

Filed Under Seal

EXHIBIT D

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

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STATE OF NEW MEXICO, ex rel,
RAUL TORREZ, Attorney General for the
State of New Mexico

Plaintiff,

v

No: D-101-CV-2023-02838

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

Defendants.

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VIDEOTAPED DEPOSITION of ADAM MOSSERI, taken
by the Plaintiff, pursuant to Notice, held at the law
offices of Covington & Burling LLP 620 8th Avenue New
York, New York 10018, on July 25, 2025, at 11:04 a.m.,
before a Notary Public of the State of New York.

1 about a legal question.

2 Go ahead.

3 A. I don't know what you mean by "on notice" but I
4 know that teens do lie about their age, which is why we
5 invest a lot in trying to predict age and trying to
6 verify age and trying to work with industry-wide
7 solutions or advocate for industry-wide solutions to
8 better identify those who are lying about their age and
9 to remove them from the platform if they are under 13.

10 Q. So -- and I appreciate your expansive answer.
11 Did you know, in 2018 when you became head of Instagram,
12 that kids lied about their age to use Instagram?

13 MS. JONES: Excuse me. Objection to
14 the preamble by counsel. Asked and answered.

15 A. Kids, those under 13, have always lied about
16 their age to try to get on apps, like Instagram.

17 Q. And you knew that in 2018, correct?

18 MS. JONES: Same objections. Asked and
19 answered.

20 A. In 2018, as in today in 2025, those -- there
21 are many people who try to lie about their age to get on
22 the app, which is why we invest heavily try to remove
23 them -- identify them and remove them from the app.

24 Q. Okay. Let's turn to the next page of the
25 article. It says:

1 were asking for their birthday proactively.

2 I think what you're asking -- I'm not sure what
3 you're asking about or what you mean specifically by
4 "proactively detecting," but as we talked about before,
5 we know teens can lie about their age.

6 Q. And in 2019, Meta was not searching accounts to
7 identify users who might be under 13, searching account
8 information?

9 MS. JONES: Objection to the form and
10 foundation.

11 A. I don't think that's the case. I think there
12 are abilities to report and there are probably fan-outs
13 from reports. I'm not sure exactly what the system
14 looked like in 2013 [sic], but I assumed there was more
15 than just collecting age at registration.

16 Q. And do you mean 2019?

17 A. Sorry. I do.

18 Q. Okay. Above the passage we just discussed
19 Ms. Newton wrote:

20 "In the meantime, so everyone has
21 background, I do think it's important to note
22 that Instagram has some key product and
23 demographic differences, which creates a higher
24 risk environment and unique vulnerabilities,
25 vis-?-vis Facebook, with regards to

1 safety reasons, but not for other reasons.

2 Q. Okay. And you're aware that Meta has been
3 using age predictions to target ads to users, correct?

4 MS. JONES: Objection to the
5 characterization and foundation.

6 You can answer.

7 A. I'm aware that we have -- that advertisers can
8 pick age groups in order to target ads to specific age
9 groups. I believe that our age prediction models are
10 actually much more precise and accurate on the safety
11 side than the ad side.

12 Q. Okay. And as of 2020 when this background
13 document was prepared, do you know whether Meta was
14 using age predictions to enforce under 13 accounts?

15 MS. JONES: Objection to form and
16 foundation.

17 A. So I believe that at this time we were not
18 doing age prediction for under 13s for any uses, whether
19 or not it was to remove under 13s or for ads, because we
20 didn't have access to under 13 data, which we would need
21 to build a classifier to try to predict those who are
22 under 13.

23 Q. And if you look at 65711, which is three pages
24 forward, do you see under the heading "Age Prediction"?

25 A. I do.