

Filed Under Seal

EXHIBIT C

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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,

-VS-

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

Defendants.

VIDEOTAPED DEPOSITION OF KELLY O'DONNELL, PHD

October 15, 2025

9:00 a.m.

110 N. Guadalupe St., Suite 1

Santa Fe, NM 87501

PURSUANT TO THE NEW MEXICO RULES OF CIVIL
PROCEDURE, this VIDEOTAPED DEPOSITION was:

TAKEN BY: ALEX A. PARKINSON, Pro Hac Vice
ATTORNEY FOR DEFENDANTS

REPORTED BY: SHANON R. MYERS, CCR, RPR, CRR, RMR, CRC
CCR No. 275

1 Q. Okay. So for 2026, the abatement plan calls for
2 an incremental --

3 A. Right.

4 Q. -- 24.2 full-time or equivalent --

5 A. Right.

6 Q. -- child and adolescent psychiatrists for youth
7 ages 11 to 17 years old?

8 A. Yes.

9 Q. Okay. If you could please click on that 24.2?

10 A. Yes.

11 Q. And then if you look up at the formula bar at the
12 top of the Excel spreadsheet.

13 A. Okay.

14 Q. It says that 24.2 is actually 24.22- --

15 A. Yes.

16 Q. -- -03831175- --

17 A. Uh-huh.

18 Q. -- 682.

19 A. Right.

20 Q. What is that?

21 A. That -- that is the estimate of -- my
22 understanding, this -- this was a number that I was provided
23 with, so I -- I provided the cost associated with that 24.2
24 FTEs.

25 My understanding is that -- based on Dr. Weiner's

1 model, that that is the -- that is the estimated -- again,
2 it's a calculation, so it -- that's the estimated number of
3 additional child and adolescent psychiatrists needed to --
4 to implement the abatement plan.

5 Q. Why are there so many significant digits behind
6 the 24.2?

7 A. My role in this process was to assign a cost to
8 the 24.2, not to derive the 24.2, but clearly the 24.2 is a
9 calculation, right?

10 Q. Yeah.

11 Does the 24.2 with 12 or 13 digits after it seem kind
12 of strange to you?

13 A. No.

14 Q. Okay. This is a hard-coded figure --

15 A. Right.

16 Q. -- which means that someone put it into the Excel
17 spreadsheet.

18 A. Right.

19 Q. Was that Dr. Weiner, you understand, put that in?

20 A. Yes.

21 Q. If you scroll up a bit, there's a part of this
22 Treatment tab that's Section C, "Behavioral health
23 conditions" --

24 A. Right.

25 Q. -- "among youth ages 11 to 17 years."

1 Q. And, again, just to reset, for 2026, this cost
2 model assumes that 35,272 youth in New Mexico will have
3 problematic social media use or addiction, correct?

4 A. The cost model is predicated on a quantity of
5 services required. And so to the extent that Dr. Weiner's
6 conclusions about the quantity of services required was
7 hinged on these numbers, the answer to your question, I
8 believe, is yes; however, the numbers that I estimated were
9 not contingent on these numbers.

10 Q. Uh-huh.

11 A. My -- my estimates were contingent on the estimate
12 of services needed provided by Dr. Weiner.

13 Q. Okay. Is it fair to say that in preparing your
14 opinions for this case, including by reviewing the materials
15 considered --

16 A. Uh-huh.

17 Q. -- you read a lot about social media?

18 A. No.

19 Q. Okay. Do you have an understanding of what social
20 media is?

21 A. Yeah. I mean, it -- I mean, in layman's -- I
22 mean, cert- -- I'm not an expert on social media. I
23 understand what social media is as an ordinary member of the
24 public would understand social media.

25 Q. Understood.

1 figures of the number of youth in New Mexico with these
2 behavioral problems?

3 A. Right.

4 MR. ARNOLD: Objection to form.

5 Give me a chance to object before you answer --

6 THE WITNESS: Sorry.

7 MR. ARNOLD: -- if you could. Thank you.

8 Q (BY MR. PARKINSON) So, again, just to understand
9 how the model works.

10 A. Right.

11 Q. Whether the number of New Mexico youth listed in
12 the spreadsheet who have problematic social media use were
13 zero or 35,000 or 1 million, it wouldn't change the cost
14 operation of the model?

15 MR. ARNOLD: Same objection.

16 A. It would not change my calculations.

17 Q (BY MR. PARKINSON) Okay. So far, we've been
18 talking about your amended report --

19 A. Uh-huh.

20 Q. -- and amended model of September 30th, correct?

21 A. Correct.

22 Q. Okay. You submitted an earlier report and an
23 earlier model in July 2025, correct?

24 A. Correct.

25 Q. And the initial report that you submitted in