. Do you have an understanding of whether the
4 recommendation made in August of 2021 was adopted?

5 A. I do.

6 Q. What is that understanding?

7 A. It was not fully adopted. I think, if you
8 go back to the recommendation, there was essentially
9 a two-part ask; right?

10 The first is around establishing a central
11 team, and the second is around accelerating work on
12 problematic use.

13 I believe the decision was essentially it
14 makes sense to establish some centralization here.
15 So that was, I guess, partial agreement. However,
16 no incremental headcount would be forthcoming for
17 the work, and the ask would be to reprioritize as
18 much as possible both within the current team as
19 well as partner teams to see what was possible
20 within the recommendation.

21 So it's, you know, status quo, Option 1,
22 Option 2 if you go back to that original table.
23 This is probably -- would be something like
24 Option 0.5, if that makes sense, where, in part, it
25 was aligned. But the lack of headcount certainly

---o0o---

I, JENNY L. GRIFFIN, hereby certify:

That I am a certified shorthand reporter in and for
the County of Alameda, State of California;

Prior to being examined, KANG-XING JIN, the witness
named in the foregoing deposition, was by me duly sworn
to testify to the truth, the whole truth, and nothing
but the truth; that said deposition was taken pursuant
to notice at the time and place therein set forth, and
was taken down by me in stenotype and thereafter
transcribed by means of computer-aided transcription,
and that said deposition is a true record of the
testimony given by the witness.

I further certify that I am neither counsel for nor
related in any way to any party to said action, nor
otherwise interested in the outcome thereof.

In witness whereof, I have hereunto subscribed my
name November 5, 2024.



JENNY L. GRIFFIN, CSR #3969
Certified Shorthand Reporter