

EXHIBIT 18

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

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.

**DEFENDANTS' FIRST SUPPLEMENTAL AND AMENDED OBJECTIONS AND
RESPONSES TO PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANTS**

Defendants Meta Platforms, Inc., Instagram, LLC, Meta Payments, Inc., and Meta Platforms Technologies, LLC (collectively "Meta"), by and through their attorneys, Holland & Hart LLP, and Covington & Burling LLP, hereby provide Supplemental Objections and Responses to Plaintiff's First Set of Interrogatories as follows. Meta's responses to the Interrogatories are made to the best of its current knowledge, information, and belief. Meta reserves the right to supplement or amend any of its responses and objections as appropriate as discovery and its investigation proceed.

RECURRING SPECIFIC OBJECTIONS

1. Meta objects to the Interrogatories to the extent they conflict with the Rules of Civil Procedure for the District Courts of New Mexico or the local rules of this Court ("Discovery Rules"). See Rule 1-026(B) NMRA (defining the scope of permissible

SUPPLEMENTAL RESPONSE: Subject to and without waiving the foregoing objections, Meta provides the following supplemental information:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Interrogatory 13. Identify the method(s) by which you measure(d) “prevalence” of Inappropriate Content or offending material for inclusion in your Community Standards Enforcement Reports, including (a) the methods by which You “select[] a sample of content seen on” Your Products; (b) the sample size that you use to calculate “prevalence” of Inappropriate Content or offending content; (c) the metrics you use to determine whether content violates Your guidelines; and (d) the method by which you calculate the number of “views” of Inappropriate Content or offending content.

RESPONSE: Meta incorporates its Responses and Objections Applicable to All Requests by reference as though fully set forth herein. Meta further objects to this Interrogatory to the extent that it calls for disclosure of privileged information; Meta will not disclose privileged information in response to this Interrogatory. *See* Rule 1-026(B)(1) (limiting permissible discovery to non-privileged information).

Meta further objects to this Interrogatory on the grounds that it is overly broad, seeks to impose an undue burden on Meta that is not proportional to the needs of the case, seeks discovery that is not relevant to the claims and defenses in this action Meta, and is not limited to New Mexico or the relevant time period. *See* Rule 1-026(B)(1), (2); *see also* *Lara*, 1999-NMCA-012, ¶ 10 (discovery must be narrowly tailored to avoid irrelevant information); *Ruiz*, 1981-NMCA-094, ¶ 3 (interrogatories that are “exceedingly broad” are objectionable); *Archuleta*, 2005-NMSC-006, ¶ 23 (“a party will not be required to respond to an overly broad discovery request unless adequate guidance exists as to what extent the request is not objectionable.”) (internal quotation marks and citation omitted).

Subject to and without waiving the foregoing objections, Meta provides the following response to Interrogatory No. 13:

Meta publishes a quarterly report, the Community Standards Enforcement Report, which captures the estimated views of violating content as a percentage of the views of all content, referred to as prevalence. Prevalence relies on a measure of “VPVs,” or “Viewport Views,” which refers to the total number of views that content receives on a platform. Meta uses VPV as a term of art to track content views in multiple ways and for multiple purposes, including but not limited to integrity, and while usage varies by content type, it is generally intended to measure whether a user viewed a piece of content rather than just having loaded it from Meta’s services.

Meta collects a sample of violating content over the course of two weeks and identifies the sample VPV. That sample includes both reported and unreported content slated for human review. Meta calculates prevalence by dividing VPVs for specific content by the VPV for an overall sample size, and the result is the baseline prevalence for a given harm type.

Interrogatory 14. For each category of offending or violative content identified in each of Your Community Standards Enforcement Reports, identify (a) the absolute or total number of offending or violative content that you located in Your sample; (b) the absolute or total number of “views” of that offending or violative content that You identified in Your sample; and (c) the overall number of “views” that You used to calculate the “prevalence” metric.

RESPONSE: Meta incorporates its Responses and Objections Applicable to All Requests by reference as though fully set forth herein. Meta further objects to this Interrogatory to the extent that it calls for disclosure of privileged information; Meta will not disclose privileged information in response to this Interrogatory. *See* Rule 1-026(B)(1) (limiting permissible discovery to non-privileged information).

Meta further objects to this Interrogatory on the grounds that it is overly broad, seeks to impose an undue burden on Meta that is not proportional to the needs of the case, particularly to the extent that it asks Meta to identify the “absolute or total number” of “offending or violative content” and “ ‘views’ of that offending or violative content.” *See* Rule 1-026(B)(1), (2); *see also* *Lara*, 1999-NMCA-012, ¶ 10 (discovery must be narrowly tailored to avoid irrelevant information); *Ruiz*, 1981-NMCA-094, ¶ 3 (interrogatories that are “exceedingly broad” are objectionable); *Archuleta*, 2005-NMSC-006, ¶ 23 (“a party will not be required to respond to an overly broad discovery request unless adequate guidance exists as to what extent the request is not objectionable.”) (internal quotation marks and citation omitted). Meta further objects to the extent

its investigation of the facts and discovery in this matter is ongoing. Meta will supplement this response at the appropriate time once a substantial amount of discovery has been completed.

SUPPLEMENTAL RESPONSE: Subject to and without waiving the foregoing objections, Meta further responds as follows:

Plaintiff asserts claims for alleged unfair and deceptive trade practices (Counts I and II), for unconscionable trade practices (Count III), and public nuisance (Count IV), based in part on the alleged use of Meta's services by users under the age of 18. Plaintiff's claims are barred in whole or in part, by the doctrines of acquiescence, settlement, and release because to the extent Meta's alleged conduct, if proven, could entitle the State to relief, Plaintiff encouraged social media use at various times and through various channels.

Discovery in this action is ongoing, expert discovery has yet to commence, and this interrogatory prematurely seeks Meta's final contentions as to facts to which Meta is entitled to discovery. Meta therefore reserves the right to supplement its response to this interrogatory.

Dated: January 27, 2025

Submitted by,

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By: /s/ John C. Anderson

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