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EXHIBIT 16

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STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT
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
BRIAN LEVINE, Ph.D.
Friday, September 19, 2025
9:09 a.m.

Held at: Covington & Burling LLP
One International Place
Boston, Massachusetts

Megan M. Castro, RPR, CSR #152614
Court Reporter

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19 I just -- if I could say one more
20 thing. Flipping through this document just
21 now, this appears to be a document written by
22 people at Meta about Meta without any peer
23 review, external committee standards, or
24 anything.

1 that in the limited set of materials I was
2 given for discovery and the time that I was
3 given.

4 Q. The information that there had been
5 this 70 percent decline in Instagram's reports
6 was something you could have evaluated. Right?

7 A. I don't believe so.

8 Sorry. Can you say that again?

9 Q. The information that there had been a
10 70 percent decline in Instagram's NCMEC
11 reports, that was something you could have
12 evaluated. Correct?

13 A. The report -- the fact that it did drop
14 is present on page 97. I didn't have the
15 opportunity to evaluate why it dropped.

16 Q. Are you aware that NCMEC shifted its
17 reporting system to bundled reporting for 2024?

18 A. I am aware.

19 Q. And the purpose was to streamline the
20 reporting and to reduce the number of reports
21 in NCMEC. Right?

22 A. That's right.

23 Q. And you are aware that Meta implemented
24 bundled reporting to NCMEC in 2024?

1 A. I discuss -- I provide NCMEC's
2 statement on it on page 98 of my report.

3 And they say, "Even when NCMEC adjusts
4 for Facebook's bundling and realignment of
5 content, it reports to the CyberTipline, the
6 numbers demonstrate that Facebook reported
7 approximately 6.9 million less reports in 2024
8 than it did in 2023."

9 Then they say, "For years, NCMEC" --
10 and this is their opinion. "For years, NCMEC
11 has anticipated a negative impact on
12 CyberTipline reporting as more online platforms
13 adopt it, defaults E2EE, on their platforms
14 without adequate safeguards for child
15 protection," and then they continue.

16 Q. So that is exactly what I wanted to
17 focus on.

18 So you have the statement in your
19 report of page 98 that NCMEC says that, after
20 you adjust for this bundling change in Facebook
21 reporting, that Facebook had 6.9 million fewer
22 reports than in 2023. Correct?

23 A. It did. And it is in the context of a
24 really negative statement from NCMEC.