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EXHIBIT A

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

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.

**PLAINTIFF STATE OF NEW MEXICO'S EIGHTH SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF
INTERROGATORIES: NOS. 1, 5, 6**

Pursuant to Rule 1-033(C) NMRA, Plaintiff State of New Mexico ("Plaintiff" or the "State") hereby provides these eighth supplemental objections and responses to Defendants' (Meta Platforms, Inc.; Instagram, LLC; Meta Payments, Inc.; and Meta Platforms Technologies, LLC (collectively, "Meta" or "Defendants")) First Set of Interrogatories (the "Interrogatories").

PRELIMINARY STATEMENT & GENERAL OBJECTIONS

The State responds and objects to the Interrogatories based on the best of its present knowledge, information, and belief. The State's responses and objections are at all times subject to such additional or different information that discovery or further investigation may disclose. The State reserves the right to amend, modify, supplement, or withdraw any response or objection set forth herein, but disclaims any agreement or obligation to do so.

The State reserves the right to supplement these responses prior to or at the close of discovery. In responding to the Interrogatories, the State does not waive but rather intends to

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preserve the following: (a) all objections as to the relevancy, materiality, and admissibility of any information; (b) all objections as to vagueness, ambiguity, or other infirmity in the form of the Interrogatories; (c) objections on any ground to any further interrogatories or other discovery requests involving or related to the subject matter of the Interrogatories; and (d) all privileges and/or rights under the applicable rule(s) of the New Mexico Rules of Civil Procedure or any statute, guidelines, common law, or other applicable law.

The State objects to the Interrogatories on the following grounds, each of which is incorporated by reference (where appropriate) in the responses and objections to the individual Interrogatories below:

1. The State objects to the Interrogatories to the extent they call for information protected by the attorney-client privilege, the attorney work product doctrine, the common interest doctrine, and/or any other constitutional, statutory, common law or other applicable privilege or protection. In responding to these Interrogatories, Plaintiff will not divulge protected or privileged information, and in particular will not search for and reveal protected or privileged information from the State's or the State's attorneys' litigation files relating to this case, including information prepared in anticipation of litigation or for trial. *S.F. Pacific Gold Corp. v. United Nuclear Corp.*, 2007-NMCA-133, ¶ 13 (citing Paul R. Rice, Attorney-Client Privilege in the United States §2:3, at 14 (2d ed. 1999)). Producing information that relates specifically to the State's allegations, claims, or legal theories would force counsel to reveal their mental impressions, evaluations, and thought processes in which they have engaged in reviewing Defendants' document productions, all of which are protected work product. *See* Rule 1-026 NMRA. Inadvertent production of disclosure by the State of any information that is confidential, privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of

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any such privilege or of any ground for objection to discovery with respect to such information or the subject matter thereof.

2. The State further objects to these Interrogatories to the extent they seek confidential information that is protected from public disclosure pursuant to laws, regulations, or confidentiality agreements. *See e.g.*, Rule 1-026(B)(5) NMRA (work product); Rule 11-503 NMRA (attorney-client privilege); *S.F. Pacific Gold Corp. v. United Nuclear Corp.*, 2007-NMCA-133, ¶ 13 (citing Paul R. Rice, Attorney-Client Privilege in the United States §2:3, at 14 (2d ed. 1999)); NMSA § 14-2-1(D), §14-2-1.2(A)(7).

3. The State objects to Defendants' definitions of "Plaintiff," "You," and "Your" as overbroad and unduly burdensome to the extent they purport to require Plaintiff to produce information that is not within its possession or control, or to the extent the burden or expense of obtaining such information outweighs its likely benefit, taking into account the needs of the case. *See* Rule 1-026(B)(1)-(2) NMRA; Rule 1-033(D) NMRA; *see also Ruiz v. S. Pac. Transp. Co.*, 1981-NMCA-094, ¶ 39 (interrogatories may be impermissible when they are "exceedingly broad"); *Barela v. Safeco Ins. Co. of Am.*, 2014 WL 11497826, at *2 (D.N.M. Aug. 22, 2014). (noting that "overly burdensome discovery requests" are prohibited).

INTERROGATORIES

1. Identify every Person likely to have discoverable information Related to Plaintiff's claims, including the harms alleged in the Complaint, and the subject matter of the information possessed by each such Person. Include without limitation every Person upon whom Plaintiff intends to rely in proving its claims and every Person likely to have discoverable information that supports or contradicts a position or claim Plaintiff has taken or intends to take.

RESPONSE: Plaintiff objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks identification of "every" Person

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“likely to have discoverable information Related to Plaintiff’s claims.” See Rule 1-026(B)(1)-(2) NMRA; see also Ruiz, 1981-NMCA-094, ¶ 39 (interrogatories may be impermissible when they are “exceedingly broad”); Barela, 2014 WL 11497826, at *2 (noting that “overly burdensome discovery requests” are prohibited). Plaintiff also objects to this Interrogatory on the grounds that it improperly calls for expert disclosures before the appropriate deadline, particularly to the extent that it seeks to identify any investigator retained by the State whose work was not referenced in the Complaint. See Rule 1-026(B)(6) NMRA; see also Reaves v. Bergsrud, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”).

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following response to Interrogatory No. 1: The Appendix A accompanying these responses contains a spreadsheet listing people who may have discoverable information related to the State’s claims. Plaintiff reserves the right to supplement this response to the extent it identifies additional non-privileged responsive information.

SUPPLEMENTAL RESPONSE: Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff provides the following supplemental response to Interrogatory No. 1: The Supplemental Appendices A.1 (Confidential) and A.2 (Highly Confidential—Attorneys’ Eyes Only) accompanying these responses contain updated spreadsheets that include additional individuals who may have discoverable information related to the State’s claims. Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

SECOND SUPPLEMENTAL RESPONSE (May 2, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional

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individuals who may have discoverable information related to the State's claims:

Clarie Miller, New Mexico Department of Health, State Suicide Prevention Coordinator and former Youth Suicide Prevention Coordinator.

Regina Bejarano, New Mexico Department of Health Southeast Region School Mental Health Advocate.

Katherine Holguin, New Mexico Department of Health Southwest Region School Mental Health Advocate.

Jiahua "Bella" Yang, New Mexico Department of Health, Survey Section Manager / NM BRFSS Coordinator / Acting NM YRRS Coordinator.

Sushma Mahadeo, Private Investigator.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

THIRD SUPPLEMENTAL RESPONSE (June 27, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Sandeep Abraham, Investigator
- b. Jessica Adviento-Mackey, Assistant Principal, Jimmy Carter Middle School, Albuquerque Public Schools
- c. Erin Armijo, Primary Teacher in Albuquerque Public Schools, Kids Code Coalition Member, Parent
- d. Susan Chacon, Statewide Health Program Manager, Children's Medical Services, Family Health Bureau, New Mexico Department of Health
- e. Marcia Moriarta, Division Chief Executive and Medical Director, Center for Development and Disability Professor, University of New Mexico Department of Pediatrics
- f. Ian Russell, Molly Russell's father
- g. Brian Levine, expert and fact witness

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- h. Damon McCoy, expert and fact witness
- i. Kendra Yalch, Officer, Bernalillo County Sheriff's Office, Criminal Investigations Division
- j. Kathleen Carmona, Supervisor, Victim Services Unit, New Mexico Department of Justice
- k. Barbie Montoya, Victim Rights Advocate, Victim Services Unit, New Mexico Department of Justice
- l. Cinthia Sisneros, Victim Advocate, Victim Services Unit, New Mexico Department of Justice
- m. Tracy Kemp, Parent

FOURTH SUPPLEMENTAL RESPONSE (July 11, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Earl Campbell, Investigator
- b. Josett Monette, Secretary, New Mexico Indian Affairs Department
- c. Karmela Martinez, Program Manager, New Mexico Indian Affairs Department
- d. Cathryn Jones, Investigator

SIXTH SUPPLEMENTAL RESPONSE (September 10, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Stacey Boone, Senior Statewide Behavioral Health Manager, Administrative Office of the Courts, New Mexico Courts
- b. Kelly Bradford, Court Services Division Director, Administrative Office of the Courts, New Mexico Courts
- c. Deanna Corriz, Statewide Program Manager, New Mexico Judiciary, New Mexico Courts
- d. Zamaan Qureshi, Design it for Us
- e. Lotte Rubaek, Psychologist, testified in the MDL

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- f. John Talley, Investigator, ICAC Division, New Mexico Department of Justice
- g. Jessica Adviento-Mackey, Principal, Harrison Middle School, Albuquerque Public Schools (updating title and school)
- h. Kristie Medina, Superintendent, Raton Public Schools
- i. Michelle Velasquez, Principal, Jimmy Carter Middle School

SEVENTH SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Sergeant Dianna Conklin, Special Victims Unit, Santa Fe Police
- b. Detective Ian Freeman, ICAC, Santa Fe Police
- c. Chief Paul Joye, Santa Fe Police
- d. Fairplay, Inc. (Fairplay for Kids)
- e. Heat Initiative
- f. Iain Corby, Executive Director, The Age Verification Providers Association

EIGHTH SUPPLEMENTAL RESPONSE (November 14, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify additional individuals who may have discoverable information related to the State's claims:

- a. Christopher Harris, Marketing Public Education Outreach Director, Policy and Communications Division, Department of Health
- b. Gary Johnson, School Security Director, Pojoaque Valley School District
- c. Cybersecurity for Democracy
- d. Jamie Chavez, Principal, Santa Fe High School
- e. Jessica Preston, Deputy Communications Director, Children Youth and Family Department

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- f. Lisa Champlin, Sargent, Violent Crimes Unit, Santa Fe Police
- g. Mary Luis Romero-Betancourt, Restorative Justice Coordinator, Santa Fe High School
- h. Nick Wood, Sargent, Criminal Intelligence Analysis Unit, Santa Fe Police

5. Identify and describe each express and implied material misrepresentation and material omission relating to Defendants' Platforms for which Plaintiff seeks relief.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony, as a determination of whether certain conduct constitutes a misrepresentation or an omission may rely upon expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also* *Reaves*, 1999-NMCA-075 ("Pretrial orders," including those regarding expert disclosure deadlines, "will control the course of action in a case"). Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory because the ongoing discovery process has not yet progressed enough for Plaintiff to identify "each" misrepresentation and omission for which it seeks relief. *See* Rule 1-033(D) NMRA; *Lucero v. Valdez*, 240 F.R.D. 591 (D.N.M. 2007) ("[T]here is considerable support for deferring answers to contention interrogatories until after a substantial amount of discovery has been completed."). Indeed, Defendants have yet to complete document production, including production of documents specific to New Mexico.

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff refers Defendants to paragraphs 422-439, 458-464 and 500-502 of the First Amended Complaint. Plaintiff agrees to supplement this response once a substantial amount of discovery has been completed.

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SUPPLEMENTAL RESPONSE: Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the following statements constituting misrepresentations or containing material omissions:

February 2010 – representations to NAAG that Meta has “Ongoing technical and community verification, including identity and age,” a “Robust reporting infrastructure,” “Automated tools to prevent the dissemination of URLs” promoting child pornography, “Dedicated teams to respond to rare instances when child porn is detected,” “Aggressive response to reports of harassment (24hrs)” (METANMAG-005-01367715)

11/15/2018 – “Our Community Standards ban child exploitation. But to avoid potential for abuse, we remove nonsexual content as well, for example innocent photos of children in the bath — which in another context could easily be misused.” (<https://about.fb.com/news/2018/11/enforcing-our-community-standards-2/>)

2/7/2019 – “At Instagram, nothing is more important to us than the safety of the people in our community.” (<https://about.instagram.com/blog/announcements/supporting-and-protecting-vulnerable-people-on-instagram>)

2/17/2019 – “We will not allow any graphic images of self-harm, such as cutting on Instagram – even if it would previously have been allowed as admission. We have never allowed posts that promote or encourage suicide or self harm, and will continue to remove it when reported.” (<https://about.instagram.com/blog/announcements/supporting-and-protecting-vulnerable-people-on-instagram>)

6/26/2019 – “We will do things that mean people use Instagram less if we think that they keep people safe or generally create a healthier environment. And I think we have to be willing to do that.” (<https://www.cbsnews.com/news/adam-mosseri-instagram-is-seriously-considering-hiding-likes-apps-head-reveals/>)

6/26/2019 – “We've been focused on well-being broadly, like I said, it's our number one priority,” (<https://www.cbsnews.com/news/adam-mosseri-instagram-is-seriously-considering-hiding-likes-apps-head-reveals/>)

8/9/2019 -- “When you send a report, it goes to our trained team of reviewers who check reports 24 hours a day,” she says. “We work quickly to remove any violating content, and [what] defines the violating content is what’s in those community guidelines.” (<https://people.com/parents/keeping-teenagers-safe-on-instagram-explainer/>)

10/27/2019 – Instagram doesn’t “allow people to share content that encourages or promotes self-harm or suicide. We have never permitted that.” (<https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>)

10/27/2019 – “Nothing is more important to me than the safety of the people who use Instagram, particularly the most vulnerable.” (<https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>)

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6/11/2020 – “At Facebook, we use sophisticated technology and behavioral signals not only to prevent, detect and remove images and videos that exploit children, but also to detect and prevent grooming, or potentially inappropriate interactions between a minor and an adult. And we use this technology across Facebook, Instagram, Messenger and WhatsApp.” (<https://about.fb.com/news/2020/06/fighting-child-exploitation-online/>)

11/10/2020 – “We use technology to help us proactively find and remove more harmful suicide and self-harm content.” (<https://about.fb.com/news/2020/11/keeping-people-safe-instagram-europe/>)

3/17/2021 – “To protect teens from unwanted contact, we restrict people over 19 years old from sending private messages to teens who don’t follow them.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

5/26/2021 – “[T]here’s no rigorous research that suggests Likes are bad for people’s well-being” (<https://techcrunch.com/2021/05/26/facebook-and-instagram-will-now-allow-users-to-hide-like-counts-on-posts/>)

May 2021 – Instagram’s effects on teen well-being are likely “quite small” (MT-IG-AG-NM-000273005)

7/27/21 – “The company said it has also developed a tool that automatically detects potentially suspicious adult accounts and stops those accounts from interacting with teens’ accounts on the app. An adult’s account might be marked as suspicious if it has been blocked or reported by multiple teen accounts, said Instagram’s head of public policy, Karina Newton in a separate interview. Once they are flagged, adults won’t be shown teen accounts in discovery tools. They also won’t be able to follow young people’s accounts, leave comments on their posts or see comments from teens on other people’s accounts.” (<https://www.nbcnews.com/tech/social-media/instagram-s-new-protections-teens-come-experts-say-tween-venture-n1275069>)

10/29/2021 – “[T]he only marketing to teens [Meta has] done has been on safety and well-being” (MT-IG-AG-NM-000304155)

10/29/2021 – It “was not a typical user experience to make one interaction and have that prompt exposure to potentially harmful content” (MT-IG-AG-NM-000304155)

10/29/2021 – “[W]e do not have any filters that would alter someone’s body in a way that would require cosmetic surgery” (MT-IG-AG-NM-000304155)

11/22/2021 – “Views of violating content that contains suicide and self-injury are very infrequent, and we remove much of this content before people see it. As a result, many times we do not find enough violating samples to precisely estimate prevalence.” (METANMAG-007-00461433; also METANMAG-007-00477163 (7/1/2022); MT-IG-AG-NM-000272213 (11/15/2022))

12/8/2021 – “If a child is under the age of 13, they are not permitted on Instagram” (Mosseri Testimony to Senate Commerce Committee)

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5/31/2023 – “We always want to lean towards letting people express themselves, but when someone posts something that may jeopardize another person’s safety, we step in.” (<https://about.instagram.com/blog/announcements/instagram-ranking-explained>)

12/6/2023 – Implementing end-to-end encryption enabled Meta to “launch a safer ... service.” (<https://about.fb.com/news/2023/12/default-end-to-end-encryption-on-messenger/>)

1/30/2024 – Material omissions in statements regarding “the efficacy of our work enforcing our child safety policies” (<https://about.fb.com/news/2023/12/combating-online-predators/>)

1/31/2024 – “We want teens to have safe, age-appropriate experiences on our apps, and we want to help parents manage those experiences.” (Zuckerberg Senate Testimony)

2/23/2024 – “We launched creator monetization tools with a robust set of safety measures and multiple checks on both creators and their content, such as automatically reviewing content the first time it receives a gift.” (<https://abc3340.com/news/nation-world/instagram-tool-enabled-parents-to-profit-off-sexual-pictures-of-children-report-says-wall-street-journal-meta-tipping-mark-zuckerberg-senate-hearing-congress-dick-durbin-child-safety-online>)

1/1/2025 – “We do not allow content that endangers children, such as content that contains nudity or physical abuse or content that sexually exploits children on Facebook and Instagram. When we find this type of violating content, we remove it, regardless of the context or the person's motivation for sharing it.” (<https://transparency.meta.com/reports/community-standards-enforcement/child-nudity-and-sexual-exploitation/facebook/>)

Undated statement contained in multiple CSERs – “We are working on estimating prevalence for child endangerment violations. We will continue to expand prevalence measurement to more areas as we confirm accuracy and meaningful data.”

Statements concerning effects of the platforms that omit or do not acknowledge internal research showing harms from the platforms, including statements by Zuckerberg and Mosseri set forth here: <https://www.wsj.com/podcasts/the-journal/the-facebook-files-part-2-we-make-body-image-issues-worse/c2c4d7ba-f261-4343-8d18-d4de177cf973>

Statements concerning transparency of Meta’s research concerning the effects and impacts of its platforms on youth well-being

Statements regarding Meta’s ability or effectiveness to moderate content, including statements in Meta’s CSERs and elsewhere

Statements regarding the ability of Users to report misconduct that omit that many such reports are not actioned, improperly actioned or otherwise overlooked

Statements regarding Teen Accounts that overstate the effectiveness of Meta’s changes or fail to disclose that such changes are ineffective to protect Teens and/or can be easily overridden

Statements suggesting or implying that Meta’s algorithms will not recommend or deliver harmful or violative content

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Statements regarding reporting to NCMEC that omit that the reporting was often inaccurate or insufficient, including the following statements set forth at <https://transparency.meta.com/integrity-reports-q3-2024>:

NCMEC CyberTips

As part of our ongoing work to provide young people with safe, positive online experiences, we're continuing to provide more transparency into our efforts to find and report child exploitation to the National Center for Missing and Exploited Children (NCMEC). We began sharing this data last year.

In Q3 2024, we reported the following number of CyberTips to NCMEC from Facebook and Instagram:

- Facebook and Instagram sent over 1.6 million NCMEC CyberTip reports for child sexual exploitation.
 - Of these reports, over 120 thousand involved inappropriate interactions with children. CyberTips relating to inappropriate interactions with children may include an adult soliciting child sexual abuse material (CSAM) directly from a minor or attempting to meet and cause harm to a child in person. These CyberTips also include cases where a child is in apparent imminent danger.
 - Over 1.5 million reports related to shared or re-shared photos and videos that contain CSAM.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

SECOND SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the following statements constituting misrepresentations or containing material omissions:

12/12/2011-3/6/2023 – “We report all apparent instances of child exploitation appearing on our site from anywhere in the world to the National Center for Missing and Exploited Children (NCMEC)” (www.facebook.com/safety/groups/law/guidelines/)

3/31/2017 – “We have zero tolerance for child exploitation on Instagram. In the rare instances when such illegal behavior is detected on our site we work hard to find whoever is responsible and work with relevant law enforcement agencies to bring them to justice. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (<https://www.wtvm.com/story/35043701/instagram-responds-to-mcsd-inappropriate-picture-we-have-zero-tolerance-for-child-exploitation/>)

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6/30/2017 - “We have zero tolerance for child exploitation on Instagram. In the rare instances when such illegal behavior is detected on our site we work hard to find whoever is responsible and work with relevant law enforcement agencies to bring them to justice. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (METANMAG-002-01400547)

2/2/2018 - “Instagram has zero tolerance for child exploitation on the platform. We believe that our comprehensive reporting system and Community Guidelines help make Instagram one of the safest places for people to spend time on the web.” (MT-IG-AG-NM-000022350)

12/5/2018 - “Keeping children safe on Instagram is hugely important to us. Content which exploits or endangers children is not allowed on our platform. If people see content which exploits or endangers children, they can report it to us for our teams to quickly investigate and prevent harm. We also take a number of proactive measures, including photo-matching technology which removes known child exploitative content when it’s uploaded. We manually review this content, and if it violates our policies we will report it to the National Center for Missing and Exploited Children (NCMEC) and remove the account in question.” (METANMAG-010-00524780)

7/9/2019 – “Keeping young people safe on Instagram is hugely important to us. Content which exploits or endangers children is not allowed on Instagram. If people see such content, they should report it to us for our teams to quickly investigate. We also have a number of proactive measures in place, including photo-matching technology which removes known child exploitative material, and new technology which proactively detects child nudity and previously unknown child exploitative content when it’s uploaded. We manually review this content, and if it violates our policies we will report it to the National Center for Missing and Exploited Children (NCMEC) and remove the account in question. (MT-IG-AG-NM-000070712)

11/18/2020-Present – “We do not allow content or activity that sexually exploits or endangers children. When we become aware of apparent child exploitation, we report it to the National Center for Missing and Exploited Children (NCMEC), in compliance with applicable law.” (<https://transparency.meta.com/policies/community-standards/child-sexual-exploitation-abuse-nudity>)

6/10/2021 - “Sex trafficking and child exploitation are abhorrent and we don't allow them on Facebook. We have policies and technology to prevent these types of abuses and take down any content that violates our rules. We also work with safety groups, anti-trafficking organizations and other technology companies to address this and we report all apparent instances of child sexual exploitation to the National Center for Missing and Exploited Children.” (<https://www.cbsnews.com/news/facebook-sex-trafficking-online-recruitment-report/>)

1/31/2024 – “[W]e report all apparent instances of child exploitation identified on our site from anywhere in the world to NCMEC.” (<https://about.fb.com/news/2024/01/our-work-to-help-provide-young-people-with-safe-positive-experiences/>)

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At least 4/23/2018-Present - “You must be at least 13 years old.” (<https://help.instagram.com/581066165581870/>)

At least 1/19/2013-Present - “Instagram does not knowingly collect or solicit any information from anyone under the age of 13 or knowingly allow such persons to register for the Service. The Service and its content are not directed at children under the age of 13. In the event that we learn that we have collected personal information from a child under age 13 without parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us.” (<https://www.instagram.com/about/legal/privacy/before-january-19-2013/>)

12/8/2021 – “As Head of Instagram, I am especially focused on the safety of the youngest people who use our services. This work includes keeping underage users off our platform” (Mosseri Testimony to Senate Commerce Committee)

3/25/2021 – “our policies on the main apps that we offer generally prohibit people under the age of 13 from using the services.” (Zuckerberg Testimony to House of Representatives Communications and Technology Subcommittee)

3/17/2021 – “We require everyone to be at least 13 to use Instagram and have asked new users to provide their age when they sign up for an account for some time. While many people are honest about their age, we know that young people can lie about their date of birth. We want to do more to stop this from happening, but verifying people’s age online is complex and something many in our industry are grappling with.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

3/17/2021 - “As we move to end-to-end encryption, we’re investing in features that protect privacy and keep people safe without accessing the content of DMs.” (<https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community>)

1/10/2024-Present - “We require people to be at least 13 years old to sign up for Instagram.” (<https://help.instagram.com/3237561506542117>)

At least Present - “We require people to be at least 13 years old to sign up for Instagram.” (NCOSE 30(b)(6) Dep. Ex. 10)

At least Present – “While we do not allow people to intentionally or unintentionally celebrate or promote suicide, self-injury or eating disorders . . . We may also limit the ability to view this content to adults aged 18 and older.” (<https://transparency.meta.com/policies/community-standards/suicide-self-injury/>)

At least Present – “We remove any content that encourages suicide, self-injury or eating disorders, including fictional content such as memes or illustrations, and any self-injury content which is graphic, regardless of context. We remove content that contains instructions for extreme weight loss behaviour.” (<https://transparency.meta.com/policies/community-standards/suicide-self-injury/>)

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1/9/2024 – “Our content recommendation controls – known as ‘Sensitive Content Control’ on Instagram and ‘Reduce’ on Facebook – make it more difficult for people to come across potentially sensitive content or accounts in places like Search and Explore.” (<https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/>)

1/9/2024 – “While we allow people to share content discussing their own struggles with suicide, self-harm and eating disorders, our policy is not to recommend this content and we have been focused on ways to make it harder to find. Now, when people search for terms related to suicide, self-harm and eating disorders, we’ll start hiding these related results and will direct them to expert resources for help. We already hide results for suicide and self harm search terms that inherently break our rules and we’re extending this protection to include more terms. This update will roll out for everyone over the coming weeks.” (<https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/>)

1/31/2024 - “Teens are defaulted into the most restrictive content and recommendations settings to make it more difficult to come across potentially sensitive content or accounts.” (Zuckerberg Testimony to Senate Judiciary Committee)

1/31/2024 - “In addition to these teen-specific protections, we hide results for searches for terms related to suicide, self-harm, and eating disorders, instead offering access to expert resources for everyone on Instagram.” (Zuckerberg Testimony to Senate Judiciary Committee)

12/3/2021 – “We don’t allow people to post graphic suicide and self-harm content, content that depicts methods or materials involved in suicide and self-harm (even if it’s not graphic), or fictional content that promotes or encourages suicide or self-harm.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

12/3/2021 – “We also remove certain hashtags and accounts from appearing in search. When someone starts typing a known hashtag or account related to suicide and self-harm into search, we restrict these results.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

12/3/2021 – “we don’t allow content that promotes or encourages eating disorders on our platforms.” (Mosseri Testimony to Senate Consumer Protection, Product Safety and Data Security Committee)

10/4/2019 - “We are also working closely with privacy and safety advocates as we look to build a safe and secure global private messaging service.” (METANMAG-002-00283371)

12/6/2023 – “We worked closely with outside experts, academics, advocates and governments to identify risks and build mitigations to ensure that privacy and safety go hand-in-hand.” (<https://about.fb.com/news/2023/12/default-end-to-end-encryption-on-messenger/>)

Present – “We remove content that's meant to degrade or shame, including, for example, claims about someone's sexual activity. We recognize that bullying and harassment can have more of an emotional impact on minors, which is why our policies provide heightened protection for anyone under the age 18, regardless of user status.” (<https://transparency.meta.com/policies/community-standards/bullying-harassment/>)

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9/17/2024 – “Teens will be placed in the strictest messaging settings, so they can only be messaged by people they follow or are already connected to.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

9/17/2024 – “Teens will automatically be placed into the most restrictive setting of our [sensitive content control](#), which limits the type of sensitive content (such as content that shows people fighting or promotes cosmetic procedures) teens see in places like Explore and Reels.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

9/17/2024 – “We’ll also automatically turn on the most restrictive version of our anti-bullying feature, [Hidden Words](#), so that offensive words and phrases will be filtered out of teens’ comments and DM requests.” (<https://about.instagram.com/blog/announcements/instagram-teen-accounts>)

Last updated 10/14/2025 – “We want teens to have safe, positive experiences on Facebook and Instagram, which includes helping them explore their interests while showing them content that’s appropriate for their age.” (<https://transparency.meta.com/policies/age-appropriate-content/>)

Statements overstating the effectiveness of Meta’s safety tools and Teen Accounts to restrict messaging between adult strangers and minors and reducing the likelihood of children being exposed to bullying and inappropriate comments.

Statements indicating that teens only see content that’s appropriate for their age.

Statements overstating the effectiveness of Meta’s features to help limit the amount of time children spend on Instagram.

Statements indicating Meta uses artificial intelligence to assess users’ ages.

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

SUPPLEMENTAL RESPONSE (November 14, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the following statements constituting misrepresentations or containing material omissions:

02/10/2010 - “We also have systems in place at the point of sign-up to prevent people who identify themselves as under the age of 13 from creating accounts. It’s a violation of our Statement of Rights and Responsibilities to provide false birth date information, and we have community verification systems after sign-up to help identify people who are doing this so we can take appropriate action. We also encourage users to report people who have falsified their age either through the report links on the site or through the dedicated contact form in our Help Center.” METANMAG-005-01367715

2012 – “[A]ny account found encouraging or urging users to embrace anorexia, bulimia, or other eating disorders; or to cut, harm themselves, or commit suicide will result in a disabled account

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without warning. . . . Instagram is not the place for active promotion or glorification of self-harm.” <https://www.buzzfeednews.com/article/krystieyandoli/how-teens-are-using-social-media-to-talk-abut-suicide>

07/09/2014 – April 2018 – “You will not use Facebook if you are under 13.” <https://web.archive.org/web/20140709054009/https://www.facebook.com/terms;>
<https://web.archive.org/web/20180430151726/https://www.facebook.com/terms/>

2/7/2018- “Sharing any kind of child exploitative imagery using Facebook or Messenger is not acceptable — even to express outrage. We are and will continue to be aggressive in preventing and removing such content from our community,” Facebook spokeswoman Ruchika Budhraj said in a statement. The company’s site [says](#) it reports verified child sex abuse images to the U.S. National Center for Missing and Exploited Children, which works with law enforcement to find offenders, and proactively detects and blocks content from being uploaded using a program called PhotoDNA. (<https://www.washingtonpost.com/news/true-crime/wp/2018/02/06/child-porn-went-viral-on-facebook-and-police-say-its-creator-has-been-charged/>)

April 2018 – “[Y]ou cannot use Facebook if: You are under 13 years old.” <https://web.archive.org/web/20180531065305/https://www.facebook.com/terms/>

04/10/2018 – “As a matter of fact, when you become 13, which is our legal limit – our limit – we don’t allow people under the age of 13 to use Facebook.” <https://www.washingtonpost.com/news/the-switch/wp/2018/04/10/transcript-of-mark-zuckerbergs-senate-hearing/> (See also, MT-IG-AG-NM-000020872).

8/31/2018 – “We care deeply about the safety of the people who use our apps . . . While we do not allow people to intentionally or unintentionally celebrate or promote suicide, self-injury or eating disorders, we do allow people to discuss these topics . . . We may also limit the ability to view this content to adults aged 18 and older.” <https://transparency.meta.com/policies/community-standards/suicide-self-injury/>

8/31/2018 – “We remove any content that encourages suicide, self-injury or eating disorders, including fictional content such as memes or illustrations, and any self-injury content which is graphic, regardless of context. We remove content that contains instructions for extreme weight loss behavior.” <https://transparency.meta.com/policies/community-standards/suicide-self-injury/>

10/24/2018- Facebook’s global head of safety Antigone Davis told Reuters in an interview that the “machine helps us prioritize” and “more efficiently queue” problematic content for the company’s trained team of reviewers. “We’d rather err on the side of caution with children,” she said. Facebook’s rules for years have banned even family photos of lightly clothed children uploaded with “good intentions,” concerned about how others might abuse such images. (<https://www.cnn.com/2018/10/24/facebook-cracks-down-on-child-nudity-photos-using-machine-learning.html>)

1/27/2019 – “We do not allow content that promotes or encourages eating disorders, self-harm or suicide and use technology to find and remove it.” METANMAG-002-00217678

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1/31/2019 – “We have a deep responsibility to make sure young people using Instagram are safe . . . we deployed engineers to start making changes to make it harder for people to search for and find self-harm content. From now, we have further restricted the ability for anyone to find content by searching for hashtags and in the Explore pages and we are stopping the recommendation of accounts that post self-harm content.” METANMAG-002-00217678

2/4/2019 – “This week we are meeting experts and academics, including Samaritans, Papyrus and Save.org, to talk through how we answer these questions. We are committed to publicly sharing what we learn. We deeply want to get this right and we will do everything we can to make that happen.” <https://www.telegraph.co.uk/news/2019/02/04/changing-instagram-support-people-tormented-suicidal-thoughts/?msocid=0a16544e6a416f59267a42336bf06e4a>

03/06/2019 – “[T]here are real safety concerns to address before we can implement end-to-end encryption across all of our messaging services...We have a responsibility to work with law enforcement and to help prevent [child exploitation] wherever we can. We are working to improve our ability to identify and stop bad actors across our apps by detecting patterns of activity or through other means, even when we can’t see the content of the messages.” <https://www.buzzfeednews.com/article/ryanmac/mark-zuckerberg-facebook-privacy-focused-platform>

10/27/2019 – “We will no longer allow fictional depictions of self-harm or suicide on Instagram, such as drawing or memes or content from films or comics that use graphic imagery. We will also remove other imagery that may not show self-harm or suicide, but does include associated materials or methods.” <https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>

11/13/2019- “We remove content that depicts or encourages suicide or self-injury, including certain graphic imagery and real-time depictions that experts tell us might lead others to engage in similar behaviour.” “We place a sensitivity screen over content that doesn't violate our policies but that may be upsetting to some, including things like healed cuts or other non-graphic self-injury imagery in a context of recovery.” (<https://www.bbc.com/news/technology-50404812>)

1/21/2021- “Content which sexually exploits or endangers children is not allowed on our platforms. Using industry-leading technology, over 99% of child exploitation content we remove from Facebook and Instagram is found and taken down before it's reported to us.” “Our safety and security team of over 35,000 people investigate reports from our community and work to keep our platforms safe. Our teams also work closely with child protection experts and law enforcement, reporting content directly to specialists including UK Child Exploitation and Online protection Command and NCMEC.” (<https://www.businessinsider.com/child-sex-abuse-images-spike-pandemic-13-million-facebook-2021-1>)

2/24/2021- “We’ve always removed content that explicitly sexualizes children, but content that isn't explicit and doesn’t depict child nudity is harder to define,” according to Davis. “Under this new policy, while the images alone may not break our rules, the accompanying text can help us better determine whether the content is sexualizing children and if the associated profile, Page,

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group, or account should be removed.” (<https://www.pcmag.com/news/new-facebook-tools-help-prevent-child-exploitation>)

03/25/2021 – When asked about whether too much time in front of screens is harmful to kids’ mental health, Zuckerberg responded “I don’t think that the research is conclusive on that.” He added that, “overall, the research that we have seen is that using social media apps to connect with other people can have positive mental health benefits and well-being benefits by helping people feel more connected and less lonely.” (Zuckerberg Testimony to House of Representatives Communications and Technology Subcommittee) <https://www.congress.gov/event/117th-congress/house-event/111407/text>

April 2021 – “Mental health, suicide and self-harm are serious issues with devastating consequences . . . we don’t allow any graphic content, or content that promotes or encourages suicide or self-harm . . . [w]e’ve developed sophisticated technology to help us find and take action on this content more quickly.” METANMAG-130-00061976 at 1979.

7/27/2021 - “Facebook and Instagram weren’t designed for people under the age of 13, so we’re creating new ways to stop those who are underage from signing up. [...] As per our terms, we require people to be at least 13 years old to sign up for Facebook or Instagram.” <https://about.fb.com/news/2021/07/age-verification/>

07/27/2021 - “Artificial intelligence is the cornerstone of the approach we’re taking. We’ve developed technology that allows us to estimate people’s ages, like if someone is below or above 18. We train the technology using multiple signals. We look at things like people wishing you a happy birthday and the age written in those messages, for example, “Happy 21st Bday!” or “Happy Quinceañera.” We also look at the age you shared with us on Facebook and apply it to our other apps where you have linked your accounts and vice versa – so if you share your birthday with us on Facebook, we’ll use the same for your linked account on Instagram.” <https://about.fb.com/news/2021/07/age-verification/>

9/30/2021 – “we do not direct people towards content that promotes eating disorders . . . we remove that content when we become aware of it. We actually use AI to find content like that and to remove it.” METANMAG-010-00199214 at 9258.

9/30/2021 – “We care deeply about the safety and security of the people on our platform,” Davis said. “We take the issue very seriously ... We have put in place multiple protections to create safe and age-appropriate experiences for people between the ages of 13 and 17.” <https://www.krqe.com/news/technology/foes-united-vs-facebook-over-instagram-effect-on-teens/>

10/13/2021 – “We do not allow bullying and harassment on our platform, but when it does happen, we act,” Antigone Davis, Facebook’s head of global safety, wrote in a blog post. <https://www.krqe.com/news/technology/facebook-expands-harassment-policy-to-protect-public-figures/>

12/08/2021 – “[W]e don’t allow content that promotes or encourages eating disorders on our platforms. We use technology and reports from our community to find and remove this content[.]”

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(Mosseri Testimony to Senate Commerce Committee)
<https://www.commerce.senate.gov/services/files/3FC55DF6-102F-4571-B6B4-01D2D2C6F0D0>

12/08/2021 – “Instagram is built for people 13 and older. If a child is under the age of 13, they are not permitted on Instagram.” (Mosseri Testimony to Senate Commerce Committee)
<https://www.commerce.senate.gov/services/files/3FC55DF6-102F-4571-B6B4-01D2D2C6F0D0>

12/08/2021 – “We care deeply about the teens on Instagram, which is in part why we research complex issues like bullying and social comparison and make changes. [...] Moving forward, we will continue to collaborate and engage in data-sharing with researchers on issues related to young people. We have been working with external academics and research partners in this space for many years, and we plan to do even more early next year.”
<https://www.commerce.senate.gov/services/files/3FC55DF6-102F-4571-B6B4-01D2D2C6F0D0>; see also METANMAG-111-00000044.

12/08/2021 – “As head of Instagram, I am especially focused on the safety of the youngest people who use our services,” Mosseri testified. “This work includes keeping underage users off our platform, designing age-appropriate experiences for people ages 13 to 18, and building parental controls. Instagram is built for people 13 and older, If a child is under the age of 13, they are not permitted on Instagram.” <https://www.krqe.com/news/technology/instagram-ceo-to-appear-before-senate-panel/>

06/23/2022 - “Starting today, we’re testing new options for people on Instagram to verify their age, starting with people based in the US. If someone attempts to edit their date of birth on Instagram from under the age of 18 to 18 or over, we’ll require them to verify their age using one of three options: upload their ID, record a video selfie or ask mutual friends to verify their age. We’re testing this so we can make sure teens and adults are in the right experience for their age group.” <https://about.fb.com/news/2022/06/new-ways-to-verify-age-on-instagram/>

6/23/2022 – “In 2019, we began asking people to provide their age when signing up for Instagram. Since then, we’ve made this a requirement. Knowing people’s age allows us to provide appropriate experiences to different age groups, specifically teens.” <https://about.fb.com/news/2022/06/new-ways-to-verify-age-on-instagram/>

6/23/2022 – “We require people to be at least 13 years old to sign up for Instagram. When we know if someone is a teen (13-17), we provide them with age-appropriate experiences like defaulting them into private accounts, preventing unwanted contact from adults they don’t know and limiting the options advertisers have to reach them with ads.”
<https://about.fb.com/news/2022/06/new-ways-to-verify-age-on-instagram/>

2/27/2023 – Antigone Davis, Meta’s global head of safety, said Take It Down is one of many tools the company uses to address child abuse and exploitation on its platforms. “In addition to supporting the development of this tool and having, reporting and blocking systems on our on our [sic] platform, we also do a number of different things to try to prevent these kinds of situations from happening in the first place. So, for example, we don’t allow unconnected adults to message

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minors.” <https://www.krqe.com/news/technology/ap-take-it-down-a-tool-for-teens-to-remove-explicit-images/>

12/6/2023 – “We worked closely with outside experts, academics, advocates and governments to identify risks and build mitigations to ensure that privacy and safety go hand-in-hand.” <https://www.theguardian.com/technology/2023/dec/07/meta-facebook-messenger-end-to-end-encryption>

12/06/2023 – A Meta spokeswoman said the company works with law enforcement to catch child predators. “Child exploitation is a horrific crime and online predators are determined criminals,” Sophie Vogel said in an email. “We use sophisticated technology, hire child safety experts, report content to the National Center for Missing and Exploited Children, and share information and tools with other companies and law enforcement, including state attorneys general, to help root out predators. In one month alone, we disabled more than half a million accounts for violating our child safety policies.” https://www.santafenewmexican.com/news/local_news/ag-sues-meta-zuckerberg-claims-platforms-expose-kids-to-sex-abuse/article_49c4c086-9453-11ee-98c7-afa7ef7cf5d6.html

04/16/2024 – “Meta AI experiences are available to everyone in the US on its platforms and has guidelines that tell a generative AI model what it can and cannot produce.” <https://web.archive.org/web/20240416002513/https://familycenter.meta.com/education/resources/parents-guide-to-generative-ai/>

9/25/2025 – Meta called the report “misleading, dangerously speculative” and said it undermines “the important conversation about teen safety.” [...] “This report repeatedly misrepresents our efforts to empower parents and protect teens, misstating how our safety tools work and how millions of parents and teens are using them today. Teen Accounts lead the industry because they provide automatic safety protections and straightforward parental controls,” Meta said. “The reality is teens who were placed into these protections saw less sensitive content, experienced less unwanted contact, and spent less time on Instagram at night. Parents also have robust tools at their fingertips, from limiting usage to monitoring interactions. We’ll continue improving our tools, and we welcome constructive feedback – but this report is not that.” <https://www.krqe.com/news/business/ap-instagram-deliberate-design-choices-make-it-unsafe-for-teens-despite-meta-promises-report-finds/>

10/14/2025 – “Today, we’re announcing that Instagram Teen Accounts will be guided by PG-13 movie ratings by default. This means that teens will see content on Instagram that’s similar to what they’d see in a PG-13 movie. Teens under 18 will be automatically placed into an updated 13+ setting, and they won’t be able to opt out without a parent’s permission. [...] Just like you might see some suggestive content or hear some strong language in a PG-13 movie, teens may occasionally see something like that on Instagram – but we’re going to keep doing all we can to keep those instances as rare as possible. We recognize no system is perfect, and we’re committed to improving over time. We hope this update reassures parents that we’re working to show teens safe, age-appropriate content on Instagram by default, while also giving them more ways to shape their teen’s experience.” <https://about.fb.com/news/2025/10/instagram-teen-accounts-pg-13-ratings/>

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Statements indicating paid partnerships with influencers related to Instagram Teen Accounts, using the hashtag #InstagramPartner or #MetaPartner and/or linking to [instagram.com/teenaccounts](https://www.instagram.com/teenaccounts), [meta.me/screensmart](https://www.meta.me/screensmart), or [familycenter.meta.com](https://www.familycenter.meta.com). The accounts include @melissagorga, @wereennistogogether, @itsjudytme, @isaacellis, @mommydiary, @daynabolden, @thisiskellytaylor, @nycfamilyexplorer, @alanascalzi, @billyvsco, @theheatherbrooker, @yanabstyle, @strollerinthecity, @myrnapdaramy, @sundayswithsharon, @marthadove, and @tonyamichelle26.

Statements related to Instagram Teen Accounts safety and “default protections” in Politico Newsletter ads including, but not limited to, “Gavin Newsom’s mountain top moment,” “24 hours to go,” and “A partial SNAP reprieve,” all of which were dated 11/03/2025.

Statements related to Instagram LinkedIn Ad “Peace of mind for parents” which stated “Instagram Teen Accounts default teens into automatic protections for who can contact teens and the content they can see.”

3/6/2019 – “[T]here are real safety concerns to address before we can implement end-to-end encryption across all of our messaging services. . . We have a responsibility to work with law enforcement and to help prevent [child exploitation] wherever we can. We are working to improve our ability to identify and stop bad actors across our apps by detecting patterns of activity or through other means, even when we can’t see the content of the messages. . . as long as we take the time to build the appropriate safety systems that stop bad actors as much as we possibly can within the limits of an encrypted service. We’ve started working on these safety systems building on the work we’ve done in WhatsApp, and we’ll discuss them with experts through 2019 and beyond before fully implementing end-to-end encryption.” (<https://www.buzzfeednews.com/article/ryanmac/mark-zuckerberg-facebook-privacy-focused-platform>)

1/31/2024 – “we find and report more inappropriate content than anyone else in the industry.” (<https://about.fb.com/news/2024/01/our-work-to-help-provide-young-people-with-safe-positive-experiences/>)

Present – Meta touts the volume of its reports to NCMEC. (<https://transparency.meta.com/reports/integrity-reports-q1-2024>)

2012 – “[A]ny account found encouraging or urging users to embrace anorexia, bulimia, or other eating disorders; or to cut, harm themselves, or commit suicide will result in a disabled account without warning. . . . Instagram is not the place for active promotion or glorification of self-harm.” (<https://www.buzzfeednews.com/article/krystieyandoli/how-teens-are-using-social-media-to-talk-about-suicide>)

8/31/2018 – present – ““We care deeply about the safety of the people who use our apps . . . While we do not allow people to intentionally or unintentionally celebrate or promote suicide, self-injury or eating disorders, we do allow people to discuss these topics . . . We may also limit the ability to

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view this content to adults aged 18 and older. . . . We remove any content that encourages suicide, self-injury or eating disorders, including fictional content such as memes or illustrations, and any self-injury content which is graphic, regardless of context. We remove content that contains instructions for extreme weight loss behavior.” (<https://transparency.meta.com/policies/community-standards/suicide-self-injury/>)

1/16/2019 – “We do not allow content that promotes or glorifies eating disorders, self-harm or suicide and will remove content of this kind.” (METANMAG-002-00217678)

1/27/2019 – “We do not allow content that promotes or encourages eating disorders, self-harm or suicide and use technology to find and remove it. (METANMAG-002-00217678)

1/31/2019 – “We have a deep responsibility to make sure young people using Instagram are safe . . . we deployed engineers to start making changes to make it harder for people to search for and find self-harm content. From now, we have further restricted the ability for anyone to find content by searching for hashtags and in the Explore pages and we are stopping the recommendation of accounts that post self-harm content.” (METANMAG-002-00217678)

2/7/2019 – “We will not allow any graphic images of self-harm, such as cutting on Instagram – even if it would previously have been allowed as admission. We have never allowed posts that promote or encourage suicide or self harm, and will continue to remove it when reported . . . We will not show non-graphic, self-harm related content – such as healed scars – in search, hashtags and the explore tab, and we won’t be recommending it.” (<https://about.instagram.com/blog/announcements/supporting-and-protecting-vulnerable-people-on-instagram>)

10/27/2019 - “We will no longer allow fictional depictions of self-harm or suicide on Instagram, such as drawings or memes or content from films or comics that use graphic imagery. We will also remove other imagery that may not show self-harm or suicide, but does include associated materials or methods.” (<https://about.fb.com/news/2019/10/taking-more-steps-to-keep-the-people-who-use-instagram-safe/>)

April 2021 – “Mental health, suicide and self-harm are serious issues with devastating consequences . . . we don’t allow any graphic content, or content that promotes or encourages suicide or self-harm . . . [w]e’ve developed sophisticated technology to help us find and take action on this content more quickly.” (METANMAG-130-00061976)

9/30/2021 – “we do not direct people towards content that promotes eating disorders. . . . we remove that content when we become aware of it. We actually use AI to find content like that and to remove it.” (METANMAG-010-00199214)

12/8/2021 – “[W]e don’t allow content that promotes or encourages eating disorders on our platforms. We use technology and reports from our community to find and remove this content[.]” (Mosseri Testimony to Senate Commerce Committee)

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1/9/2024 – “We want teens to have safe, age-appropriate experiences on our apps.”
(<https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/>)

At least 1/19/2013 – “You must be at least 13 years old.” (METANMAG-002-00000001)

At least 7/9/2014 – April 2018 – “You will not use Facebook if you are under 13.”
(<https://web.archive.org/web/20140709054009/https://www.facebook.com/terms>;
<https://web.archive.org/web/20180430151726/https://www.facebook.com/terms/>)

At least April 2018 – “[Y]ou cannot use Facebook if: You are under 13 years old.”
(<https://web.archive.org/web/20180531065305/https://www.facebook.com/terms/>)

7/27/2021 – “Facebook and Instagram weren’t designed for people under the age of 13, so we’re creating new ways to stop those who are underage from signing up. . . . As per our terms, we require people to be at least 13 years old to sign up for Facebook or Instagram.”
(<https://about.fb.com/news/2021/07/age-verification/>)

12/8/2021 – “Instagram is built for people 13 and older. If a child is under the age of 13, they are not permitted on Instagram.” (METANMAG-002-00002346)

(Last Visited 11/13/2025) – “When something gets reported to Facebook, we review it and remove anything that goes against our Community Standards.”
https://www.facebook.com/help/1753719584844061/?helpref=hc_fnav

(Last Visited 11/13/2025) – “When you report a piece of content (example: post, comment, story) to us, we will take action to hide or remove that content from Instagram if we find that it goes against our Community Guidelines.”
https://help.instagram.com/478796623912131/?helpref=related_articles

(Last Visited 11/13/2025) – “We’ll investigate every report we receive.”
https://help.instagram.com/527320407282978/?helpref=hc_fnav

April 2022 (updated September 2023) – Meta claimed that it utilizes “robust reporting tools,” that it “[m]ak[es] it easy for people to report harmful content,” and that it “enforce[es] our Community Standards when we receive reports about users or content.” <https://about.fb.com/wp-content/uploads/2021/12/Metas-Approach-to-Safer-Private-Messaging.pdf>

(Updated January 4, 2022) – “When you share and communicate using our Products, you choose the audience for what you share.” <https://help.instagram.com/155833707900388>

Plaintiff reserves the right to further supplement this response to the extent it identifies additional non-privileged responsive information.

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6. Identify all “unfair practices” Plaintiff alleges Defendants engaged in that Plaintiff alleges violated the New Mexico Unfair Trade Practices Act as defined in NMSA § 57-12-2(D).

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it improperly calls for expert testimony, as a determination of whether certain conduct constitutes “unfair practices” may rely upon expert opinion. *See* Rule 1-026(B)(6) NMRA; *see also* *Reaves*, 1999-NMCA-075 (“Pretrial orders,” including those regarding expert disclosure deadlines, “will control the course of action in a case”). Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory because the ongoing discovery process has not yet progressed enough to determine the full extent of “all” of Defendants’ “unfair practices.” *See* Rule 1-033(D) NMRA; *Lucero*, 240 F.R.D. 591 (D.N.M. 2007) (“[T]here is considerable support for deferring answers to contention interrogatories until after a substantial amount of discovery has been completed.”). Indeed, Defendants have yet to complete document production, including production of documents specific to New Mexico.

Subject to and without waiving the foregoing general objections and the specific objections above, Plaintiff refers Defendants to paragraphs 516, 517 and 522 of the First Amended Complaint. Plaintiff agrees to supplement this response once a substantial amount of discovery has been completed.

SUPPLEMENTAL RESPONSE (October 20, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the unfair practices listed below.

Meta designed and implemented features on its platforms that enabled sexual predators to target, groom, sexually exploit, and traffic children. Meta internally knew, but failed to publicly disclose, that its recommendation algorithms specifically contributed to this abuse and exploitation

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by connecting predators with minors. While Meta internally knew that its platforms facilitated the abuse and exploitation of children, it refused to implement, or significantly delayed in implementing, modifications to its platforms that could have mitigated those harms. Even when Meta specifically identified users who engaged in child exploitation, it failed to adequately keep those users off of its platforms.

Meta knowingly blinded itself to millions of instances of illicit conduct involving children on its platforms by implementing end-to-end encryption on Messenger. Meta internally knew that its decision to implement end-to-end encryption would create significant risks for children on its platforms, including by preventing Meta from accessing CSAM, CSEC, and other instances of child sexual abuse on Messenger, but it failed to publicly disclose this knowledge and moved forward with end-to-end encryption regardless.

Meta designed and implemented features on its platforms that negatively impact teen mental health and wellbeing, and Meta conducted, but failed to publicly release, internal research confirming as much, and internal research showing that teens are particularly susceptible to negative experiences on its platforms. For example, Meta knew that its platforms contributed to negative social comparison among teen users, but failed to release its internal research confirming as much. Even when Meta knew about modifications it could make to its platforms that would improve youth wellbeing, it refused to implement them, or significantly delayed their implementation, if doing so would cause too much of a negative impact on growth.

Meta's engagement-based recommendation algorithms promote the spread of content related to suicide, self-harm, and eating disorders. Meta conducted internal research confirming as much, and confirming that these issues are particularly prevalent for teen users, but it did not publicly disclose this research. While Meta claims that it detects and removes harmful suicide and

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self-harm content using automated systems known as “classifiers,” Meta was internally aware that those systems were inadequate and often fail. Even when Meta made public commitments to changing its policies regarding suicide and self-harm content on its platforms, it failed to meet those commitments and continued to fail to protect teens from the harmful suicide and self-harm content promoted by and accessible on its platforms.

Meta tells users that they can protect themselves by reporting harmful conduct occurring on Meta’s platforms, but Meta’s user reporting systems fail to meaningfully address harm on its platforms. Meta regularly fails to review reports submitted by users and it maintains significant backlogs of reports. Even when Meta does review user reports, it takes action on relatively few of them. Moreover, Meta intentionally designed its user reporting flow to make it more difficult for users to complete a report by adding “friction” to the process in order to reduce the number of reports that Meta needed to devote resources to reviewing.

Meta targets young users and fails to effectively prevent children under 13 years-old from using its platforms, even though those platforms were not designed to keep those users safe. Meta internally knew that children under 13 years-old use its platforms because anyone signing up for its platforms could easily lie about their age; however, despite this knowledge, Meta did not implement a meaningful age verification process.

Meta intentionally manipulates susceptible teen users to bring them to, and keep them on, its platforms by implementing features designed to entice and addict them. Meta knew that teens’ developing brains diminished their capacity for sound judgment and emotional regulation, it knew that its platforms took advantage of these vulnerabilities, and it knew about the detrimental harms that accompanied addictive use of its platforms. Indeed, Meta’s internal research confirmed that teens often felt unable to control the amount of time they spend on Meta’s platforms. However,

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Meta failed to disclose this knowledge and utilized exploitative platform features in spite of it. Meta designed and implemented platform features that were intended to exploit developmental vulnerabilities in teens to maximize the amount of time that those teens spent on Meta's platforms. For example, Meta designed its recommendation algorithm to maximize engagement at the expense of wellbeing; Meta implemented infinite scroll to keep teen users continuously scrolling on its platforms; and Meta sends teen users notifications to keep them coming back to its platforms even when doing so is at odds with wellbeing.

Meta's public statements and transparency reports misrepresent the safety of its platforms to teens, parents, and the public. While Meta's Community Standards Enforcement Reports ("CSERs") purport to track the company's enforcement of policy violations across its platforms, the CSERs' focus on the "prevalence" of violating content misrepresents the safety of Meta's platforms and downplays the likelihood of harmful experiences, particularly for teen users. While the reported "prevalence" of violating content in CSERs was often relatively low, Meta's internal research confirmed that users faced far more risks and negative experiences on its platforms than the "prevalence" data suggested. By publicly releasing misleading data in its CSERs while withholding contradictory internal knowledge about the actual experiences of its users, Meta provided an incomplete picture of the risks involved with Meta's platforms and the rate of harmful content on those platforms. Meta's CSERs also misrepresent the company's efforts to proactively detect and remove harmful content on its platforms. While Meta's CSERs report data about the amount of content Meta found and actioned without a user report, they do not disclose Meta's internal efforts to make its user reporting flow more difficult by adding "friction," and they do not acknowledge Meta's internal knowledge regarding the inadequacy of its classifiers.

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SUPPLEMENTAL RESPONSE (November 14, 2025): Plaintiff incorporates its previous objections and responses by reference, and supplements its response to identify the unfair practices listed below.

Defendants designed and implemented platform features that promote the spread and distribution of CSAM, CSEC, and other illicit content, and facilitated the connection of predators engaged in the distribution of such content. Defendants designed and implemented platform features that promoted content related to the sale of illicit drugs and/or guns. Defendants designed and implemented artificial intelligence chatbots that can and often do engage in inappropriate conversations with minors. Defendants designed and implemented ineffective tools that failed to adequately help teens control their use of Defendants' platforms. Defendants minimized, modified, and/or prevented research concerning youth use of Meta's platforms to avoid findings demonstrating that Defendants' platforms harmed youth wellbeing and mental health. Defendants failed to implement adequate parental controls in spite of internal knowledge about the significant risks presented by its platforms for youth safety and wellbeing. Defendants failed to provide a safe experience on Meta's platforms, contrary to their terms of service, terms of use, and community guidelines.

The State incorporates by reference all of Defendants' misrepresentations and omissions, as described in the State's response to Interrogatory No. 5.

Signed this 14th day of November 2025.

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