

**FILED UNDER SEAL**

**EXHIBIT 11**

Message

**From:** [REDACTED] [/O=THEFACEBOOK/OU=EXTERNAL  
(FYDIBOHF25SPDLT)/CN=RECIPIENTS/CN=[REDACTED]]  
**Sent:** 3/3/2019 10:47:40 PM  
**To:** Antigone Davis [REDACTED]@fb.com]  
**Subject:** Re: MZ privacy note - for review

I agree. He is doing bad stuff and should get the blowback for it.

Sent from my iPhone

On Mar 3, 2019, at 2:40 PM, Antigone Davis <[REDACTED]@fb.com> wrote:

FWIW, if we reconcile for [REDACTED]/Mark we don't give Mark an opportunity to think through the tension.

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**From:** [REDACTED] <[REDACTED]@fb.com>  
**Date:** Sunday, March 3, 2019 at 5:35 PM  
**To:** [REDACTED] <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>  
**Cc:** Joel Kaplan <[REDACTED]@fb.com>, Antigone Davis <[REDACTED]@fb.com>, [REDACTED]  
<[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, [REDACTED]  
<[REDACTED]@fb.com>, Monika Bickert <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>,  
Erin Egan <[REDACTED]@fb.com>  
**Subject:** Re: MZ privacy note - for review

Thanks. I'm also working on a consolidated set of comments from the privacy perspective, which are in a few places in tension with the comments below. Should we try to rationalize within policy and share a combined set of feedback with Lach so he doesn't have to decide how to arbitrate between data privacy and safety/national security considerations? I should have our comments ready in the next 30 min or so.

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**From:** [REDACTED] <[REDACTED]@fb.com>  
**Date:** Sunday, March 3, 2019 at 5:31 PM  
**To:** [REDACTED] <[REDACTED]@fb.com>  
**Cc:** Joel Kaplan <[REDACTED]@fb.com>, Antigone Davis <[REDACTED]@fb.com>, [REDACTED]  
<[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, [REDACTED]  
<[REDACTED]@fb.com>, Monika Bickert <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>,  
[REDACTED] <[REDACTED]@fb.com>, Erin Egan <[REDACTED]@fb.com>  
**Subject:** Re: MZ privacy note - for review

Yes, [REDACTED]'s sending them all through and stressing the different points.

Sent from my iPhone

On Mar 3, 2019, at 2:23 PM, [REDACTED] <[REDACTED]@fb.com> wrote:

Quick question for this list: for the comments from @ [REDACTED] and @Antigone Davis:  
**have these already been delivered to Lach?** If not, just want to make sure we get them  
to him before EoD.

I've seen a few other conversations with him on the margins, so I think the point about metadata-based techniques not being a comprehensive replacement for content-based analysis is getting through pretty clearly, but don't want to lose the others...

■

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**From:** Joel Kaplan <[REDACTED]@fb.com>  
**Date:** Sunday, March 3, 2019 at 1:55 PM  
**To:** [REDACTED] <[REDACTED]@fb.com>, Antigone Davis <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>  
**Cc:** [REDACTED] <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, Monika Bickert <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, Erin Egan <[REDACTED]@fb.com>  
**Subject:** Re: MZ privacy note - for review

Adding [REDACTED] [REDACTED] erin.

This will be a public facing note.

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From: Antigone Davis  
Sent: Sunday, March 3, 4:52 PM  
Subject: Re: MZ privacy note - for review  
To: [REDACTED], Joel Kaplan  
Cc: [REDACTED], [REDACTED], [REDACTED], Monika Bickert, [REDACTED]  
[REDACTED]

Question: Is this an internal note or public facing? Either way, I have a few additional notes:

This section "Private Interactions as a Foundation" strongly argues you start with privacy and build out. This is the exact opposite of what we did with Facebook. In order to live up to this vision, we should be prepared to decouple/deconstruct/Messenger and Facebook and rebuild. We may need to do something similar for DM in IG. That is not a bad thing, and it likely is the best chance we have of aligning privacy and safety advocates, but before we state this so forcefully we should be prepared to commit to rebuilding not simply adding e2ee onto our existing platform.

This sentence: "In a few years, I expect a future version of Messenger or WhatsApp to become the main way people communicate on Facebook," is hard to reconcile with the living room v town square analogy. If Messenger and WhatsApp are more like your intimate social circles, why would you use them to

communicate in the town square? Perhaps Mark means Facebook Inc, not Facebook blue? If so, the piece needs to make the distinction clearer throughout.

The piece reads a little like Mark thinks Facebook has run its course, not that it is dead, but that the town square has been established and we are going to draw a much needed distinction now between it and the other ways in which people communicate and start building the best of the best for these other smaller social circles. I am not against this in any way, but just want to flag how I think it likely will be read by tech and consumer press.

Depending on what our answers are to these three points, I am happy to review again and offer specific edits.

- Antigone

**From:** [REDACTED] <[REDACTED]@fb.com>  
**Date:** Sunday, March 3, 2019 at 1:50 AM  
**To:** Joel Kaplan <[REDACTED]@fb.com>  
**Cc:** [REDACTED] <[REDACTED]@fb.com>, Antigone Davis <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>, Monika Bickert <[REDACTED]@fb.com>, [REDACTED] <[REDACTED]@fb.com>  
**Subject:** Re: MZ privacy note - for review

Thanks Joel,

These are my key edits, which you may have seen.

- “Governments often serve us unlawful requests for data” – the number of deliberately unlawful requests is small. We hand over the data we’re asked for 74% of the time. Where requests are unlawful it’s often because mistakes have been made / forms filled incorrectly. So “sometimes” not often.
- Example of employee being jailed for not handing over encrypted data: TBA, this case involved the Brazilian gvt asking for WA data on a drug trafficking case – data that we would have handed over if we had access to it through the correct legal process. The inclusion of this example in this paragraph makes it sound like it was disproportionate per se, rather than impossible.

[this whole paragraph is a red-rag to the bull of democratic government who have been working hard to gain legitimate access to content. Personally, I would remove it all. It makes it look like we are implementing e2ee to frustrate them.]

- “We can identify and stop a lot of bad actors by detecting patterns of activity or through other means, even when we can't see the content itself.” **This is categorically not true, and makes it sound like we’re much more advanced than we really are.** The only bad actors we actually identify at the moment through metadata analysis are caught because we are then able to look at their content for confirmation. There is also a high level of false positives in our work in this area. We currently don’t do any metadata/behavioural analysis on WA. Better so say: “We are improving our ability using AI to identify and stop bad actors through patterns of activity, even when we can't see the content itself.”

- “It also makes sense to do this for metadata” – if we’re allowing metadata to automatically expire, how are we supposed to use it to spot the patterns to catch bad actors under E2EE?? This reads as a glaring contradiction.

Sent from my iPhone

On Mar 2, 2019, at 6:35 PM, Joel Kaplan <[REDACTED]@fb.com> wrote:

Adding [REDACTED] too  
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From: [REDACTED]  
Sent: Saturday, March 2, 9:31 PM  
Subject: Fwd: MZ privacy note - for review  
To: [REDACTED], Antigone Davis, [REDACTED], [REDACTED]  
Cc: Monika Bickert, Joel Kaplan

Heads up — it looks like there is a note planned from Mark for early next week. We’ve been asked to weigh in by Sunday. Wanted to circulate so we could all contribute. I doubt we can change fundamental pieces of this, but at least can correct any serious challenges.  
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**From:** [REDACTED] <[REDACTED]@fb.com>  
**Sent:** Saturday, March 2, 2019 7:40 PM  
**To:** Chris Cox; [REDACTED]; Stan Chudnovsky; Adam Mosseri; Will Cathcart; [REDACTED]; Javier Olivan; [REDACTED]; [REDACTED]; Guy Rosen; Naomi Gleit; [REDACTED]; [REDACTED] Chris Sonderby; [REDACTED]; Joel Kaplan; Erin Egan; [REDACTED]; Monika Bickert; David Wehner; [REDACTED]; [REDACTED] Sheryl Sandberg  
**Cc:** Nick Clegg; [REDACTED]; Caryn Marooney; [REDACTED]; Andrea Besmehn  
**Subject:** MZ privacy note - for review

Hi everyone,

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