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EXHIBIT N

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**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT**

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

Plaintiff,

v.

No. D-101-CV-2023-02838

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

Defendants.

**PLAINTIFF STATE OF NEW MEXICO'S SEVENTH SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF
INTERROGATORIES: NOS. 1, 5, 6, 8, 9**

Pursuant to Rule 1-033(C) NMRA, Plaintiff State of New Mexico ("Plaintiff" or the "State") hereby provides these seventh supplemental objections and responses to Defendants' (Meta Platforms, Inc.; Instagram, LLC; Meta Payments, Inc.; and Meta Platforms Technologies, LLC (collectively, "Meta" or "Defendants")) First Set of Interrogatories (the "Interrogatories").

PRELIMINARY STATEMENT & GENERAL OBJECTIONS

The State responds and objects to the Interrogatories based on the best of its present knowledge, information, and belief. The State's responses and objections are at all times subject to such additional or different information that discovery or further investigation may disclose. The State reserves the right to amend, modify, supplement, or withdraw any response or objection set forth herein, but disclaims any agreement or obligation to do so.

The State reserves the right to supplement these responses prior to or at the close of discovery. In responding to the Interrogatories, the State does not waive but rather intends to

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preserve the following: (a) all objections as to the relevancy, materiality, and admissibility of any information; (b) all objections as to vagueness, ambiguity, or other infirmity in the form of the Interrogatories; (c) objections on any ground to any further interrogatories or other discovery requests involving or related to the subject matter of the Interrogatories; and (d) all privileges and/or rights under the applicable rule(s) of the New Mexico Rules of Civil Procedure or any statute, guidelines, common law, or other applicable law.

The State objects to the Interrogatories on the following grounds, each of which is incorporated by reference (where appropriate) in the responses and objections to the individual Interrogatories below:

1. The State objects to the Interrogatories to the extent they call for information protected by the attorney-client privilege, the attorney work product doctrine, the common interest doctrine, and/or any other constitutional, statutory, common law or other applicable privilege or protection. In responding to these Interrogatories, Plaintiff will not divulge protected or privileged information, and in particular will not search for and reveal protected or privileged information from the State's or the State's attorneys' litigation files relating to this case, including information prepared in anticipation of litigation or for trial. *S.F. Pacific Gold Corp. v. United Nuclear Corp.*, 2007-NMCA-133, ¶ 13 (citing Paul R. Rice, Attorney-Client Privilege in the United States §2:3, at 14 (2d ed. 1999)). Producing information that relates specifically to the State's allegations, claims, or legal theories would force counsel to reveal their mental impressions, evaluations, and thought processes in which they have engaged in reviewing Defendants' document productions, all of which are protected work product. *See* Rule 1-026 NMRA. Inadvertent production of disclosure by the State of any information that is confidential, privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of

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any such privilege or of any ground for objection to discovery with respect to such information or the subject matter thereof.

2. The State further objects to these Interrogatories to the extent they seek confidential information that is protected from public disclosure pursuant to laws, regulations, or confidentiality agreements. *See e.g.*, Rule 1-026(B)(5) NMRA (work product); Rule 11-503 NMRA (attorney-client privilege); *S.F. Pacific Gold Corp. v. United Nuclear Corp.*, 2007-NMCA-133, ¶ 13 (citing Paul R. Rice, Attorney-Client Privilege in the United States §2:3, at 14 (2d ed. 1999)); NMSA § 14-2-1(D), §14-2-1.2(A)(7).

3. The State objects to Defendants' definitions of "Plaintiff," "You," and "Your" as overbroad and unduly burdensome to the extent they purport to require Plaintiff to produce information that is not within its possession or control, or to the extent the burden or expense of obtaining such information outweighs its likely benefit, taking into account the needs of the case. *See* Rule 1-026(B)(1)-(2) NMRA; Rule 1-033(D) NMRA; *see also Ruiz v. S. Pac. Transp. Co.*, 1981-NMCA-094, ¶ 39 (interrogatories may be impermissible when they are "exceedingly broad"); *Barela v. Safeco Ins. Co. of Am.*, 2014 WL 11497826, at *2 (D.N.M. Aug. 22, 2014). (noting that "overly burdensome discovery requests" are prohibited).

INTERROGATORIES

1. Identify every Person likely to have discoverable information Related to Plaintiff's claims, including the harms alleged in the Complaint, and the subject matter of the information possessed by each such Person. Include without limitation every Person upon whom Plaintiff intends to rely in proving its claims and every Person likely to have discoverable information that supports or contradicts a position or claim Plaintiff has taken or intends to take.

RESPONSE: Plaintiff objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks identification of "every" Person

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“likely to have discoverable information Related to Plaintiff’s claims.” See Rule 1-026(B)(1)-(2) NMRA; see also Ruiz, 1981-NMCA-094, ¶ 39 (interrogatories may be impermissible when they are “exceedingly broad”); Barela, 2014 WL 11497826, at *2 (noting that “overly burdensome discovery requests” are prohibited). Plaintiff also objects to this Interrogatory on the grounds that it improperly calls for expert disclosures before the appropriate deadline, particularly to the extent that it seeks to identify any investigator retained by the State whose work was not referenced in the Complaint. See Rule 1-026(B)(6) NMRA; see also Reaves v. Bergsrud, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”).

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following response to Interrogatory No. 1: The Appendix A accompanying these responses contains a spreadsheet listing people who may have discoverable information related to the State’s claims. Plaintiff reserves the right to supplement this response to the extent it identifies additional non-privileged responsive information.

SUPPLEMENTAL RESPONSE: Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following supplemental response to Interrogatory No. 1: The Supplemental Appendices A.1 (Confidential) and A.2 (Highly Confidential—Attorneys’ Eyes Only) accompanying these responses contain updated spreadsheets that include additional individuals who may have discoverable information related to the State’s claims. Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

SECOND SUPPLEMENTAL RESPONSE (May 2, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional

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individuals who may have discoverable information related to the State's claims:

Clarie Miller, New Mexico Department of Health, State Suicide Prevention Coordinator and former Youth Suicide Prevention Coordinator.

Regina Bejarano, New Mexico Department of Health Southeast Region School Mental Health Advocate.

Katherine Holguin, New Mexico Department of Health Southwest Region School Mental Health Advocate.

Jiahua "Bella" Yang, New Mexico Department of Health, Survey Section Manager / NM BRFSS Coordinator / Acting NM YRRS Coordinator.

Sushma Mahadeo, Private Investigator.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

THIRD SUPPLEMENTAL RESPONSE (June 27, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Sandeep Abraham, Investigator
- b. Jessica Adviento-Mackey, Assistant Principal, Jimmy Carter Middle School, Albuquerque Public Schools
- c. Erin Armijo, Primary Teacher in Albuquerque Public Schools, Kids Code Coalition Member, Parent
- d. Susan Chacon, Statewide Health Program Manager, Children's Medical Services, Family Health Bureau, New Mexico Department of Health
- e. Marcia Moriarta, Division Chief Executive and Medical Director, Center for Development and Disability Professor, University of New Mexico Department of Pediatrics
- f. Ian Russell, Molly Russell's father
- g. Brian Levine, expert and fact witness

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- h. Damon McCoy, expert and fact witness
- i. Kendra Yalch, Officer, Bernalillo County Sheriff's Office, Criminal Investigations Division
- j. Kathleen Carmona, Supervisor, Victim Services Unit, New Mexico Department of Justice
- k. Barbie Montoya, Victim Rights Advocate, Victim Services Unit, New Mexico Department of Justice
- l. Cinthia Sisneros, Victim Advocate, Victim Services Unit, New Mexico Department of Justice
- m. Tracy [REDACTED], Parent

FOURTH SUPPLEMENTAL RESPONSE (July 11, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Earl Campbell, Investigator
- b. Josett Monette, Secretary, New Mexico Indian Affairs Department
- c. Karmela Martinez, Program Manager, New Mexico Indian Affairs Department
- d. Cathryn Jones, Investigator

SIXTH SUPPLEMENTAL RESPONSE (September 10, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Stacey Boone, Senior Statewide Behavioral Health Manager, Administrative Office of the Courts, New Mexico Courts
- b. Kelly Bradford, Court Services Division Director, Administrative Office of the Courts, New Mexico Courts
- c. Deanna Corriz, Statewide Program Manager, New Mexico Judiciary, New Mexico Courts
- d. Zamaan Qureshi, Design it for Us
- e. Lotte Rubaek, Psychologist, testified in the MDL

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- f. John Talley, Investigator, ICAC Division, New Mexico Department of Justice
- g. Jessica Adviento-Mackey, Principal, Harrison Middle School, Albuquerque Public Schools (updating title and school)
- h. Kristie Medina, Superintendent, Raton Public Schools
- i. Michelle Velasquez, Principal, Jimmy Carter Middle School

SEVENTH SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State’s claims:

- a. Sergeant Dianna Conklin, Special Victims Unit, Santa Fe Police
- b. Detective Ian Freeman, ICAC, Santa Fe Police
- c. Chief Paul Joye, Santa Fe Police
- d. Fairplay, Inc. (Fairplay for Kids)
- e. Heat Initiative
- f. Iain Corby, Executive Director, The Age Verification Providers Association

5. Identify and describe each express and implied material misrepresentation and material omission relating to Defendants’ Platforms for which Plaintiff seeks relief.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony, as a determination of whether certain conduct constitutes a misrepresentation or an omission may rely upon expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also* *Reaves*, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”). Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory because the ongoing discovery process has not yet progressed enough for Plaintiff to identify “each” misrepresentation and omission for which it

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seeks relief. *See* Rule 1-033(D) NMRA; *Lucero v. Valdez*, 240 F.R.D. 591 (D.N.M. 2007) (“[T]here is considerable support for deferring answers to contention interrogatories until after a substantial amount of discovery has been completed.”). Indeed, Defendants have yet to complete document production, including production of documents specific to New Mexico.

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff refers Defendants to paragraphs 422-439, 458-464 and 500-502 of the First Amended Complaint. Plaintiff agrees to supplement this response once a substantial amount of discovery has been completed.

SUPPLEMENTAL RESPONSE: Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the following statements constituting misrepresentations or containing material omissions:

February 2010 – representations to NAAG that Meta has “Ongoing technical and community verification, including identity and age,” a “Robust reporting infrastructure,” “Automated tools to prevent the dissemination of URLs” promoting child pornography, “Dedicated teams to respond to rare instances when child porn is detected,” “Aggressive response to reports of harassment (24hrs)” (METANMAG-005-01367715)

11/15/2018 – “Our Community Standards ban child exploitation. But to avoid potential for abuse, we remove nonsexual content as well, for example innocent photos of children in the bath — which in another context could easily be misused.” (<https://about.fb.com/news/2018/11/enforcing-our-community-standards-2/>)

2/7/2019 – “At Instagram, nothing is more important to us than the safety of the people in our community.” (<https://about.instagram.com/blog/announcements/supporting-and-protecting-vulnerable-people-on-instagram>)

2/17/2019 – “We will not allow any graphic images of self-harm, such as cutting on Instagram – even if it would previously have been allowed as admission. We have never allowed posts that promote or encourage suicide or self harm, and will continue to remove it when reported.” (<https://about.instagram.com/blog/announcements/supporting-and-protecting-vulnerable-people-on-instagram>)

6/26/2019 – “We will do things that mean people use Instagram less if we think that they keep people safe or generally create a healthier environment. And I think we have to be willing to do that.” (<https://www.cbsnews.com/news/adam-mosseri-instagram-is-seriously-considering-hiding-likes-apps-head-reveals/>)

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6/26/2019 – “We've been focused on well-being broadly, like I said, it's our number one priority,” (<https://www.cbsnews.com/news/adam-mosseri-instagram-is-seriously-considering-hiding-likes-apps-head-reveals/>)

8/9/2019 -- “When you send a report, it goes to our trained team of reviewers who check reports 24 hours a day,” she says. “We work quickly to remove any violating content, and [what] defines the violating content is what’s in those community guidelines.” (<https://people.com/parents/keeping-teenagers-safe-on-instagram-explainer/>)

10/27/2019 – Instagram doesn’t “allow people to share content that encourages or promotes self-harm or suicide. We have never permitted that.” (<https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>)

10/27/2019 – “Nothing is more important to me than the safety of the people who use Instagram, particularly the most vulnerable.” (<https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>)

6/11/2020 – “At Facebook, we use sophisticated technology and behavioral signals not only to prevent, detect and remove images and videos that exploit children, but also to detect and prevent grooming, or potentially inappropriate interactions between a minor and an adult. And we use this technology across Facebook, Instagram, Messenger and WhatsApp.” (<https://about.fb.com/news/2020/06/fighting-child-exploitation-online/>)

11/10/2020 – “We use technology to help us proactively find and remove more harmful suicide and self-harm content.” (<https://about.fb.com/news/2020/11/keeping-people-safe-instagram-europe/>)

3/17/2021 – “To protect teens from unwanted contact, we restrict people over 19 years old from sending private messages to teens who don’t follow them.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

5/26/2021 – “[T]here’s no rigorous research that suggests Likes are bad for people’s well-being” (<https://techcrunch.com/2021/05/26/facebook-and-instagram-will-now-allow-users-to-hide-like-counts-on-posts/>)

May 2021 – Instagram’s effects on teen well-being are likely “quite small” (MT-IG-AG-NM-000273005)

7/27/21 – “The company said it has also developed a tool that automatically detects potentially suspicious adult accounts and stops those accounts from interacting with teens' accounts on the app. An adult's account might be marked as suspicious if it has been blocked or reported by multiple teen accounts, said Instagram's head of public policy, Karina Newton in a separate interview. Once they are flagged, adults won't be shown teen accounts in discovery tools. They also won't be able to follow young people's accounts, leave comments on their posts or see comments from teens on other people's accounts.” (<https://www.nbcnews.com/tech/social-media/instagram-s-new-protections-teens-come-experts-say-tween-venture-n1275069>)

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10/29/2021 – “[T]he only marketing to teens [Meta has] done has been on safety and well-being” (MT-IG-AG-NM-000304155)

10/29/2021 – It “was not a typical user experience to make one interaction and have that prompt exposure to potentially harmful content” (MT-IG-AG-NM-000304155)

10/29/2021 – “[W]e do not have any filters that would alter someone’s body in a way that would require cosmetic surgery” (MT-IG-AG-NM-000304155)

11/22/2021 – “Views of violating content that contains suicide and self-injury are very infrequent, and we remove much of this content before people see it. As a result, many times we do not find enough violating samples to precisely estimate prevalence.” (METANMAG-007-00461433; also METANMAG-007-00477163 (7/1/2022); MT-IG-AG-NM-000272213 (11/15/2022))

12/8/2021 – “If a child is under the age of 13, they are not permitted on Instagram” (Mosseri Testimony to Senate Commerce Committee)

5/31/2023 – “We always want to lean towards letting people express themselves, but when someone posts something that may jeopardize another person’s safety, we step in.” (<https://about.instagram.com/blog/announcements/instagram-ranking-explained>)

12/6/2023 – Implementing end-to-end encryption enabled Meta to “launch a safer ... service.” (<https://about.fb.com/news/2023/12/default-end-to-end-encryption-on-messenger/>)

1/30/2024 – Material omissions in statements regarding “the efficacy of our work enforcing our child safety policies” (<https://about.fb.com/news/2023/12/combating-online-predators/>)

1/31/2024 – “We want teens to have safe, age-appropriate experiences on our apps, and we want to help parents manage those experiences.” (Zuckerberg Senate Testimony)

2/23/2024 – “We launched creator monetization tools with a robust set of safety measures and multiple checks on both creators and their content, such as automatically reviewing content the first time it receives a gift.” (<https://abc3340.com/news/nation-world/instagram-tool-enabled-parents-to-profit-off-sexual-pictures-of-children-report-says-wall-street-journal-meta-tipping-mark-zuckerberg-senate-hearing-congress-dick-durbin-child-safety-online>)

1/1/2025 – “We do not allow content that endangers children, such as content that contains nudity or physical abuse or content that sexually exploits children on Facebook and Instagram. When we find this type of violating content, we remove it, regardless of the context or the person’s motivation for sharing it.” (<https://transparency.meta.com/reports/community-standards-enforcement/child-nudity-and-sexual-exploitation/facebook/>)

Undated statement contained in multiple CSERs – “We are working on estimating prevalence for child endangerment violations. We will continue to expand prevalence measurement to more areas as we confirm accuracy and meaningful data.”

Statements concerning effects of the platforms that omit or do not acknowledge internal research showing harms from the platforms, including statements by Zuckerberg and Mosseri set forth here:

<https://www.wsj.com/podcasts/the-journal/the-facebook-files-part-2-we-make-body-image-issues-worse/c2c4d7ba-f261-4343-8d18-d4de177cf973>

Statements concerning transparency of Meta's research concerning the effects and impacts of its platforms on youth well-being

Statements regarding Meta's ability or effectiveness to moderate content, including statements in Meta's CSERs and elsewhere

Statements regarding the ability of Users to report misconduct that omit that many such reports are not actioned, improperly actioned or otherwise overlooked

Statements regarding Teen Accounts that overstate the effectiveness of Meta's changes or fail to disclose that such changes are ineffective to protect Teens and/or can be easily overridden

Statements suggesting or implying that Meta's algorithms will not recommend or deliver harmful or violative content

Statements regarding reporting to NCMEC that omit that the reporting was often inaccurate or insufficient, including the following statements set forth at <https://transparency.meta.com/integrity-reports-q3-2024>:

NCMEC CyberTips

As part of our ongoing work to provide young people with safe, positive online experiences, we're continuing to provide more transparency into our efforts to find and report child exploitation to the National Center for Missing and Exploited Children (NCMEC). We began sharing this data last year.

In Q3 2024, we reported the following number of CyberTips to NCMEC from Facebook and Instagram:

- Facebook and Instagram sent over 1.6 million NCMEC CyberTip reports for child sexual exploitation.
 - Of these reports, over 120 thousand involved inappropriate interactions with children. CyberTips relating to inappropriate interactions with children may include an adult soliciting child sexual abuse material (CSAM) directly from a minor or attempting to meet and cause harm to a child in person. These CyberTips also include cases where a child is in apparent imminent danger.
 - Over 1.5 million reports related to shared or re-shared photos and videos that contain CSAM.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

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SECOND SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the following statements constituting misrepresentations or containing material omissions:

12/12/2011-3/6/2023 – “We report all apparent instances of child exploitation appearing on our site from anywhere in the world to the National Center for Missing and Exploited Children (NCMEC)” (www.facebook.com/safety/groups/law/guidelines/)

3/31/2017 – “We have zero tolerance for child exploitation on Instagram. In the rare instances when such illegal behavior is detected on our site we work hard to find whoever is responsible and work with relevant law enforcement agencies to bring them to justice. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (<https://www.wtvm.com/story/35043701/instagram-responds-to-mcsd-inappropriate-picture-we-have-zero-tolerance-for-child-exploitation/>)

6/30/2017 - “We have zero tolerance for child exploitation on Instagram. In the rare instances when such illegal behavior is detected on our site we work hard to find whoever is responsible and work with relevant law enforcement agencies to bring them to justice. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (METANMAG-002-01400547)

2/2/2018 - “Instagram has zero tolerance for child exploitation on the platform. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (MT-IG-AG-NM-000022350)

12/5/2018 - “Keeping children safe on Instagram is hugely important to us. Content which exploits or endangers children is not allowed on our platform. If people see content which exploits or endangers children, they can report it to us for our teams to quickly investigate and prevent harm. We also take a number of proactive measures, including photo-matching technology which removes known child exploitative content when it’s uploaded. We manually review this content, and if it violates our policies we will report it to the National Center for Missing and Exploited Children (NCMEC) and remove the account in question.” (METANMAG-010-00524780)

7/9/2019 – “Keeping young people safe on Instagram is hugely important to us. Content which exploits or endangers children is not allowed on Instagram. If people see such content, they should report it to us for our teams to quickly investigate. We also have a number of proactive measures in place, including photo-matching technology which removes known child exploitative material, and new technology which proactively detects child nudity and previously unknown child exploitative content when it’s uploaded. We manually review this content, and if it violates our policies we will report it to the National Center for Missing and Exploited Children (NCMEC) and remove the account in question. (MT-IG-AG-NM-000070712)

11/18/2020-Present – “We do not allow content or activity that sexually exploits or endangers children. When we become aware of apparent child exploitation, we report it to the National Center

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for Missing and Exploited Children (NCMEC), in compliance with applicable law.” (<https://transparency.meta.com/policies/community-standards/child-sexual-exploitation-abuse-nudity>)

6/10/2021 - “Sex trafficking and child exploitation are abhorrent and we don't allow them on Facebook. We have policies and technology to prevent these types of abuses and take down any content that violates our rules. We also work with safety groups, anti-trafficking organizations and other technology companies to address this and we report all apparent instances of child sexual exploitation to the National Center for Missing and Exploited Children.” (<https://www.cbsnews.com/news/facebook-sex-trafficking-online-recruitment-report/>)

1/31/2024 – “[W]e report all apparent instances of child exploitation identified on our site from anywhere in the world to NCMEC.” (<https://about.fb.com/news/2024/01/our-work-to-help-provide-young-people-with-safe-positive-experiences/>)

At least 4/23/2018-Present - “You must be at least 13 years old.” (<https://help.instagram.com/581066165581870/>)

At least 1/19/2013-Present - “Instagram does not knowingly collect or solicit any information from anyone under the age of 13 or knowingly allow such persons to register for the Service. The Service and its content are not directed at children under the age of 13. In the event that we learn that we have collected personal information from a child under age 13 without parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us.” (<https://www.instagram.com/about/legal/privacy/before-january-19-2013/>)

12/8/2021 – “As Head of Instagram, I am especially focused on the safety of the youngest people who use our services. This work includes keeping underage users off our platform” (Mosseri Testimony to Senate Commerce Committee)

3/25/2021 – “our policies on the main apps that we offer generally prohibit people under the age of 13 from using the services.” (Zuckerberg Testimony to House of Representatives Communications and Technology Subcommittee)

3/17/2021 – “We require everyone to be at least 13 to use Instagram and have asked new users to provide their age when they sign up for an account for some time. While many people are honest about their age, we know that young people can lie about their date of birth. We want to do more to stop this from happening, but verifying people’s age online is complex and something many in our industry are grappling with.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

3/17/2021 - “As we move to end-to-end encryption, we’re investing in features that protect privacy and keep people safe without accessing the content of DMs.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

1/10/2024-Present - “We require people to be at least 13 years old to sign up for Instagram.”

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(<https://help.instagram.com/3237561506542117>)

At least Present - “We require people to be at least 13 years old to sign up for Instagram.” (NCOSE 30(b)(6) Dep. Ex. 10)

At least Present – “While we do not allow people to intentionally or unintentionally celebrate or promote suicide, self-injury or eating disorders . . . We may also limit the ability to view this content to adults aged 18 and older.” (<https://transparency.meta.com/policies/community-standards/suicide-self-injury/>)

At least Present – “We remove any content that encourages suicide, self-injury or eating disorders, including fictional content such as memes or illustrations, and any self-injury content which is graphic, regardless of context. We remove content that contains instructions for extreme weight loss behaviour.” (<https://transparency.meta.com/policies/community-standards/suicide-self-injury/>)

1/9/2024 – “Our content recommendation controls – known as ‘Sensitive Content Control’ on Instagram and ‘Reduce’ on Facebook – make it more difficult for people to come across potentially sensitive content or accounts in places like Search and Explore.” (<https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/>)

1/9/2024 – “While we allow people to share content discussing their own struggles with suicide, self-harm and eating disorders, our policy is not to recommend this content and we have been focused on ways to make it harder to find. Now, when people search for terms related to suicide, self-harm and eating disorders, we’ll start hiding these related results and will direct them to expert resources for help. We already hide results for suicide and self harm search terms that inherently break our rules and we’re extending this protection to include more terms. This update will roll out for everyone over the coming weeks.” (<https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/>)

1/31/2024 - “Teens are defaulted into the most restrictive content and recommendations settings to make it more difficult to come across potentially sensitive content or accounts.” (Zuckerberg Testimony to Senate Judiciary Committee)

1/31/2024 - “In addition to these teen-specific protections, we hide results for searches for terms related to suicide, self-harm, and eating disorders, instead offering access to expert resources for everyone on Instagram.” (Zuckerberg Testimony to Senate Judiciary Committee)

12/3/2021 – “We don’t allow people to post graphic suicide and self-harm content, content that depicts methods or materials involved in suicide and self-harm (even if it’s not graphic), or fictional content that promotes or encourages suicide or self-harm.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

12/3/2021 – “We also remove certain hashtags and accounts from appearing in search. When someone starts typing a known hashtag or account related to suicide and self-harm into search, we restrict these results.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

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12/3/2021 – “we don’t allow content that promotes or encourages eating disorders on our platforms.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

10/4/2019 - “We are also working closely with privacy and safety advocates as we look to build a safe and secure global private messaging service.” (METANMAG-002-00283371)

12/6/2023 – “We worked closely with outside experts, academics, advocates and governments to identify risks and build mitigations to ensure that privacy and safety go hand-in-hand.” (<https://about.fb.com/news/2023/12/default-end-to-end-encryption-on-messenger/>)

Present – “We remove content that's meant to degrade or shame, including, for example, claims about someone's sexual activity. We recognize that bullying and harassment can have more of an emotional impact on minors, which is why our policies provide heightened protection for anyone under the age 18, regardless of user status.” (<https://transparency.meta.com/policies/community-standards/bullying-harassment/>)

9/17/2024 – “Teens will be placed in the strictest messaging settings, so they can only be messaged by people they follow or are already connected to.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

9/17/2024 – “Teens will automatically be placed into the most restrictive setting of our [sensitive content control](#), which limits the type of sensitive content (such as content that shows people fighting or promotes cosmetic procedures) teens see in places like Explore and Reels.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

9/17/2024 – “We’ll also automatically turn on the most restrictive version of our anti-bullying feature, [Hidden Words](#), so that offensive words and phrases will be filtered out of teens’ comments and DM requests.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

Last updated 10/14/2025 – “We want teens to have safe, positive experiences on Facebook and Instagram, which includes helping them explore their interests while showing them content that’s appropriate for their age.” (<https://transparency.meta.com/policies/age-appropriate-content/>)

Statements overstating the effectiveness of Meta’s safety tools and Teen Accounts to restrict messaging between adult strangers and minors and reducing the likelihood of children being exposed to bullying and inappropriate comments.

Statements indicating that teens only see content that’s appropriate for their age.

Statements overstating the effectiveness of Meta’s features to help limit the amount of time children spend on Instagram.

Statements indicating Meta uses artificial intelligence to assess users’ ages.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

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6. Identify all “unfair practices” Plaintiff alleges Defendants engaged in that Plaintiff alleges violated the New Mexico Unfair Trade Practices Act as defined in NMSA § 57-12-2(D).

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony, as a determination of whether certain conduct constitutes “unfair practices” may rely upon expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also* *Reaves*, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”). Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory because the ongoing discovery process has not yet progressed enough to determine the full extent of “all” of Defendants’ “unfair practices.” *See* Rule 1-033(D) NMRA; *Lucero*, 240 F.R.D. 591 (D.N.M. 2007) (“[T]here is considerable support for deferring answers to contention interrogatories until after a substantial amount of discovery has been completed.”). Indeed, Defendants have yet to complete document production, including production of documents specific to New Mexico.

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff refers Defendants to paragraphs 516, 517 and 522 of the First Amended Complaint. Plaintiff agrees to supplement this response once a substantial amount of discovery has been completed.

SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the unfair practices listed below.

Meta designed and implemented features on its platforms that enabled sexual predators to target, groom, sexually exploit, and traffic children. Meta internally knew, but failed to publicly disclose, that its recommendation algorithms specifically contributed to this abuse and exploitation

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by connecting predators with minors. While Meta internally knew that its platforms facilitated the abuse and exploitation of children, it refused to implement, or significantly delayed in implementing, modifications to its platforms that could have mitigated those harms. Even when Meta specifically identified users who engaged in child exploitation, it failed to adequately keep those users off of its platforms.

Meta knowingly blinded itself to millions of instances of illicit conduct involving children on its platforms by implementing end-to-end encryption on Messenger. Meta internally knew that its decision to implement end-to-end encryption would create significant risks for children on its platforms, including by preventing Meta from accessing CSAM, CSEC, and other instances of child sexual abuse on Messenger, but it failed to publicly disclose this knowledge and moved forward with end-to-end encryption regardless.

Meta designed and implemented features on its platforms that negatively impact teen mental health and wellbeing, and Meta conducted, but failed to publicly release, internal research confirming as much, and internal research showing that teens are particularly susceptible to negative experiences on its platforms. For example, Meta knew that its platforms contributed to negative social comparison among teen users, but failed to release its internal research confirming as much. Even when Meta knew about modifications it could make to its platforms that would improve youth wellbeing, it refused to implement them, or significantly delayed their implementation, if doing so would cause too much of a negative impact on growth.

Meta's engagement-based recommendation algorithms promote the spread of content related to suicide, self-harm, and eating disorders. Meta conducted internal research confirming as much, and confirming that these issues are particularly prevalent for teen users, but it did not publicly disclose this research. While Meta claims that it detects and removes harmful suicide and

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self-harm content using automated systems known as “classifiers,” Meta was internally aware that those systems were inadequate and often fail. Even when Meta made public commitments to changing its policies regarding suicide and self-harm content on its platforms, it failed to meet those commitments and continued to fail to protect teens from the harmful suicide and self-harm content promoted by and accessible on its platforms.

Meta tells users that they can protect themselves by reporting harmful conduct occurring on Meta’s platforms, but Meta’s user reporting systems fail to meaningfully address harm on its platforms. Meta regularly fails to review reports submitted by users and it maintains significant backlogs of reports. Even when Meta does review user reports, it takes action on relatively few of them. Moreover, Meta intentionally designed its user reporting flow to make it more difficult for users to complete a report by adding “friction” to the process in order to reduce the number of reports that Meta needed to devote resources to reviewing.

Meta targets young users and fails to effectively prevent children under 13 years-old from using its platforms, even though those platforms were not designed to keep those users safe. Meta internally knew that children under 13 years-old use its platforms because anyone signing up for its platforms could easily lie about their age; however, despite this knowledge, Meta did not implement a meaningful age verification process.

Meta intentionally manipulates susceptible teen users to bring them to, and keep them on, its platforms by implementing features designed to entice and addict them. Meta knew that teens’ developing brains diminished their capacity for sound judgment and emotional regulation, it knew that its platforms took advantage of these vulnerabilities, and it knew about the detrimental harms that accompanied addictive use of its platforms. Indeed, Meta’s internal research confirmed that teens often felt unable to control the amount of time they spend on Meta’s platforms. However,

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Meta failed to disclose this knowledge and utilized exploitative platform features in spite of it. Meta designed and implemented platform features that were intended to exploit developmental vulnerabilities in teens to maximize the amount of time that those teens spent on Meta's platforms. For example, Meta designed its recommendation algorithm to maximize engagement at the expense of wellbeing; Meta implemented infinite scroll to keep teen users continuously scrolling on its platforms; and Meta sends teen users notifications to keep them coming back to its platforms even when doing so is at odds with wellbeing.

Meta's public statements and transparency reports misrepresent the safety of its platforms to teens, parents, and the public. While Meta's Community Standards Enforcement Reports ("CSERs") purport to track the company's enforcement of policy violations across its platforms, the CSERs' focus on the "prevalence" of violating content misrepresents the safety of Meta's platforms and downplays the likelihood of harmful experiences, particularly for teen users. While the reported "prevalence" of violating content in CSERs was often relatively low, Meta's internal research confirmed that users faced far more risks and negative experiences on its platforms than the "prevalence" data suggested. By publicly releasing misleading data in its CSERs while withholding contradictory internal knowledge about the actual experiences of its users, Meta provided an incomplete picture of the risks involved with Meta's platforms and the rate of harmful content on those platforms. Meta's CSERs also misrepresent the company's efforts to proactively detect and remove harmful content on its platforms. While Meta's CSERs report data about the amount of content Meta found and actioned without a user report, they do not disclose Meta's internal efforts to make its user reporting flow more difficult by adding "friction," and they do not acknowledge Meta's internal knowledge regarding the inadequacy of its classifiers.

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8. Specify each category of cost, expenditure, damage, loss, harm, penalty, or relief for which Plaintiff seeks equitable or monetary relief. For each category, identify and fully describe the dollar amount, how it was calculated and all Persons with knowledge about the cost, expenditure, damage, loss, or harm and/or its computation. For any statutory penalty, identify the number of violations you allege, the dollar amount you are seeking for each alleged violation, and the number of alleged violations, if any, for which you are seeking to recover related to consumers who are not citizens of this State.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony, as any penalties or abatement will rely upon expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also* *Reaves*, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”). Plaintiff further objects to this Interrogatory on the grounds that discovery is still ongoing, and any penalties, abatement, or disgorgement assessed in this case will be subject to the ongoing discovery process.

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following response to Interrogatory No. 8: Plaintiff intends to pursue civil penalties, abatement of a public nuisance, and disgorgement. While any penalties will be determined by the factfinder, Plaintiff intends to seek the maximum penalties allowed by statute.

SUPPLEMENTAL RESPONSE (July 15, 2025): Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following supplemental response to Interrogatory No. 8: Based on its review of discovery and depositions to date, and as identified in the State’s prior Responses to Meta’s Interrogatory No. 5, the State has identified numerous misrepresentations made by Meta over the relevant period (subject to updating as discovery proceeds). The State contends that the appropriate measure of civil penalties is the

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dissemination of those misrepresentations to Meta's users and the public, as demonstrated by the number of visits to websites on which those misrepresentations were disseminated and/or the daily or monthly use of Meta's platforms in New Mexico, which Meta has provided or is due to provide in its Responses to Request for Production Nos. 113 and 227 and Interrogatory No. 37. Regardless of the measure used, the State will seek the maximum penalty permitted by law given the extensive evidence that Meta was aware of widespread sexual exploitation of children, addiction, and other mental health harms on its Platforms, which Meta misrepresented or failed to disclose to its users or the public.

SECOND SUPPLEMENTAL RESPONSE (October 20, 2025): Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following supplemental response to Interrogatory No. 8:

The State is seeking civil penalties on each Defendant of up to \$5,000 for each violation of the Unfair Practices Act ("UPA"). Based on its review of discovery and depositions to date, and as identified in the State's Responses to Meta's Interrogatory No. 5 (subject to updating as discovery proceeds), the State has identified numerous misrepresentations made by Meta over the relevant period that violate the UPA. The State contends that the appropriate measure of civil penalties is the dissemination of those misrepresentations to Meta's users and the public. For example, the number of violations with respect to false statements that appear on Meta's websites should be assessed as the number of people those statements reached, as demonstrated by the number of visits to the web pages on which those misrepresentations were disseminated and/or the daily or monthly use of Meta's platforms in New Mexico, which Meta has provided and is due to provide in its Response to Interrogatory 37 and all Monthly Average User (MAU) and Daily Active User (DAU) data produced by Meta in the litigation. Other data that bears on the question of the

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appropriate amount of civil penalties to be assessed against Defendants include ABC001, CBSN001, NBCU001, and FOXNEWS00001.

Because Meta has not completed its response to Interrogatory No. 37, the State is not able to provide calculations at this stage. Determination of the proper amount of civil penalties is generally a question for the finder of fact and involves at least the following factors: “(1) the good or bad faith of the defendants; (2) the injury to the public; (3) the defendant’s ability to pay; (4) the desire to eliminate the benefits derived by a violation; and (5) the necessity of vindicating the authority of the” enforcement authority. *U.S. v. Reader’s Digest Ass’n, Inc.*, 662 F.2d 955, 967 (3d Cir. 1981). Courts have authorized the use of other factors, including “active concealment of information by the defendant” and “the deterrence value of the assessed penalties.” *See State ex rel. Wilson v. Ortho-McNeil-Janssen Pharms., Inc.*, 777 S.E.2d 176, 203 n.31 (S.C. 2015). Regardless of the measure used, the State will seek the maximum penalty permitted by law given the extensive evidence that Meta was aware of widespread sexual exploitation of children, addiction, and other mental health harms on its Platforms, which Meta misrepresented or failed to disclose to its users or the public, as well as evidence concerning, among other things, the widespread injury to the public, the deterrence value of the penalties and the length and extent of Meta’s misrepresentations.

The State is also seeking an order that Meta abate the public nuisance caused by Meta’s unreasonable and/or unlawful conduct. The scope and/or cost of an abatement plan to ameliorate the alleged harm may be the subject of expert testimony by Dana Weiner, Nathaniel Lubin, Damon McCoy, Kimothi Cain, Kristina Sowar, Jennifer O’Brien, [undercover investigator], and Kelly O’Donnell. The State has disclosed each of these experts’ opinions to Meta.

The State is seeking disgorgement of profits and data that were unjustly obtained.

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Disgorgement is not intended to compensate victims but to prevent unjust enrichment and to deter others from similar misconduct. A court can order disgorgement to the extent to which a defendant profited from its wrongdoing. Meta's revenue derived from advertising to youth in New Mexico may be the subject of expert testimony by Dr. Zachary Ward and/or Dr. John Chandler. Dr. Chandler may also testify on the type of data that Meta collected on youth, including users under 13 years of age, including the use and value of the data.

The State is seeking an injunction permanently enjoining Meta and its employees, officers, directors, agents, assigns, successors, subsidiaries, and other persons acting in concert or participation with it, from engaging in unfair, unconscionable, or deceptive practices in violation of New Mexico law.

The State is seeking the cost of investigation and all costs and expenses.

The State is seeking pre-judgment and post-judgment interest.

9. Identify each New Mexico Consumer who experienced the harms alleged in the Complaint (including depression, anxiety, suicide, self-harm, loss of sleep, compulsive use, and addiction) that Plaintiff alleges were caused by use of Defendants' Platforms, including each New Mexico consumer who you allege experienced "compulsive use." Compl. at 539. For each, identify all communications between Plaintiff and the Consumer regarding their use of Defendants' Platforms, all evidence that those individuals heard or read alleged misstatements from Defendants, and all evidence those individuals considered such statements material and relied on those statements in deciding to use Instagram.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is not relevant to any claims or defenses in this case, and on the grounds that it is overly broad, unduly

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burdensome, and not proportional to the needs of the case, particularly because it seeks information regarding individual “harms” suffered by individual “New Mexico Consumer[s]” even though none of the State’s claims require a particularized showing of harm. *See* Rule 1-026(B)(1)-(2) NMRA; Rule 1-033(D) NMRA; NMSA § 57-12-2(D); *see also State ex rel. King v. B & B Inv. Grp., Inc.*, 2014-NMSC-024, ¶ 26 (“The UPA does not require a subjective, individualized showing of detriment.”); *State ex rel. Vill. of Los Ranchos de Albuquerque v. City of Albuquerque*, 1994-NMSC-126, ¶ 50-53 (describing the elements of public nuisance). Plaintiff also objects to this Interrogatory as vague and ambiguous in its use of the undefined term “experienced,” which could be subject to multiple interpretations when used in the context of diagnosing mental health harms. *See* Rule 1-026(B)(1) NMRA. Further, Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony and expert disclosures before the appropriate deadline to the extent that demonstrating any of the “harms” described in the Interrogatory may require expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also Reaves*, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”).

The State will not rely on individual data analyses, but rather will prove its claims, in whole or in part, through aggregate proof or statistical evidence, consistent with the decisions of numerous courts to consider the propriety of this approach. *See* Report and Recommendation, *In re: National Prescription Opiate Litig.*, Case No. 1:17-MD-2804 (DAP), Doc. 1025 (N.D. Ohio) (Magistrate Judge David A. Ruiz); *In re Neurontin Litigation*, 712 F.3d 21, 29-39 (1st Cir. 2013); *United States v. Life Care Centers of Am., Inc.*, 114 F.Supp. 3d 549 (E.D. Tenn. 2014); *United States v. Life Care Centers of Am., Inc.*, 1:08-CV-251, 2015 WL 10987029, at *3 (E.D. Tenn. Feb. 18, 2015); Order Regarding Discovery Ruling No. 5, *In re: National Prescription Opiate Litig.*,

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Case No.1:17-MD-2804 (DAP), Doc. 1047 (N.D. Ohio). As such, discovery of the burdensome evidence sought in this Interrogatory, given the issues noted below, is not proportional to the needs of the case. *See, e.g., City of Chicago v. Purdue Pharma, L.P.*, 2020 WL 3578497, at *3 (N.D. Ill. July 1, 2020) (“Defendants cannot demand discovery based on a proof element the opposing party does not accept as a required element.”).

Plaintiff further objects to this Interrogatory to the extent it seeks production of individualized information that is protected from disclosure by state or federal privacy laws, including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), 34 C.F.R. Part 99.

Subject to and without waiving these or any of the foregoing general objections, Plaintiff agrees to meet and confer with Defendants to determine whether Defendants are willing to narrow the scope of Interrogatory No. 9.

SUPPLEMENTAL RESPONSE: Plaintiff incorporates its previous objections and responses by reference, and provides the following supplemental response:

All New Mexico plaintiffs in *Smith v. TikTok Inc.*, No.22STCV21355 (Cal. Super. Ct. L.A. Cnty. filed June 30, 2022), and *In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, MDL No. 3047, 22-MD-3047-YGR (N.D. Cal filed Oct. 24, 2023).

All New Mexico parents, teachers, school counselors, and community members who signed the letter to Mark Zuckerberg. <https://kidscodecoalition.org/2023/12/new-mexico-parents-educators-health-professionals-demand-answers-from-metas-zuckerberg-on-ag-report-call-for-kids-code-legislation/>

New Mexico School Counselor Association, <https://www.nmschoolcounselor.org/>.

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Former Principal of Vado Elementary School, Cheryl Coyle. METANMAG-003-00807971.

Lily Luchau, NMAG-SM-0135446.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

SECOND SUPPLEMENTAL RESPONSE (June 27, 2025):

The State notes that all prior supplemental responses identify individuals upon whom the State may rely or call as witnesses at trial, consistent with the State's agreement as set forth in its April 4 and April 15 correspondence.

THIRD SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and provides the following supplemental response:

Jessica Adviento-Mackey, Assistant Principal, Harrison Middle School, Albuquerque Public Schools.

Tracy [REDACTED], Parent.

Kristie Medina, Superintendent, Raton Public Schools.

Ian Russell, Molly Russell's father.

Michelle Velasquez, Principal, Jimmy Carter Middle School.

Signed this 20th day of October 2025.

RAÚL TORREZ
ATTORNEY GENERAL OF NEW MEXICO

/s/ David I. Ackerman
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