

FILED UNDER SEAL

EXHIBIT 46

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STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT
No. D-101-CV-2023-02838

STATE OF NEW MEXICO, EX REL.,
RAÚL TORREZ, ATTORNEY GENERAL,
Plaintiff,

v.

META PLATFORMS, INC.;
INSTAGRAM, LLC; META PAYMENTS,
INC.; and META PLATFORMS
TECHNOLOGIES, LLC,

Defendants.

HIGHLY CONFIDENTIAL

CONTINUED VIDEOTAPED DEPOSITION OF
RICKEY KITCH

Held At:

New Mexico Department of Justice
201 3rd Street NW, Suite 300
Albuquerque, New Mexico 87102

September 19th, 2025
8:37 a.m.

Reported by:

Maureen O'Connor Pollard, RDR

1 Q. Was the arrest of Mr. Clyde the
2 result of a NCMEC tip?

3 A. No.

4 Q. Was the arrest of Mr. Clyde the
5 result of a NCMEC tip reported by Meta?

6 A. No.

7 Q. Okay. Speaking of NCMEC reports,
8 let's look at Exhibit 17, please. I'll give you
9 a minute.

10 This first page says "Document
11 Withheld As Privileged."

12 A. I got it. Thank you.

13 Q. All right.

14 A. I'll get myself in order here in a
15 second.

16 Q. No worries. Keep the PowerPoint
17 near.

18 Okay. Do you recall questions
19 yesterday about this Exhibit 17, which is a
20 NCMEC tip from Facebook?

21 A. Yes, I do.

22 Q. All right. And if you would turn,
23 please, to the page that has the Bates number
24 902.

25 A. Yes.

1 Q. Are you there?

2 A. Yes.

3 Q. In the middle of the page does it
4 indicate when the tip was received by NCMEC?

5 A. It states it was received by NCMEC
6 on 5/13/2024.

7 Q. Is 5/13/2024 before or after the
8 Operation Metaphile arrests?

9 A. It would be after.

10 Q. Is 5/13/2024 before or after the
11 press coverage of the Metaphile arrests?

12 A. Yes, it is.

13 Q. This tip concerns a subject named
14 Jared Bond, correct?

15 Oh, sir, before we get to that, let
16 me ask you the question again.

17 Is May 13, 2024 before or after the
18 press coverage of the operation Metaphile
19 arrests?

20 A. It would have been after the press
21 coverage.

22 Q. So now if you would turn to
23 page 906, do you see the name Jared Bond there
24 identified as a suspect?

25 A. I do.

1 Q. And are you familiar with Jared
2 Bond?

3 A. I am.

4 Q. How are you familiar with Jared
5 Bond?

6 A. Jared Bond was another male who had
7 friended the DaZee Roanhorse persona. He also
8 lived in Crownpoint, New Mexico. He'd indicated
9 interest in traveling to meet her and having sex
10 with that persona. Potentially he also
11 described getting her pregnant or her becoming
12 his wife, I believe.

13 Mr. Bond, his chat was taken over by
14 Special Agent Nick Halsey, who continued the
15 chat in the persona's voice. Based on the
16 tracking records we received back from Meta in
17 our Facebook return request for his account, we
18 believe he may have traveled to Gallup to meet
19 that persona that date and may have seen the
20 operation in action and continued to travel into
21 Arizona, where he discarded his phone.

22 Special Agent Nick Halsey at a later
23 date completed an arrest warrant for Mr. Bond.
24 He was served a target letter at his parents'
25 house in Crownpoint, and subsequently turned

1 himself in and pled.

2 Q. On May 9, 2024, was the New Mexico
3 Department of Justice already aware of Jared
4 Bond?

5 A. Yes.

6 Q. How?

7 A. He was already a target in our case
8 and expected to show up for travel to meet at
9 that Motel 6.

10 Q. Okay. If you would turn, please, to
11 the page that begins at 910. I just want to
12 clarify one thing about this document. Let me
13 know when you're there.

14 A. Yes.

15 Q. Do you see a heading midway down the
16 page that says "Message Excerpts"?

17 A. Yes.

18 Q. All right. And then the next
19 sentence says, "Below are excerpts of
20 conversations between the Jared Bond Facebook
21 account and the Dze'nalin Roanhorse Facebook
22 account."

23 Did I read that correctly?

24 A. Yes.

25 Q. If you would then -- and are

1 these -- so if you look at the messages on
2 page 910, 911, 912, 913, and 914 to the middle
3 of the page, are these messages with the
4 Roanhorse undercover account?

5 A. These are messages with a secondary
6 Roanhorse account that we had to construct
7 because the initial Roanhorse account had been
8 disabled.

9 Q. Now, I want you to look on page 914,
10 and do you see in the middle of the page it
11 says, "Below are excerpts of conversations
12 between the Jared Bond Facebook account and
13 the," and then it's redacted, "Facebook
14 account"?

15 Do you see that?

16 A. I'm sorry, which page are we on?

17 Q. On page 914.

18 A. Yes, I do.

19 Q. Okay. If you would look at those
20 chats. Those chats occur in roughly January of
21 2024, is that correct?

22 A. Yes.

23 Q. Are those messages between an
24 undercover account that you were running?

25 A. Yes.

1 Q. Which account?

2 A. That would be the DaZee Roanhorse
3 account that was disabled by Facebook.

4 Q. Okay. All right. So let's move on
5 then. If you go back -- well, give me one
6 minute.

7 All right. Looking again at the
8 first page, it indicates that NCMEC received
9 this information -- this tip on May 13, 2024.

10 Do you see that?

11 A. Yes.

12 Q. And I will represent to you that
13 Meta has stated that it reported this activity
14 on May 9th.

15 Will you accept that as true?

16 A. That Meta asserts they reported it
17 on May 9th?

18 Q. Yes.

19 A. If they have record of that, I would
20 accept that as true.

21 Q. Okay. Do you recall Meta's counsel
22 asking you if you thought this report was an
23 example of Meta effectively addressing dangerous
24 conduct on its platforms?

25 MS. POPE: Objection. Form.

1 THE WITNESS: I don't, but it's
2 possible.

3 BY MR. ACKERMAN:

4 Q. Okay. I want you to turn, please,
5 to page 908. And do you see in the middle of
6 the page there is a heading that says
7 "Open-Source Information"?

8 A. Yes.

9 Q. Okay. Do you have an understanding
10 as to whether this -- the information in this
11 NCMEC tip was input by Meta?

12 MS. POPE: Objection. Form.

13 THE WITNESS: No, I don't know that,
14 but it's possible.

15 BY MR. ACKERMAN:

16 Q. Okay. If you would look at the --
17 if you would look at page 905, please. Who is
18 indicated on this document as the reporting
19 electronic service provider?

20 A. Facebook, or the point of contact
21 for law enforcement, Jason [REDACTED]

22 Q. And do you know who Jason [REDACTED] is?

23 A. I do.

24 Q. Who is Jason [REDACTED]

25 A. He is law enforcement legal contact

1 with Facebook.

2 Q. So if you look then back to 908, and
3 the heading that says Open-Source Information --

4 A. Yes.

5 Q. -- underneath there is an URL link.
6 Do you see that?

7 A. Yes, I do.

8 Q. Do you recognize that URL link?

9 A. Yes.

10 Q. What is it?

11 A. It's to the New Mexico Department of
12 Justice press release regarding Operation
13 Metaphile.

14 Q. Do you see where it says "Details"?

15 A. Yes.

16 Q. Would you read to the jury what Meta
17 wrote in the Details section?

18 MS. POPE: Objection. Form.

19 THE WITNESS: "Based on this press
20 release and linked slide deck the Jared
21 Bond User ID Facebook account appears to
22 have been interacting with a fake account
23 purporting to be a minor."

24 BY MR. ACKERMAN:

25 Q. Do you think you know what slide