

FILED UNDER SEAL

EXHIBIT 14

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA)
ADOLESCENT ADDICTION/)
PERSONAL INJURY PRODUCTS) MDL No. 3047
LIABILITY LITIGATION)

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE
COUNTY OF LOS ANGELES - SPRING STREET COURTHOUSE

COORDINATION PROCEEDING)
SPECIAL TITLE [RULE 3.400])
SOCIAL MEDIA CASES) Lead Case No.
22STCV21355

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This Document Relates To)
STATE OF TENNESSEE, ex rel.)
JONATHAN SKRMETTI,)
ATTORNEY GENERAL and)
REPORTER,)
v.)
META PLATFORMS, INC., and)
INSTAGRAM, LLC.)
-----)

CONFIDENTIAL - ATTORNEYS' EYES ONLY
PURSUANT TO PROTECTIVE ORDER
VOLUME 1

VIDEO-RECORDED
DEPOSITION OF ARTURO BEJAR
(Pages 1 - 351)

Held at Baker Botts
1001 Page Mill Road, Palo Alto, California
Monday, April 7, 2025, 9:20 a.m.

- - - -
REPORTED BY: ELAINA BULDA-JONES, CSR 11720

1 what was the required minimum age for a kid to have
2 an account?

3 A. At the time, on Instagram, there was a
4 "don't ask, don't tell" policy.

5 Q. Okay. Was there a written --

6 MS. JONES: Let me just object to that
7 answer as nonresponsive to the question.

8 Go ahead.

9 THE WITNESS: Okay.

10 BY MR. CARTMELL:

11 Q. I'll restate the question.

12 In 2012, from that time until you left in
13 2015, at Meta, was there a written policy related to
14 the minimum required age for kids on Instagram?

15 A. There was not.

16 Q. Was the required age that people discussed
17 13? In other words, was there a terms of service or
18 something that stated that you had to be -- a kid
19 had to be 13 to be on Instagram?

20 A. No.

21 MS. JONES: Objection to the form.

22 BY MR. CARTMELL:

23 Q. What was your understanding while you were
24 at Meta from 2012 to 2015 about Instagram's age
25 verification policy?

1 MS. JONES: Objection. Foundation.

2 THE WITNESS: So I had many conversations
3 about this with many people, including the product
4 manager that I managed who was responsible for age
5 verification on Facebook. And those conversations,
6 it was common knowledge that there were young kids
7 using Instagram. And, I mean, that was a big reason
8 behind the accusation.

9 BY MR. CARTMELL:

10 Q. What do you mean, that was a big reason
11 behind the acquisition?

12 MS. JONES: Objection. Foundation.

13 THE WITNESS: In the conversations that I
14 had with many people at the time, that that was one
15 of the key reasons of the -- for the Instagram
16 acquisition.

17 BY MR. CARTMELL:

18 Q. Meta wanted the very young kids on their
19 social media apps?

20 MS. JONES: Same objections. Lack of
21 foundation.

22 THE WITNESS: Yes.

23 BY MR. CARTMELL:

24 Q. Let me ask you, so was it well-known at
25 Meta in 2012 to 2015 that there were kids on

1 Instagram who were under the age of 13?

2 MS. JONES: Objection. Foundation.

3 THE WITNESS: Yes.

4 BY MR. CARTMELL:

5 Q. Did leadership at Meta know that at that
6 time?

7 MS. JONES: Same objection.

8 THE WITNESS: I would have to think so
9 given how it was common knowledge in the
10 conversations that I had with the people working on
11 these issues.

12 BY MR. CARTMELL:

13 Q. And what, as far as you know, was the
14 policy that was being implemented there as far as
15 kids under 13 being on Instagram?

16 MS. JONES: Objection to the form.

17 THE WITNESS: I was not aware of any
18 policy being implemented about kids being under 13
19 on Instagram.

20 BY MR. CARTMELL:

21 Q. You mentioned don't ask, don't tell,
22 correct?

23 A. That is correct.

24 Q. What did you mean by that?

25 A. It means that you know that there are kids

1 under 13 there but you do not really talk about it
2 and you don't ask about it. Like, if you didn't
3 know somebody was under 13, then you didn't have to
4 do anything about it.

5 Q. Do you remember whether Instagram during
6 your first stint was asking kids for their age at
7 sign up?

8 A. They were not.

9 Q. When you returned to Meta in 2019,
10 October, do you know whether Instagram was asking
11 kids for their age when they would sign up for an
12 Instagram account?

13 MS. JONES: Objection. Foundation.

14 THE WITNESS: I believe they began asking
15 at some point in 2019 but I don't recall the
16 specific date.

17 BY MR. CARTMELL:

18 Q. Was your understanding that from 2012,
19 when Meta acquired Instagram, until sometime in
20 2019, Meta was not asking kids for their age when
21 they would sign up for an account?

22 A. Yes.

23 (Whereupon, a brief discussion off the
24 record.)

25 ///

1 BY MR. CARTMELL:

2 Q. Based on your understanding, when you
3 returned to Meta in 2019, was it still well-known
4 among the employees at Meta that there were kids on
5 Instagram who were younger than 13?

6 MS. JONES: Objection. Foundation.

7 THE WITNESS: Yes. But it was also
8 something you did not talk about.

9 BY MR. CARTMELL:

10 Q. Did you have any estimation from your
11 conversations or your work and research at Meta when
12 you returned in 2019 about the extent of the problem
13 with kids younger than 13 on Instagram?

14 MS. JONES: Same objection.

15 Excuse me. Objection. Form. And
16 foundation.

17 Go ahead.

18 THE WITNESS: I did not.

19 BY MR. CARTMELL:

20 Q. Do you believe that it was likely millions
21 and millions of kids?

22 A. Absolutely.

23 MS. JONES: Hold on.

24 Same objection to the foundation as
25 earlier.

1 A. At Instagram, I was not aware of any
2 efforts to detect or remove under-13 accounts.

3 Q. Do you believe that Instagram -- strike
4 that.

5 Do you believe that Meta was diligent in
6 trying to remove kids that were under age 13 from
7 Instagram?

8 MS. JONES: Objection. Foundation.

9 THE WITNESS: Absolutely not.

10 BY MR. CARTMELL:

11 Q. Was that concerning to you as an online
12 child safety expert?

13 A. Yes.

14 Q. You testified previously that you did not
15 believe that Instagram was a safe place for kids,
16 correct?

17 A. That is correct.

18 Q. And I'm guessing the same thing would be
19 true definitely for kids younger than 13?

20 A. Absolutely.

21 Q. Did Instagram have the ability to build
22 effective tools to try to prohibit kids younger than
23 13 from being on Instagram?

24 A. Yes, they did.

25 Q. Did they ever do that while you were

1 Q. Why is that?

2 A. Because they do allow, like, practically
3 allow under-13 kids on the platform and they do not,
4 and I was not aware of at the time, have any decent
5 efforts at identifying them and removing them.

6 If you search -- so Instagram you have
7 these things called hashtags. And you can search
8 for the hashtag like eighth birthday, which is
9 something that -- labels people put on their posts.
10 And on the first page of results there are multiple
11 kids that on their profile page they say, I am
12 eight. And they are so easy to find and there are
13 many on there. And if we go back to sort of we were
14 talking about, trying to report them is nearly
15 impossible.

16 And one of my responsibilities on my first
17 stint was the infrastructure that detected fake
18 accounts. And I cannot tell you how sophisticated
19 people can be at creating fake accounts. That
20 infrastructure that was available in 2011 or '12
21 could be used to so effectively identify accounts
22 created by eight-year-olds in order to then require
23 further verification to establish whether they are
24 actually the kid, what age they are, if their
25 parents are aware.

1 And this is something we used to do at
2 Facebook and I was not aware of any substantive
3 efforts to do that at Instagram.

4 Q. Even after Meta started asking for kids'
5 ages on -- when kids would sign up for Instagram, in
6 December of 2019 were there still kids on Instagram
7 under the age of 13?

8 MS. JONES: Objection. Foundation.

9 THE WITNESS: Yes.

10 BY MR. CARTMELL:

11 Q. And at that point, even after they were
12 asking for age -- ages, I take it some kids would
13 lie?

14 A. Yes.

15 Q. Is that well-known in the industry, that
16 kids lie when they sign up for an Instagram or other
17 social media account?

18 MS. JONES: Foundation. Objection.
19 Foundation.

20 THE WITNESS: Yes.

21 BY MR. CARTMELL:

22 Q. Do you know that based on your 30 years in
23 the industry?

24 A. Yes. And managing this issue for Yahoo!
25 and managing this issue for Facebook.