

FILED UNDER SEAL

EXHIBIT 75

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

STATE OF NEW MEXICO, EX REL,
RAUL 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.

Confidential - Pursuant to Protective Order

VIDEO-RECORDED DEPOSITION OF FALLON McNULTY
ON BEHALF OF NATIONAL CENTER FOR MISSING &
EXPLOITED CHILDREN

Thursday, July 3, 2025
8:32 AM EST

JOB NO.: 7403114
DENISE DOBNER VICKERY, CRR, RMR

1 and vice versa. As a result, teens' accounts
2 may be recommended to potential violators and
3 vice versa via account recommendation surfaces.

4 "For example, on a sample day --
5 sampled day tested, on the Accounts You May
6 Follow (AYMF) surface, IA" -- and I'll tell you
7 that IA is internal audit at Meta -- identified:
8 1) 7.2% (or approximately 1.4 million out of
9 approximately 19 million) of potential violator
10 accounts in AYMFB were recommended to at least
11 one teen."

12 And "4% or (approximately 3.4
13 million out of approximately 85 million) of
14 Accounts You May Follow recommendations to
15 potential violators were recommending teen
16 accounts."

17 Do you see what I've just read?

18 A. Yes.

19 Q. In -- and I'm sorry. I'm going to
20 read one more section to you on the next page
21 also under "Limiting Interactions." It says in
22 the second block under "Inconsistent follow list
23 hiding."

24 "For example, on 2022-11-25" -- so
25 November 25, 2022 -- "IA observed that out of

1 2.5 million IIC potential violators who viewed
2 the follow list surface, 37% or (924,000) were
3 shown at least one unconnected teen account."

4 In NCMEC's opinion and based on
5 its experience, does an algorithm or a
6 recommendation that recommends minor accounts to
7 adults they don't know strike NCMEC as dangerous
8 to children?

9 MR. CHAPUT: Object to the
10 form.

11 THE WITNESS: Yes.

12 BY MS. SINGER:

13 Q. Is an algorithm that recommends
14 minor accounts to adults they know consistent
15 with protecting child safety on Meta's
16 platforms?

17 MR. CHAPUT: Object to the
18 form.

19 THE WITNESS: No.

20 BY MS. SINGER:

21 Q. Why not?

22 A. I can't see how a platform would
23 be able to keep children safe if they're
24 recommending their accounts to potential
25 violators.

1 children who have been sexually abused on Meta's
2 platforms?

3 A. Yes.

4 Q. Over the course of your work at
5 NCMEC, have you noticed a change in the
6 frequency or nature of child sexual exploitation
7 through Facebook, Instagram, and WhatsApp?

8 A. Yes.

9 MR. CHAPUT: Object to the
10 form.

11 BY MS. SINGER:

12 Q. What have you observed?

13 A. Most notably with reports stemming
14 from Facebook, we have observed a decrease in
15 both the volume and the quality of the contents
16 included within those reports.

17 Q. Okay. And that's attributed to
18 the end-to-end encryption issue we talked about,
19 correct?

20 A. That is NCMEC's understanding.

21 Q. Okay. And that relates to
22 reporting but does NCMEC -- actually, withdrawn.
23 To NCMEC's knowledge, based on
24 your knowledge and experience personally as
25 well, is CSAM still distributed on Meta's

1 platforms?

2 A. Yes.

3 Q. Are children being groomed,
4 solicited, sextorted, sexually exploited, and
5 trafficked on and through Meta's platforms even
6 now?

7 MR. CHAPUT: Object to the
8 form.

9 THE WITNESS: Yes.

10 BY MS. SINGER:

11 Q. Does that include children across
12 the country, including New Mexico children?

13 MR. CHAPUT: Object to the
14 form. Foundation.

15 THE WITNESS: Yes.

16 BY MS. SINGER:

17 Q. Does sexual exploitation on Meta's
18 platforms make children and communities less
19 safe?

20 A. Yes.

21 Q. Does child sexual exploitation on
22 Meta's platforms harm children's mental and
23 physical health based on your observation?

24 A. Yes.

25 Q. Does -- does NCMEC have the

1 resources it needs to address the scale and
2 scope and toll of child sexual exploitation
3 content online?

4 A. We are making do with what we
5 have. Yeah.

6 Q. Okay. In your experience, do
7 state and local law enforcement have sufficient
8 resources to deal with the needs created by
9 child sexual exploitation online?

10 A. No.

11 Q. In your and NCMEC's experience and
12 based on your observations, is Meta doing all it
13 can to keep children safe on its platforms?

14 MR. CHAPUT: Object to the
15 form.

16 THE WITNESS: No.

17 MS. SINGER: Thank you. I
18 have nothing further.

19 MR. CHAPUT: We can go off the
20 record.

21 MS. SINGER: I will clean up
22 some exhibits.

23 THE VIDEOGRAPHER: Time is
24 12:48 PM. We are now off the record.

25 (Whereupon, 12:48 p.m., lunch recess was taken.)