PUBLIC

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of

Meta Platforms, Inc.,
 a corporation,

Mark Zuckerberg,
 a natural person,

 and

Within Unlimited Inc.,
 a corporation,

 Respondents.

DOCKET NO. 9411

<u>**NON-PARTY ALPHABET INC.'S MOTION FOR *IN CAMERA* TREATMENT**</u>
<u>**OF CERTAIN MATERIALS PURSUANT TO 16 C.F.R. § 3.45**</u>

Under Rule 3.45(b) of the Federal Trade Commission's ("FTC") Rules of Practice and pursuant to the Scheduling Order in this matter (Doc. No. 605516), non-party Alphabet Inc. ("Alphabet") respectfully moves this Court for *in camera* treatment of certain competitively sensitive, confidential business documents produced by Alphabet and designated as administrative trial exhibits by the FTC and Meta Platforms, Inc. ("Meta"), Within Unlimited Inc. ("Within"), and Mark Zuckerberg (collectively, "Respondents").[1] *See* 16 C.F.R. § 3.45(b). Alphabet asks the Court to grant *in camera* treatment for these documents indefinitely or, in the alternative, for a ten-year period. Alphabet is a third party to this litigation, and its confidential business documents

---

[1] The FTC and Meta Platforms, Inc. each served a subpoena *duces tecum* upon Alphabet on September 19, 2022 and September 15, 2022 and upon Fitbit, Inc. ("Fitbit") on September 6, 2022 and August 26, 2022 respectively. Alphabet Inc. acquired Fitbit, Inc. in 2019, which is now a wholly owned subsidiary under the name Fitbit by Google. Alphabet and Fitbit responded to Meta's and the FTC's subpoenas, and Alphabet seeks protection for the competitively sensitive and highly confidential documents of Alphabet and Fitbit included by the parties on their exhibit lists.

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 2 of 211 * PUBLIC *;

PUBLIC

would not have been made public but for the subpoenas issued in this case. *In camera* treatment is necessary to prevent Alphabet's competitors from gaining access to its most competitively sensitive information and trade secrets. In support of this motion, Alphabet relies on the Declaration of Juston Payne (hereinafter, "Payne Declaration") , attached as Appendix 1, which provides additional details about the Confidential Documents.

I.   Confidential Documents

The FTC and Respondents informed Alphabet that they intend to offer eight documents into evidence at the upcoming administrative trial, which includes seven Alphabet documents and the deposition transcript of Juston Payne. *See* Letter from the FTC dated December 12, 2022 (attached as Appendix 2) and email from Kellogg, Hansen, Todd, Figel, & Frederick, P.L.L.C. dated December 12, 2022 (attached as Appendix 3). Alphabet designated most of the documents as "Highly Confidential" under the protective order in the Northern District of California (ECF 80, *FTC v. Meta Platforms, Inc., et al*, No. 5:22-cv-04325) at the time of production. Of those eight documents, Alphabet seeks complete *in camera* treatment for six documents and partial *in camera* treatment for Mr. Payne's deposition transcript (together, the "Confidential Documents").

Complete copies of each of the six highly confidential documents for which Alphabet seeks *in camera* treatment in their entirety are attached under seal as Appendix 4, as noted below.

Exhibit No.	Document Title/Description	Date	Beginning Bates No.	Ending Bates No.
DX1245, PX0827	Product Strategy Presentation	10/2022	ALPH-0000194	ALPH-0000214
DX1246, PX0828	Product Exploration Presentation	01/2022	ALPH-0000240	ALPH-0000258
DX1247, PX0823	Use Case Analysis and Product Strategy	4/1/2021	ALPH-0000267	ALPH-0000323
DX1248	Product Presentation and Financial Analysis	8/11/2021	ALPH-0000709	ALPH-0000736
DX1249, PX0824	Product Overview	1/1/2022	ALPH-0000737	ALPH-0000765
PX0822	Product Requirements	05/2022	ALPH-0000264	ALPH-0000266

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 3 of 211 * PUBLIC *;

PUBLIC

A copy of Document DX1226/PX0083 with proposed redactions for which Alphabet seeks partial *in camera* treatment is attached as Appendix 5, are also noted below.

Exhibit No.	Document Title/Description	Date	Portions of Deposition Transcript for *In Camera* Treatment
DX1226, PX0083	Deposition Transcript of Juston Payne	11/17/2022	5:8-21; 6:2-6; 11:13-14, 16-18, 20-21; 12:16-18, 21-22; 13:6-9; 23:1, 3-4; 25:1-2; 26:5-27:13; 27:16-28:18; 28:22-29:19; 30:7-22; 31:5-32:5; 32:7-33:18; 33:20-37:13; 38:17-41:12; 41:14-42:5; 43:1-3, 5, 10-12; 45:22-46:18; 47:1, 3-16; 47:18-48:11; 48:18-49:8; 49:15-50:18; 51:3-6, 51:12-53:1; 53:6-9; 54:11-22); 55:3-15; 55:20-56:8; 56:12-14; 56:17-57:12; 57:14-20; 58:2-10; 58:19-59:15; 60:3-7, 12-20; 60:22-61:2; 61:16-62:1; 62:3-5; 62:10-63:12; 63:14-19; 64:12-15; 66:16-18; 67:3-20; 68:3-21; 69:4-14, 17-21; 70:1-6, 11-22; 71:5-7, 18-21; 72:6-7, 18-20; 73:1-13, 15-19; 74:1-75:3; 75:7-9, 11-15, 17-19; 75:21-76:7; 76:9-11; 76:18-77:7; 77:9-22; 78:2-16; 79:1-3; 79:18-80:3; 80:7:18; 80:19-81:5; 81:7-16; 82:1-13; 82:18-83:13; 83:22-84:15; 84:17-18; 84:20-85:18; 86:13, 15-17; 86:22-87:13; 88:3-6, 13-18; 88:20-89:11; 89:13-20; 90:16-18; 91:7-8, 12-19; 92:14-93:8; 93:13-16; 93:18-94:7; 97:17-101:8; 101:10-19; 101:21-22; 102:2-107:20; 108:1-8; 109:1-112:9; 112:12-115:6; 116:1-3, 5-10; 116:12-118:22; 123:11-124:5; 124:22-125:2; 125:14-16; 126:19-20; 127:6-13; 128:2-19; 128:21-129:9; 129:12-131:5; 134:8-138:8; 139:20-141:5; 141:10-12; 142:17-22; 143:4-144:8; 144:15-17; 145:6-10; 145:13-147:4; 147:9-10, 13-15; 147:19-148:11; 148:17-150:10; 150:13-16; 150:19-153:20; 154:8-10,16-22; 155:3-158:7; 159:6-8; 160:4-9, 12-19; 161:1-164:21; 165:5-7, 16-21; 166:1-167:19; 168:2-22; 169:12; 170:5, 15-17; 171:3-20; 172:6-173:11; 173:16-175:8; 181-206 (in part).

II. Legal Standard

Although the FTC administrative process recognizes the significant public interest in holding open and transparent adjudicative proceedings, *see In re H. P. Hood & Sons, Inc.*, 1961 FTC LEXIS 368, at *5-6 (Mar. 14, 1961), under Commission Rule 3.45(b), the Court has

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 4 of 211 * PUBLIC *;

PUBLIC

recognized the interest in placing material *in camera* when "public disclosure of the documentary evidence will result in a clearly defined, serious injury to the person or corporation whose records are involved." *In re Illumina, Inc.*, 2021 FTC LEXIS 35, at *1-2 (Aug. 12, 2021) (*quoting In re Kaiser Aluminum & Chem. Corp.*, 1984 FTC LEXIS 60, at *1 (May 25, 1984)). The Court thus strikes a fine balance between two antipodal interests: on the one hand, the need to publicize information to explain the rationale of FTC decisions against, on the other hand, the risk of causing serious competitive injury to participants in the administrative process. *See In re Illumina, Inc.*, 2021 FTC LEXIS 35, at *2. In striking that balance, this Court has paid "special solicitude" to third parties requesting *in camera* treatment. *In re Crown Cork & Seal Co.*, 1967 FTC LEXIS 128, at *2 (June 26, 1967); *In re ProMedica Health Sys.*, 2011 FTC LEXIS 101, at *3-4 (May 25, 2011). In particular, the Court has recognized that extending robust confidentiality protection to third parties encourages cooperation with the adjudicative discovery process. *In re Kaiser Aluminum & Chem. Corp.*, 1984 FTC LEXIS 60, at *2-3 (May 25, 1984) ("As a policy matter, extensions of confidential or *in camera* treatment in appropriate cases involving third party bystanders encourages cooperation with future adjudicative discovery requests.").

In deciding whether to grant *in camera* treatment, the Court generally has looked to six factors: (1) the extent to which the information is known outside the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken to guard the secrecy of information; (4) the value of the information to the business and its competitors; (5) the amount of effort or money expended in developing the information; and (6) the ease or difficulty with which the information could be acquired or duplicated by others. *In re ECM BioFilms, Inc.*, 2014 FTC LEXIS 189, at *2-3 (July 23, 2014) (*citing In re Bristol-Myers Co.*, 1977 FTC LEXIS 25, at *4-5 (1977)).

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 5 of 211 * PUBLIC *;

PUBLIC

In assessing how long to extend *in camera* treatment, the Court has developed a taxonomy of confidential information:

- *Trade Secrets.* Trade secrets are granted the highest level of protection. *Hood*, 1961 FTC LEXIS 368, at *12. Examples of trade secrets meriting indefinite *in camera* treatment include secret formulas, processes, other technical information, or privileged information. *Id.*; *General Foods*, 1980 FTC LEXIS 99, at *2. Under Commission Rule 3.45(b)(3), indefinite *in camera* treatment is warranted where "the need for confidentiality of the material . . . is not likely to decrease over time . . . ." 16 C.F.R. § 3.45(b)(3). The Commission has recognized some cases where the competitive sensitivity or the proprietary value of the information for which *in camera* treatment is requested will not necessarily diminish, and may actually increase, with the passage of time. *See In re Coca-Cola Co.*, 1990 FTC LEXIS 364, at *7 (Oct. 17, 1990) (quoting Commission comments on amendments to Rule 3.45).

- *Sensitive Business Records. In camera* treatment is routinely granted for competitively sensitive business records, including documents revealing research and development plans, financial metrics such as costs, margins, revenues, competitive positioning, strategic plans, and marketing and pricing strategies for up to ten years. *See, Otto Bock HealthCare N. Am., Inc.*, 2018 FTC LEXIS, at *10-12 (granting third parties' requests for ten-year *in camera* treatment of documents discussing a research and development plans); *In re Tronox Ltd.*, 2018 FTC LEXIS 78, at *12-13 (May 15, 2018) (granting third parties' requests for ten-year *in camera* treatment of documents containing competitively sensitive information, such as business plans, views on the efficacy of substitutes for products, analyses of prices, capacity, supply and demand, along with market forecasts).

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 6 of 211 * PUBLIC *;

PUBLIC

- *Ordinary Business Records.* Business records that are not especially sensitive ordinarily receive *in camera* treatment for two to five years. *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55, at *6 (Apr. 4, 2017).

III. Argument

These materials warrant *in camera* treatment indefinitely, or in the alternative for a ten-year period, because they contain trade secrets and competitively sensitive information that would result in serious injury to Alphabet if disclosed and is not likely to decrease with the passage of time.

a. Disclosure of Alphabet's Secret and Material Documents Would Result in Serious Injury to Alphabet.

Non-party Alphabet requests complete *in camera* treatment for six documents identified as administrative trial exhibits by the FTC and Meta (DX1245/PX0827, DX1246/PX0828, DX1247/PX0823, DX1248, DX1249/PX0824, and PX0822) and limited portions of DX1226/PX0083. Despite participating as a third party, Alphabet has endeavored to be responsive to both parties' discovery requests. But, as discussed in the attached Payne Declaration, these documents include highly competitively sensitive information including technical specifications and features of proprietary technology, business strategies, research and development plans, competition and market assessments, marketing plans, and supply chain information that Alphabet does not share outside the company. Payne Declaration ¶ 6-14. As a matter of fact, Alphabet tightly restricts the *internal* dissemination of these documents—let alone *external* circulation. Payne Declaration ¶ 16. Disclosure of these materials to the public and to its competitors would expose certain of Alphabet's most sensitive internal competitive deliberations in this cutting-edge space and would severely compromise the company's competitive standing. Payne Declaration ¶ 4, 6-14. The potential "loss of business advantage" from the disclosure of these documents—

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 7 of 211 * PUBLIC *;

PUBLIC

particularly to leading players in this space, such as Meta—would be devastating, irreparable, and the kind of "clearly defined, serious injury" that supports the *in camera* treatment Alphabet requests. *See In re Dura Lube Corp.,* 1999 FTC LEXIS 255, at *7 (Dec. 23, 1999). To prevent this competitive harm, we thus believe it is appropriate to accord this request for *in camera* treatment with the "special solicitude," *In re Kaiser Aluminum & Chem. Corp.*, 103 FTC 500, 500 (1984), that this Court has observed is crucial to encouraging "cooperation with future adjudicative discovery requests." *Id*.

b. Permanent *In Camera* Treatment Is Justified Because the Confidential Documents Contain Trade Secrets that Will Remain Sensitive Over Time.

The Confidential Documents at issue constitute Alphabet's trade secrets and warrant indefinite *in camera* protection. The Confidential Documents include detailed insights into the inner workings of Alphabet's processes for evaluating and developing technology and product use cases and evaluating new markets and, therefore, "is likely to remain sensitive or become more sensitive with the passage of time" such that the need for confidentiality is not likely to decrease over time. *In re Dura Lube Corp.*, 1999 FTC LEXIS at *7-8. As described in the Payne Declaration, the Confidential Documents reveal detailed secrets of Alphabet's plans in nascent VR markets—including detailed plans for and evaluations of its proprietary technology. *See* Payne Declaration, at ¶ 6-14. They contain Alphabet's theories and predictions for how its proprietary technology may serve as the possible foundation for long-term development in the VR space. *See* Payne Declaration, at ¶ 6-14. They reflect sophisticated insight into Alphabet's technology and market evaluations, which could expose Alphabet's proprietary information to the public and allow companies already far ahead in developing VR products to gain a long-term competitive advantage against Alphabet. *See* Payne Declaration, at ¶ 6-14. These insights stem from extensive, deliberate meditation on Alphabet's technology, as well as the future of VR from Alphabet's perspective.

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 8 of 211 * PUBLIC *;

PUBLIC

See Payne Declaration, at ¶ 6-14. Moreover, the circumstances warranting in camera treatment are not likely to decrease over time due to the nascent nature of the VR ecosystem. *See* Payne Declaration, at ¶ 15. In sum, they are highly valuable trade secrets and warrant the indefinite *in camera* treatment that this Court has found appropriate to grant in the past. *See In re Jerk LLC*, 2015 FTC LEXIS 39, at *4 (Feb. 23, 2015).

c. In the Alternative, Ten-Year *In Camera* Treatment Is Justified Given the Competitively Sensitive Nature of These Highly Confidential Documents.

Even if the Court finds that the requirements for indefinite *in camera* treatment are not satisfied, the Confidential Documents should receive *in camera* treatment for a period of at least ten years, consistent with FTC precedent. Highly confidential business records that reveal especially competitively sensitive information routinely receive *in camera* treatment for ten year periods. The documents and information here handily clear that standard. By way of example, in *Otto Bock Healthcare*, the Commission determined that documents provided by non-parties were entitled to *in camera* treatment for a period of ten years, because they contained research and development plans. *Otto Bock Healthcare N. Am., Inc.*, 2018 FTC LEXIS, at *10-12, *30-31. In *In re Tronox,* the Commission determined that documents provided by non-party BASF were entitled to *in camera* treatment for a period of ten years, because they contained BASF's business plans, views on the efficacy of product substitutes, capacity, supply and demand, and other market forecasts. *In re Tronox Ltd.*, 2018 FTC LEXIS, at *12-13. The Confidential Documents here include many of the same kinds of sensitive materials, and in many instances more so. They contain research and development plans, technical discussions of Alphabet's current product portfolio, and detailed analyses planning for how Alphabet can meet competition in the future. *See* Payne Declaration, at ¶ 6-14. They merit the ten-year coverage that has been granted in other matters. For these reasons, the Confidential Documents should receive *in camera* treatment for, at a

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 9 of 211 * PUBLIC *;

PUBLIC

minimum, no less than ten years.

IV.   Conclusion

For the reasons set forth above and in the accompanying Payne Declaration, Alphabet respectfully requests that this Court grant permanent *in camera* treatment for the six Confidential Documents noted above in their entirety as well as for limited portions of DX1226/PX0083, or in the alternative, *in camera* treatment for a minimum of ten years. Moreover, parties do not oppose this motion. *See* Declaration of Mark H. Hamer, attached at Appendix 6. Pursuant to Rule 4.2(d)(4)(i), should the Commission determine that that some or all of the material filed herein via FTP and labeled "Confidential" must be disclosed, please contact Creighton J. Macy at 815 Connecticut Avenue, NW, Washington, DC 20006, tel: 202-452-7098; email: Creighton.Macy@bakermckenzie.com.

Dated: December 23, 2022   Respectfully submitted,

s/ Mark H. Hamer

Mark H. Hamer
BAKER & MCKENZIE LLP
815 Connecticut Avenue, NW
Washington, DC 20006
mark.hamer@bakermckenzie.com
Counsel for Non-Party Alphabet Inc.

PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2023, I filed the foregoing document electronically using

the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I also certify that I caused the foregoing document to be served upon the above referenced

parties and the following via email to:

Michael Moiseyev
Jeffrey H. Perry
Chantale Fiebig
WEIL, GOTSHAL & MANGES LLP
2001 M Street, NW, Suite 600
Washington, DC 20036
Tel.: (202) 682-7000
Fax: (202) 857-0940
michael.moiseyev@weil.com
jeffrey.perry@weil.com
chantale.fiebig@weil.com

Eric S. Hochstadt
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
Tel.: (212) 310-8000
Fax: (212) 310-8007
eric.hochstadt@weil.com

Diane P. Sullivan
WEIL, GOTSHAL & MANGES LLP
17 Hulfish Street, Suite 201
Princeton, NJ 08542
Tel.: (609) 986-1100
Fax: (609) 986-1199
diane.sullivan@weil.com

Bambo Obaro
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway, 6th Floor
Redwood Shores, CA 94065-1134
Tel.: (650) 802-3000
Fax: (650) 802-3100
bambo.obaro@weil.com

Counsel for Respondent Meta Platforms, Inc.

Mark C. Hansen
Aaron M. Panner
Geoffrey M. Klineberg
KELLOGG, HANSEN, TODD, FIGEL &

PUBLIC

FREDERICK, PLLC
Sumner Square 1615 M Street, NW, Suite 400
Washington, D.C. 20036
(202) 326-7928
mhansen@kellogghansen.com
apanner@kellogghansen.com
gklineberg@kellogghansen.com

Counsel for Respondent Mark Zuckerberg.

Christopher J. Cox
HOGAN LOVELLS US LLP
855 Main St., Suite 200
Redwood City, CA 94063
Telephone No.: (650) 463-4000
Facsimile No.: (650) 463-4199
chris.cox@hoganlovells.com

Lauren Battaglia
Logan M. Breed
Benjamin Holt
Charles A. Loughlin
HOGAN LOVELLS US LLP
Columbia Square, 555 Thirteenth St., NW
Washington, D.C. 20004
Telephone No.: (202) 637-5600
Facsimile No.: (202) 637-5910
lauren.battaglia@hoganlovells.com
logan.breed@hoganlovells.com
benjamin.holt@hoganlovells.com
chuck.loughlin@hoganlovells.com

Counsel for Respondent Within Unlimited, Inc.

Abby Dennis
Peggy Bayer Femenella

DATE: January 3, 2023

Jeanine Balbach
Michael Barnett
E. Eric Elmore
Justin Epner
Joshua Goodman
Sean D. Hughto
Frances Anne Johnson
Andrew Lowdon
Lincoln Mayer
Kristian Rogers
Anthony R. Saunders
Timothy Singer
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
Tel.: (202) 326-2381
adennis@ftc.gov
pbayer@ftc.gov
jbalbach@ftc.gov
mbarnett@ftc.gov
eelmore@ftc.gov
jepner@ftc.gov
jgoodman@ftc.gov
shughto@ftc.gov
fjohnson@ftc.gov
alowdon@ftc.gov
lmayer@ftc.gov
krogers@ftc.gov
asaunders@ftc.gov
tsinger@ftc.gov

Erika Wodinsky
FEDERAL TRADE COMMISSION
90 7th Street, Suite 14-300
San Francisco, CA 94103
Tel: (415) 848-5190
ewodinsky@ftc.gov

Counsel Supporting the Complaint.

s/ Kayleigh Golish
Kayleigh Golish

Counsel for Non-Party Alphabet Inc.

11

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 12 of 211 * PUBLIC *;

PUBLIC

Appendix 1

Declaration of Juston Payne

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 13 of 211 * PUBLIC *;

PUBLIC

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of
 	
Meta Platforms, Inc.,
   a corporation,
 	
Mark Zuckerberg,
   a natural person,
 	
   and
 	
Within Unlimited Inc.,
   a corporation,
 	
   Respondents.
	DOCKET NO. 9411

DECLARATION OF JUSTON PAYNE IN SUPPORT OF NON-PARTY ALPHABET, INC.'S MOTION FOR *IN CAMERA* TREATMENT

I, Juston Payne, hereby declare as follows:

1.   I am a Director of Product Management at Google LLC, a subsidiary of Alphabet, Inc. I make this declaration in support of Non-Party Alphabet, Inc.'s Motion for *In Camera* Treatment (the "Motion"). I have personal knowledge of the matters stated herein and, if called upon to do so, could competently testify about them.

2.   I have reviewed and am familiar with the documents that Alphabet produced in the above-captioned matter. Given my position at Google, I am familiar with the type of information contained in the documents at issue and its competitive significance to Google and Alphabet. Based on my review of the documents, my knowledge of Alphabet's business, and my familiarity with the confidentiality protection afforded this type of information by Alphabet, I submit that the disclosure of these documents to the public and to competitors of Alphabet would cause serious competitive injury to Alphabet.

1

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 14 of 211 * PUBLIC *;

PUBLIC

3.   Alphabet, through its subsidiary Google, offers numerous products and technologies marketed to consumers and businesses. Google is constantly adapting to new technology as it evolves to meet consumer demand by building upon its existing technology, research, and talent. As technology companies build out new products and platforms related to virtual reality, augmented reality, and mixed reality, Google has considered how it might develop its own competitive offerings in this space, based on its own technology, and in response to that of potential competitors.

4.   The FTC and Meta have informed Alphabet that they intend to use seven documents that Alphabet produced in response to numerous subpoenas served in the related Northern District of California matter (Case No. 5:22-cv-04325) as well as my own deposition testimony. Of these documents, DX1245/PX0827, DX1246/PX0828, DX1247/PX0823, DX1248, DX1249/PX0824, and PX0822 as well as my previous testimony (DX1226/PX0083) are particularly sensitive and contain confidential, competitively sensitive business information and trade secrets. As described in the Motion, Alphabet seeks indefinite *in camera* protection of the following documents, including their titles:

Exhibit No.	Document Description	Date	Beginning Bates no.	Ending Bates No.
DX1226, PX0083	Portions of Deposition transcript of Juston Payne	11/17/2022	N/A	N/A
DX1245, PX0827	Product Strategy Presentation	10/2022	ALPH-0000194	ALPH-0000214
DX1246, PX0828	Product Exploration Presentation	01/2022	ALPH-0000240	ALPH-0000258
DX1247, PX0823	Use Case Analysis and Product Strategy	4/1/2021	ALPH-0000267	ALPH-0000323
DX1248	Product Presentation and Financial Analysis	8/11/2021	ALPH-0000709	ALPH-0000736
DX1249, PX0824	Product Overview	1/1/2022	ALPH-0000737	ALPH-0000765

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 15 of 211 * PUBLIC *;

PUBLIC

PX0822	Product Requirements	05/2022	ALPH-0000264	ALPH-0000266

5.   Each of these documents was created and has been actively revised and used by Alphabet within the last three years, including as recently as October 2022.

6.   DX1226/PX0083 is my deposition transcript, which includes Alphabet's views of the AR/VR space, including my own, and the research and development of the AR/VR space and technical specifications and features of proprietary Alphabet products currently under development. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would gain a deeper understanding of Alphabet's competitive strategy, technical capabilities, and go-to-market timelines and strategies. The testimony also reflects our proprietary strategies for engaging with third parties regarding app development. Were it to become public, this information could be used by platforms or developers to gain an unfair advantage over Alphabet in future negotiations or by competitors like Meta and Apple to position themselves more favorably with developers vis-à-vis Alphabet.

7.   DX1245/PX0827 is a confidential presentation that reflects Alphabet's strategic view of the VR hardware form factors and product market fit, which includes Alphabet's assessment of the VR space, predictions for the future of VR, and possible entry strategies. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from Alphabet's detailed research and analysis. Competitors would also gain information regarding Alphabet's product development, advancements, and use case evaluations, which could be used to gain an unfair advantage when competing. Alphabet has allocated, and will continue to allocate, significant resources to conducting the research contained in the presentation and to develop features to address current challenges.

3

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 16 of 211 * PUBLIC *;

PUBLIC

8.   DX1246/PX0828 is a confidential presentation that reflects Alphabet's technical and competitive analysis of AR/VR hardware form factors and the VR space, which includes Alphabet's assessment of the VR hardware space, analysis of Alphabet's strategic position in the AR/VR space, projections and analysis of how AR/VR technology may develop, and analysis regarding AR/VR hardware development. DX1246/PX0828 also contains highly confidential internal team discussions relating to the processes and procedures for product development. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from Alphabet's detailed research and analysis. Competitors also would gain information regarding Alphabet's technical processes for evaluating potential markets, product market fit, and product development and advancements, which could be used to gain an unfair advantage when competing.

9.   DX1247/PX0823 is a confidential presentation that reflects Alphabet's analysis of specific product use cases, including Alphabet's assessment and predictions for the future of this space. The document also contains proprietary research regarding user types to assess the product market fit of Alphabet products and Alphabet's assessment and analysis of potential product features and capabilities to meet this fit. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from Alphabet's detailed research and analysis. The information also contains business strategies and potential collaborations related to third-parties, which could be used by such parties to gain an unfair advantage in future negotiations. Competitors would also stand to gain information regarding Alphabet's product development and advancements, which could be used to gain an unfair advantage when competing.

10.   DX1248 is a confidential presentation that reflects Alphabet's analysis of AR/VR hardware form factors and its strategies in this space, which includes information regarding

4

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 17 of 211 * PUBLIC *;

PUBLIC

Alphabet's technical specifications and feature capabilities, discussion of proprietary Alphabet technology, Alphabet's competitively sensitive internal processes regarding how to assess and set prices, internal team discussions, and insights into Alphabet's technical processes for evaluating user profiles and product market fit. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from Alphabet's detailed research and analysis. Competitors could gain an unfair advantage as they would have access to Alphabet's pricing and margin information, as well as a deeper understanding of Alphabet's competitive offerings and capabilities, which could be used to compete unfairly. Alphabet has allocated, and will continue to allocate, significant resources to conduct the research and financial analysis contained in the presentation, which includes a survey of thousands of users.

11. DX1249/PX0824 is a confidential presentation that reflects Alphabet's analysis of the VR market as related to existing Alphabet products, which includes Alphabet's predictions for the future in VR, and market research and go-to-market strategies for these products in the VR space. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from Alphabet's detailed research and analysis. Competitors would also gain information regarding Alphabet's product development and advancements, which could be used to gain an advantage when competing. The presentation also contains information regarding strategic considerations relating to third-parties, which could be used by such parties to gain an unfair advantage in future negotiations. Alphabet has allocated, and will continue to allocate, significant resources to conduct the market research and financial analysis contained in the presentation.

12. PX0822 is a confidential document containing parameters regarding the internal testing of VR hardware form factors, which includes information on Alphabet's technical

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 18 of 211 * PUBLIC *;

PUBLIC

specifications and assumptions in development of features and capabilities of its proprietary technology. The document also reveals Alphabet's internal process for evaluating and making decisions about such features and capabilities. Disclosure of this information would give Alphabet's competitors an unfair advantage as they would unjustly benefit from the testing methodology and approach that Alphabet has devoted resources into producing. Competitors would also benefit from understanding key features that Alphabet is developing and seeking to test, which could be used to gain an unearned competitive advantage against Alphabet.

13.   The non-redacted disclosure of DX1226/PX0083 and the disclosure of PX0827/DX1245, PX0828/DX1246, PX0823/DX1247, PX0824/DX1249, PX0822, and DX1248 would expose Alphabet's proprietary approach towards making business decisions, including its process for conducting market assessments, entry timing, product evaluations and tests, and feature deliberations, and would harm Alphabet's ability to compete by making its business strategies and processes public. This information is proprietary as the strategies and processes described are consistent with Alphabet's broader business strategy and is a key component of the company's competitive advantage, and as such will continue to be relevant and critical to the company's ongoing strategy.

14.   Further, each of the exhibits described above contain highly confidential business and trade secrets in the form of Alphabet's theories and predictions for the role its proprietary technology may serve in long term development in the AR/VR space as well as detailed analyses planning for how Alphabet can meet competition in the future. This information includes Alphabet's research and development plans, secret technical information regarding features and capabilities, and product and market assessments, to which Alphabet has committed significant

PUBLIC

resources to develop. The information included in the Confidential Documents are particularly competitively sensitive.

15. Additionally, the AR/VR ecosystem is in its infancy, and it is unclear how it will evolve over time. The time horizon for AR/VR maturity could be five, ten, or even twenty years from now. Given the highly nascent nature of the AR/VR space, we do not yet know which technologies and products will gain traction. Therefore, the competitive significance of these materials, which, as described above, include a range of analyses, predictions, and technical specifications, is not likely to diminish and may even become more important as the AR/VR ecosystem evolves and matures over the coming years and decades.

16. Alphabet has committed resources to protecting the confidentiality of the information and documents described above. The information included in my testimony and each of the above referenced documents are not publicly available nor does Alphabet share this information with non-Alphabet personnel in the ordinary course of business. Moreover, this information and these documents are closely guarded within the AR/VR team and are not openly shared with other groups within Alphabet. In fact, access to these documents must be specifically requested and is not provided to those outside the AR/VR team unless they have received approval to access the documents for some specific purpose.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on: December 23, 2022

Juston Payne

7

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 20 of 211 * PUBLIC *;

PUBLIC

Appendix 2

In Camera Notice From FTC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 21 of 211 * PUBLIC *;

PUBLIC

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Bureau of Competition
Mergers II Division

December 12, 2022

VIA EMAIL TRANSMISSION

Alphabet, Inc.
c/o Creighton Macy
Baker McKenzie LLP
815 Connecticut Avenue, N.W.
Washington, DC 20006
Creighton.Macy@bakermckenzie.com

> RE: *In the Matter of Meta Platforms, Inc., Mark Zuckerberg, and Within Unlimited, Inc., Docket No. 9411*

Dear Creighton:

By this letter we are providing formal notice, pursuant to Rule 3.45(b) of the Commission's Rules of Practice, 16 C.F.R. § 3.45(b), that Complaint Counsel intends to offer the documents and testimony referenced in the enclosed Attachment A into evidence in the administrative trial in the above-captioned matter.

The administrative trial is scheduled to begin on January 19, 2023. All exhibits admitted into evidence become part of the public record unless Administrative Law Judge D. Michael Chappell grants *in camera* status (i.e., non-public/confidential).

For documents or testimony that include sensitive or confidential information that you do not want on the public record, you must file a motion seeking *in camera* status or other confidentiality protections pursuant to 16 C.F.R §§ 3.45 and 4.10(g). If you do not file an *in camera* motion, your documents will not receive *in camera* treatment and may be publicly disclosed. Judge Chappell may order that materials be placed *in camera* only after finding that their public disclosure will likely result in a clearly-defined, serious injury to the person, partnership, or corporation requesting *in camera* treatment.

Motions for *in camera* treatment for evidence to be introduced at trial must meet the strict standards set forth in 16 C.F.R. § 3.45 and explained in *In re Otto Bock Healthcare N. Am.*, 2018 WL 3491602 at *1 (July 2, 2018); and *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017). Motions also must be supported by a declaration or affidavit by a person qualified to explain the confidential nature of the material. *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017); *In re North Texas Specialty Physicians*, 2004 FTC LEXIS 66 (Apr. 23, 2004). For your convenience, we included, as links in the cover email, an example of a third-party motion (and the accompanying declaration or affidavit) for *in camera* treatment that was filed

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 22 of 211 * PUBLIC *;

PUBLIC

and granted in an FTC administrative proceeding. If you choose to move for *in camera* treatment, you must provide a copy of the document(s) for which you seek such treatment to the Administrative Law Judge.

Also, please be advised, if you intend to file an *in camera* motion, you will need credentials for the Commission's electronic filing system and a Notice of Appearance. The Notice of Appearance must be approved by the Office of the Secretary and can take up to twenty-four ("24") hours to issue. As such, you will need to file your Notice of Appearance at least one day prior to the day on which you intend to file your *in camera* motion. I have attached an e-filing checklist to assist with this process.

Please be aware that under the current Scheduling Order **the deadline for filing motions seeking *in camera* treatment is December 23, 2022**. A copy of the September 2, 2022 Scheduling Order can be found at https://www.ftc.gov/legal-library/browse/cases-proceedings/221-0040-metazuckerbergwithin-matter. If you have any questions, please feel free to contact me at (202) 326-2199.

Sincerely,

/s/ Sean D. Hughto
Sean D. Hughto
Counsel Supporting the Complaint

Attachment

Attachment A

PUBLIC

In the Matter of   FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 24 of 211 * PUBLIC *;

Meta Platforms, Inc. et al.   **FTC Docket No. 9411**

PX No.	BegBates	EndBates	Description	Date	Sponsoring Witness
PX0083	PX0083			11/17/2022	Juston Payne; Alphabet, Inc.
PX0822	ALPH-0000264	ALPH-0000266		00/00/000	Juston Payne; Alphabet, Inc.
PX0823	ALPH-0000267	ALPH-0000323		4/1/2021	Juston Payne; Alphabet, Inc.
PX0824	ALPH-0000737	ALPH-0000765		1/1/2022	Juston Payne; Alphabet, Inc.
PX0827	ALPH-0000194	ALPH-0000214		00/00/000	Juston Payne; Alphabet, Inc.
PX0828	ALPH-0000240	ALPH-0000258		00/00/000	Juston Payne; Alphabet, Inc.

Appendix 3

In Camera Notice From Meta

Golish, Kayleigh

From:	Hamlett, Kimberly V. <khamlett@kellogghansen.com>
Sent:	Monday, December 12, 2022 12:15 PM
To:	Hamer, Mark H; Macy, Creighton J; Golish, Kayleigh; Dieken, Marisa
Cc:	Webster, James M.; Hartman, Jacob E.
Subject:	[EXTERNAL] In re Meta Platforms, Inc., et al., Dkt. 9411 (F.T.C.) - Notice

Counsel,

Pursuant to the Scheduling Order in *In re Meta Platforms, Inc., et al.*, Dkt. 9411 (F.T.C.), I write to provide notice that Meta anticipates the documents listed below—which are on Meta's exhibit list in the N.D. Cal. preliminary injunction proceeding, and which have been designated as Confidential, Highly Confidential, or Highly Confidential Outside Counsel Only in that proceeding—will be on Meta's exhibit list in the Part 3 administrative proceeding before Administrative Law Judge Chappell.

N.D. Cal. Meta's Exhibit No.
DX1226
DX1244
DX1245
DX1246
DX1247
DX1248
DX1249

This email provides notice that, under the Scheduling Order, motions for *in camera* treatment of these likely trial exhibits are due on December 23, 2022. It further provides notice of the "strict standards for motions for *in camera* treatment for evidence to be introduced at trial" in Part 3 administrative proceedings, as "set forth in 16 C.F.R. § 3.45; in *In re Otto Bock Healthcare North American*, 2018 WL 3491602 at *1 (July 2, 2018); and *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (April 4, 2017)." Scheduling Order, ¶ 13.

Best,
Kim

Kimberly Varadi Hamlett
Kellogg, Hansen, Todd, Figel, & Frederick, P.L.L.C.
1615 M Street, N.W. | Suite 400 | Washington, DC 20036 | (202) 326-7962

Appendix 4-A

Proceeding Exhibit No.: DX1245/0827
Beginning Bates No.: ALPH-0000194

Confidential - *In Camera* **Treatment Requested**
In Its Entirety

Appendix 4-B

Proceeding Exhibit No.: DX1246/PX0828
Beginning Bates No.: ALPH-0000240

Confidential - *In Camera* Treatment Requested
In Its Entirety

Appendix 4-C

Proceeding Exhibit No.: DX1247/PX0823
Beginning Bates No.: ALPH-0000267

Confidential - *In Camera* Treatment Requested
In Its Entirety

Appendix 4-D

Proceeding Exhibit No.: DX1248
Beginning Bates No.: ALPH-0000709

Confidential - *In Camera* **Treatment Requested**
In Its Entirety

Appendix 4-E

Proceeding Exhibit No.: DX1249/PX0824
Beginning Bates No.: ALPH-0000737

Confidential - *In Camera* Treatment Requested
In Its Entirety

Appendix 4-F

Proceeding Exhibit No.: PX0822
Beginning Bates No.: ALPH-0000264

**Confidential - *In Camera* Treatment Requested
In Its Entirety**

Appendix 5

Proceeding Exhibit No.: DX1226/PX0083
Deposition Transcript of J. Payne

Confidential - *In Camera* Treatment Requested

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

_____

Federal Trade Commission,   )
)
              Plaintiff,   )
) CASE NO.
        -against-   ) 5:22-cv-04325-ejd
)
Meta Platforms, Inc., et al.,)
)
              Defendant.   )
_____)

HIGHLY CONFIDENTIAL
UNDER THE PROTECTIVE ORDER
VIDEO-RECORDED REMOTE 30(b)(6) DEPOSITION OF
ALPHABET INC.
BY: JUSTON PAYNE
Google Meet Recorded Videoconference
11/17/2022
11:02 a.m. (PST)

REPORTED BY: AMANDA GORRONO, CLR
CLR NO. 052005-01

_____
DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

```
                                                          Page 5

  1                         I N D E X

  2    WITNESS              EXAMINATION BY                 PAGE

  3    JUSTON PAYNE         MR. HARTMAN                 10, 170

  4                         MR. HUGHTO                       96

  5

  6                         E X H I B I T S

  7    EXHIBIT      DESCRIPTION                            PAGE

  8    Meta                                                  43

  9    Exhibit 30

 10    Meta                                                  64

 11    Exhibit 31

 12    Meta                                                  79

 13    Exhibit 32

 14    Meta                                                  90

 15    Exhibit 33

 16    Exhibit                                              124

 17    PX0824

 18    Exhibit                                              141

 19    PX0827

 20    Exhibit                                              144

 21    PX0828

 22
```
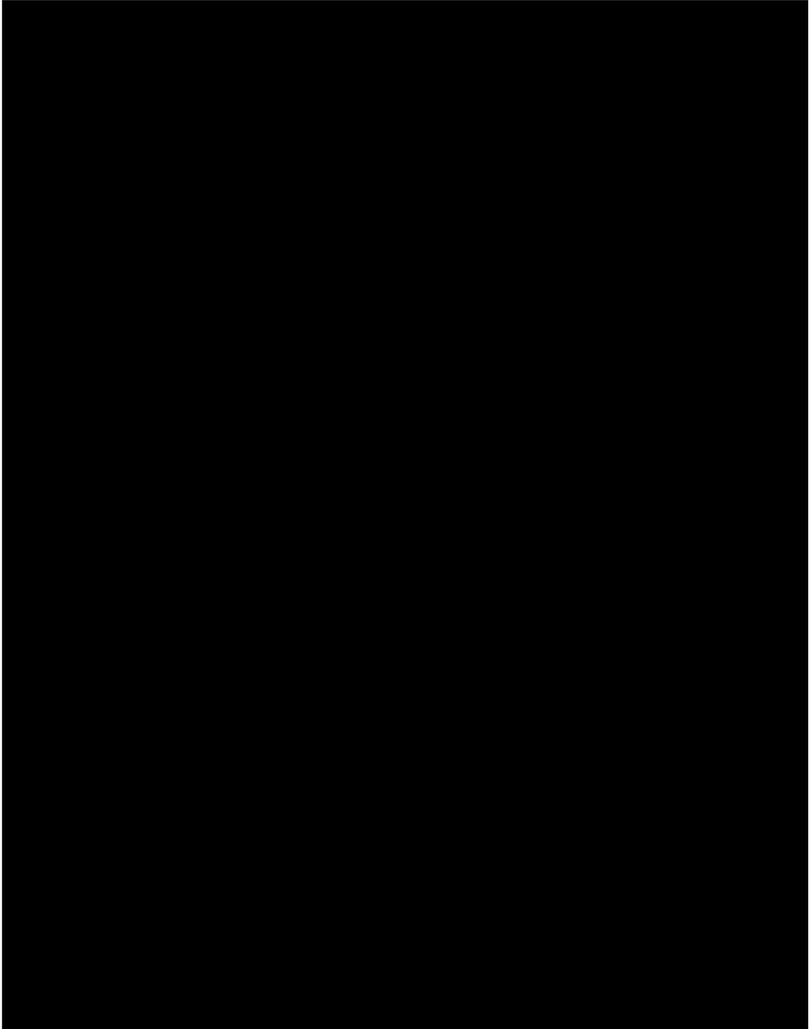
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order
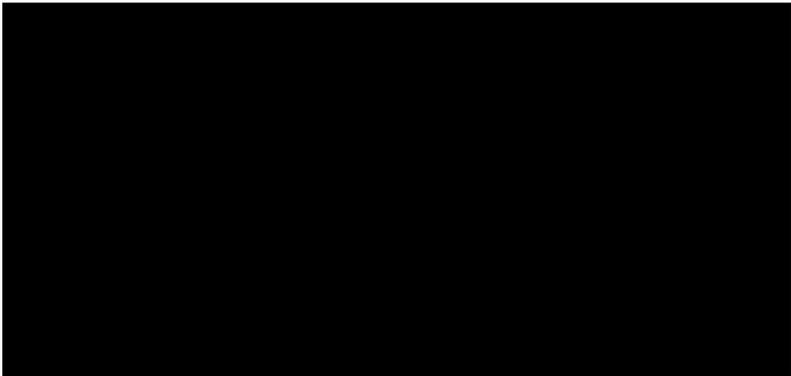
```
                                                          Page  6

  1                    E X H I B I T S, CON'T

  2    EXHIBIT      ████████████████████████████     PAGE

  3    Exhibit      ████████████████████████████         159

  4    PX0822       ████████████████████████████

  5    Exhibit      ████████████████████████████         165

  6    PX0823       ████████████████████████████

  7

  8                    R E Q U E S T S

  9    DESCRIPTION                                      PAGE

 10    Mark Transcript Highly Confidential.................  176

 11

 12

 13

 14

 15

 16

 17

 18

 19

 20

 21

 22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 11

```
 1          Q.    And how long have you been working

 2    on AR at Google?

 3          A.    I've been working on the AR team for

 4    about three years.

 5          Q.    And just for clarity, throughout

 6    this conversation if I use the term "AR," will

 7    you understand that to mean augmented reality?

 8          A.    I will.

 9          Q.    Now, Mr. Payne, you understand that

10    you're testifying on behalf of Alphabet today?

11          A.    I do.

12          Q.    And you understand that you're

13    ███████████████████████████████████████████

14    ███████████████████████████████████████████

15          A.    I do.

16    ███████████████████████████████████████████

17    ███████████████████████████████████████████

18    ███████████████████████████████████████████

19          A.    Yes.

20    ███████████████████████████████████████████

21    ███████████████████████████████████████████

22          A.    Yes.
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

                                                                    Page 12

 1   Q.   Okay. Okay. Mr. Payne, has Google

 2   previously released any AR devices?

 3   A.   Can you actually clarify what you

 4   mean by "AR devices" and, and also "released,"

 5   actually both of those?

 6   Q.   Sure.

 7   Has Google ever made commercially

 8   available any device that it viewed as an

 9   augmented reality device?

10   A.   No.

11   Q.   Mr. Payne, are you familiar with

12   Google Glass?

13   A.   Yes.

14   Q.   Is Google Glass an augmented reality

15   device?

16   ██

17   ██

18   ██

19   Google Glass had their display

20   placed outside of the field of view which puts it

21   ██

22   ██

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 39 of 211 * PUBLIC *;

Page 13
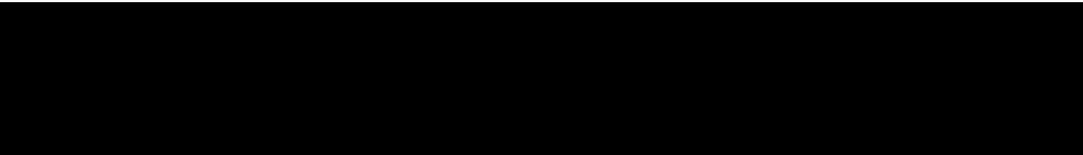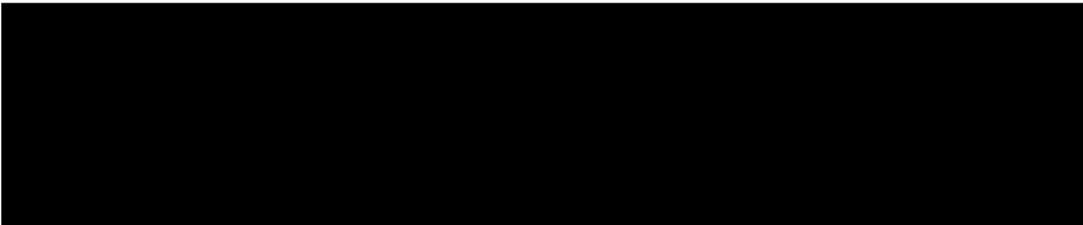
```
1           Q.    How would you define the Google

2    Glass products?

3           A.    Google Glass was a wearable device,

4    which was head-worn, and frankly at the time,

5    might have been considered augmented reality.

6    ████████████████████████████████████████████

7    ████████████████████████████████████████████

8    ████████████████████████████████████████████

9    ████████████████████████████████████████████

10          Q.    Okay.  About when was Google Glass

11   released?

12          A.    I don't recall exactly.  I believe

13   it was roughly 2012.

14          Q.    And does Google still offer Google

15   Glass as a consumer product?

16          A.    Google Glass is now offered as an

17   enterprise product.  So the strict answer to that

18   is no, it's not offered as a consumer product in

19   the definition of consumer versus enterprise.

20          Q.    Sure.

21                Do you know about when it was

22   discontinued as a consumer-facing product?
```
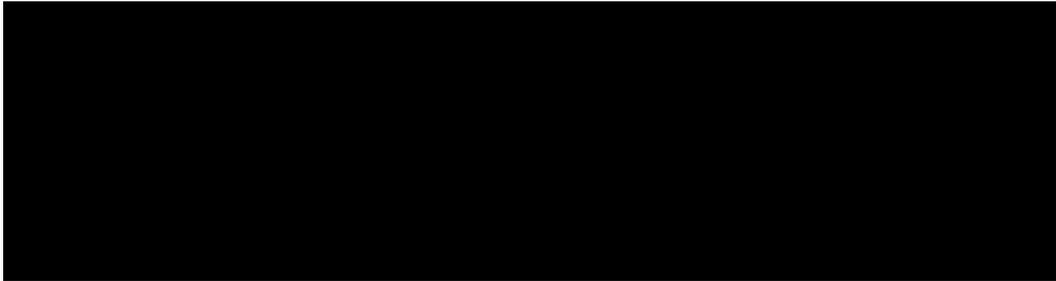
Page 23

1   ██████████████████████████████ run on a

2   smartphone.

3   ██

4   ██

5   So for the purposes of this, what I'm talking

6   about, are some apps that run on smartphones.

7   Q.   Okay. What about virtual reality

8   apps? Has Alphabet developed virtual reality

9   apps as well?

10   A.   We have.

11   Q.   Are you familiar with what those

12   apps are?

13   A.   I am.

14   Q.   Can you tell me what YouTube VR is?

15   A.   Yes. YouTube VR is an application

16   and an associated service that allows a user to

17   watch content from YouTube in a head-worn device

18   and have an experience of watching it as it were

19   in a spatial environment.

20   Q.   Does the specific YouTube content

21   provided by YouTube for AR have to be virtual

22   reality content?

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 25

1

2

3   MR. MACY: Hey, Jake.

4   MR. HARTMAN: Yes.

5   MR. MACY: It's fine. But

6   particularly toward the end of your questions

7   we get a feedback or tail. So I think -- I'm

8   not sure where it's coming from.

9   THE WITNESS: It's coming from Sean.

10   MR. MACY: Sean, it's coming from

11   you.

12   We know that you need to obviously

13   not be on mute. So if we ask you all to ask

14   it again, that's because we're getting a

15   little bit of feedback particularly towards

16   the tail end. Keep going. I want to let

17   everybody know that.

18   MR. HUGHTO: I apologize. I assure

19   you my setup has worked for every other

20   deposition lately. I don't know what's going

21   on.

22   MR. MACY: No big deal. We are just

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 26

```
 1      noting it.

 2              MR. HARTMAN:  Happy to repeat any

 3      questions as needed.  No problem.

 4   BY MR. HARTMAN:
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 27
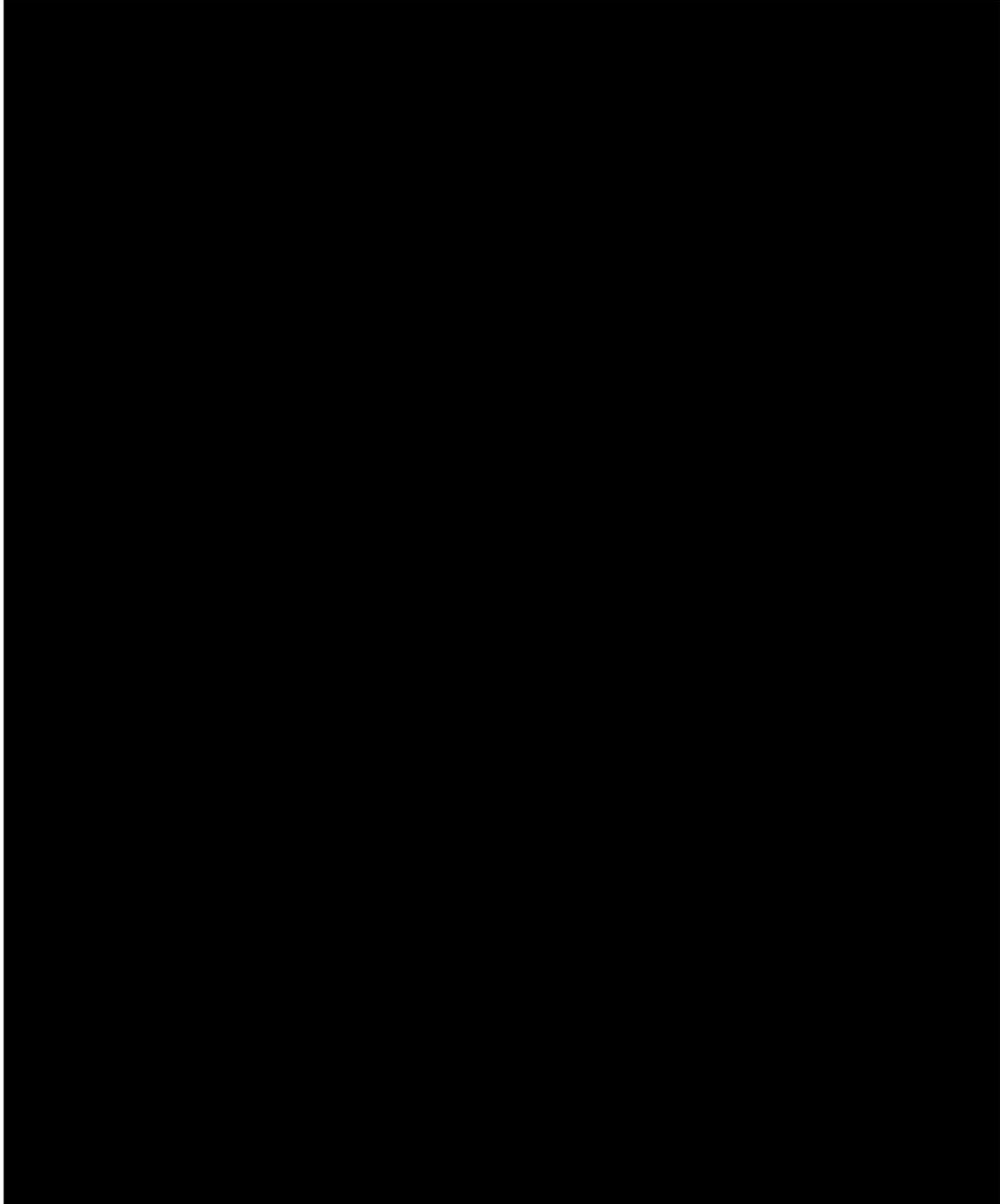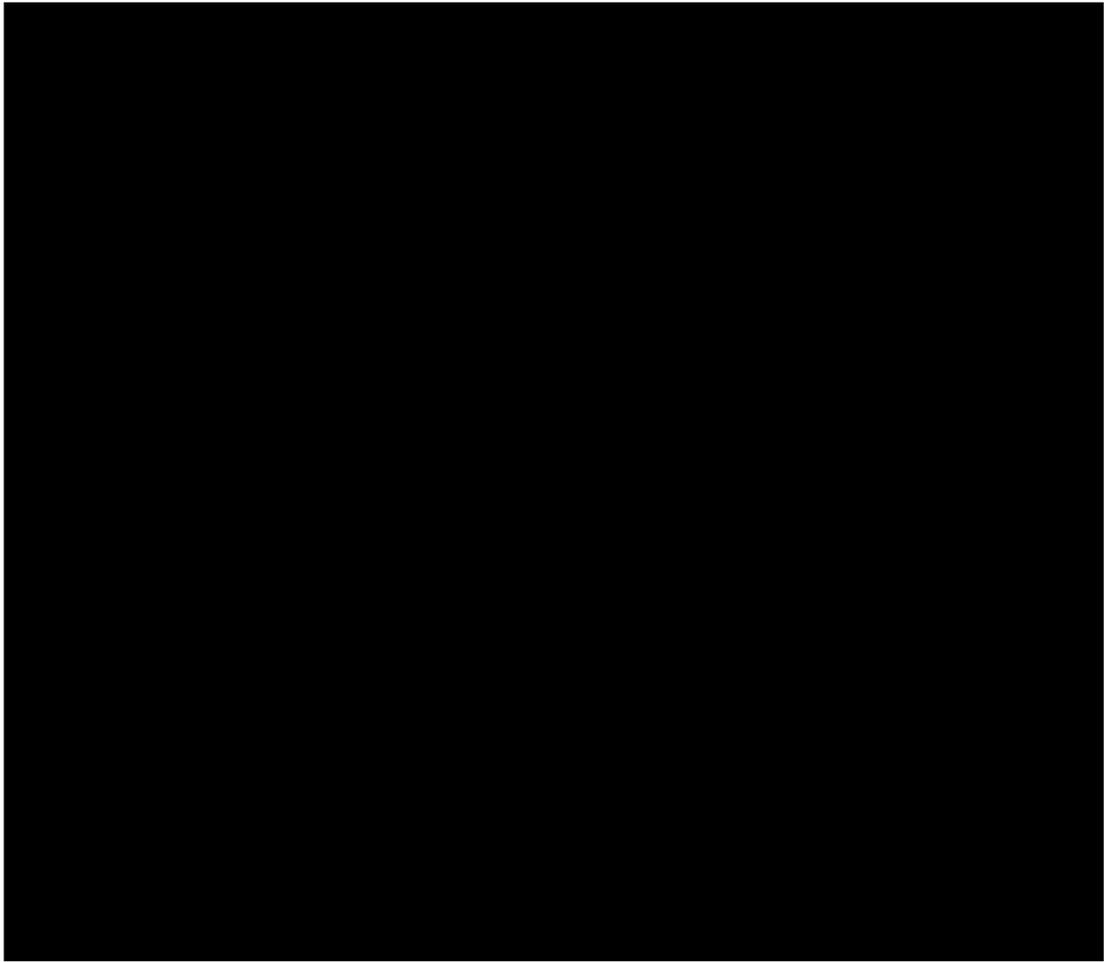
          14   A.   Yes, I would characterize it like

          15   that.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 28

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18
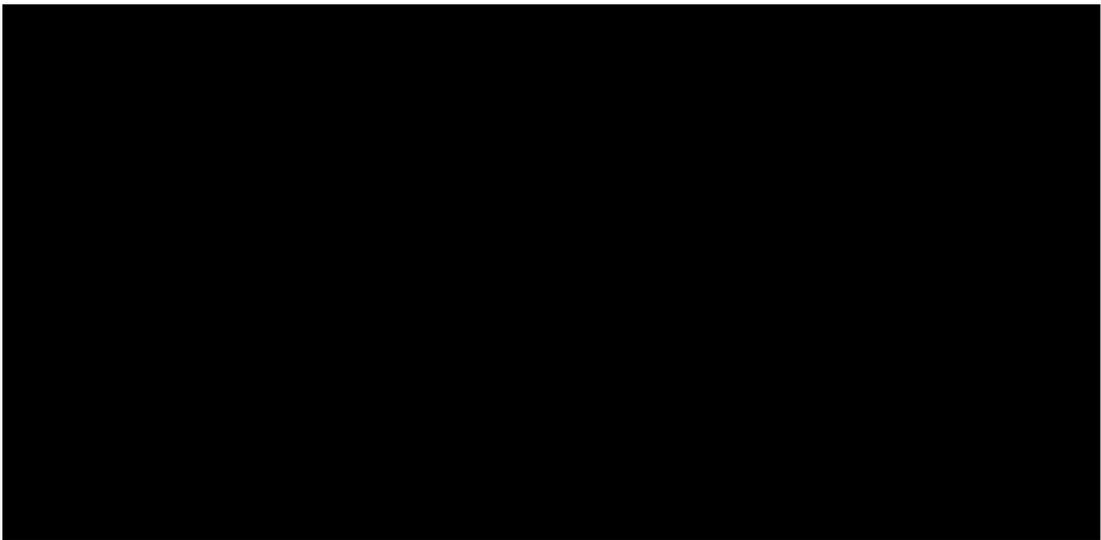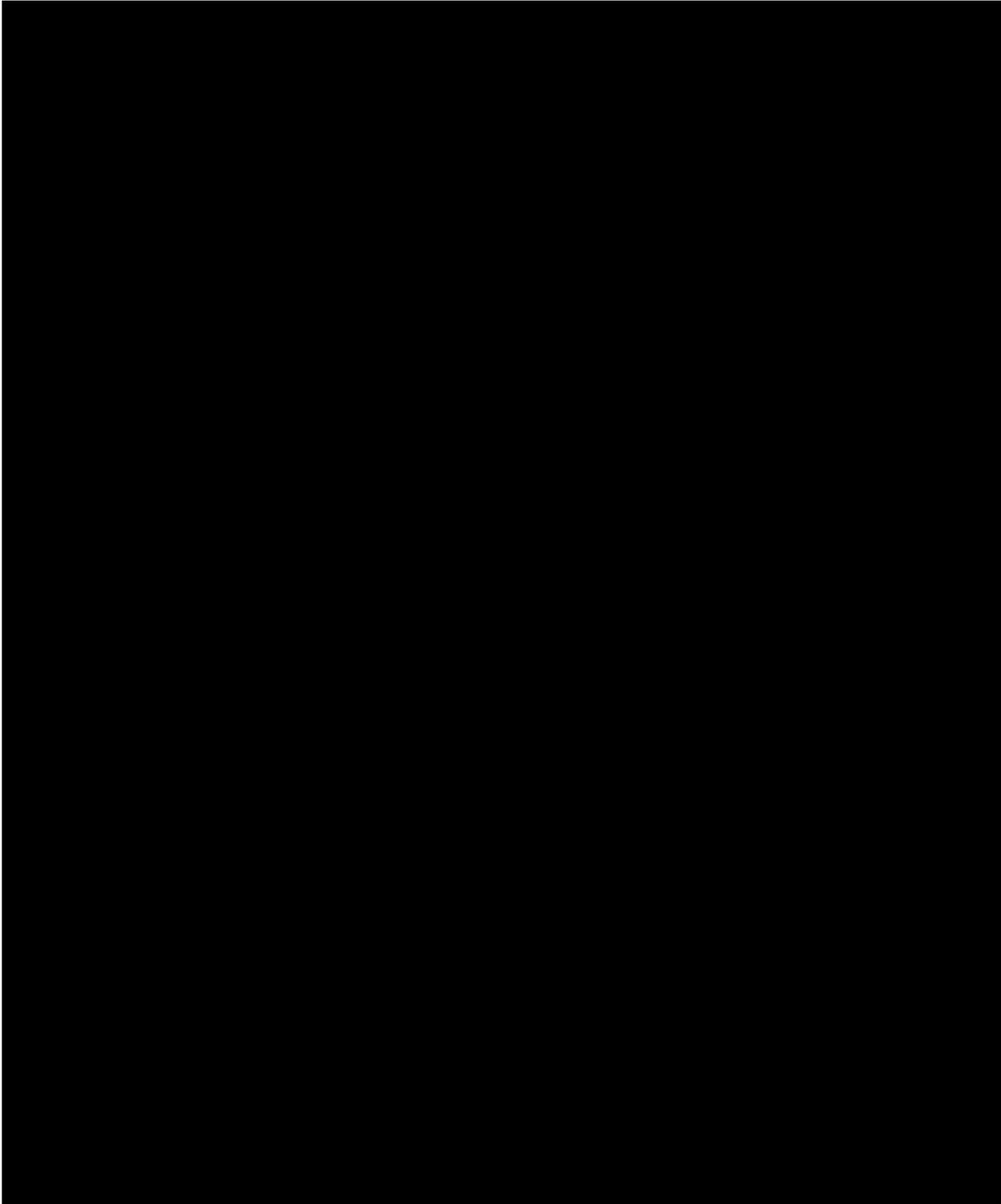
19   Q.   Mr. Payne, what is Raxium?

20   A.   Raxium is a company that Google

21   acquired that makes a type of display

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 29

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19
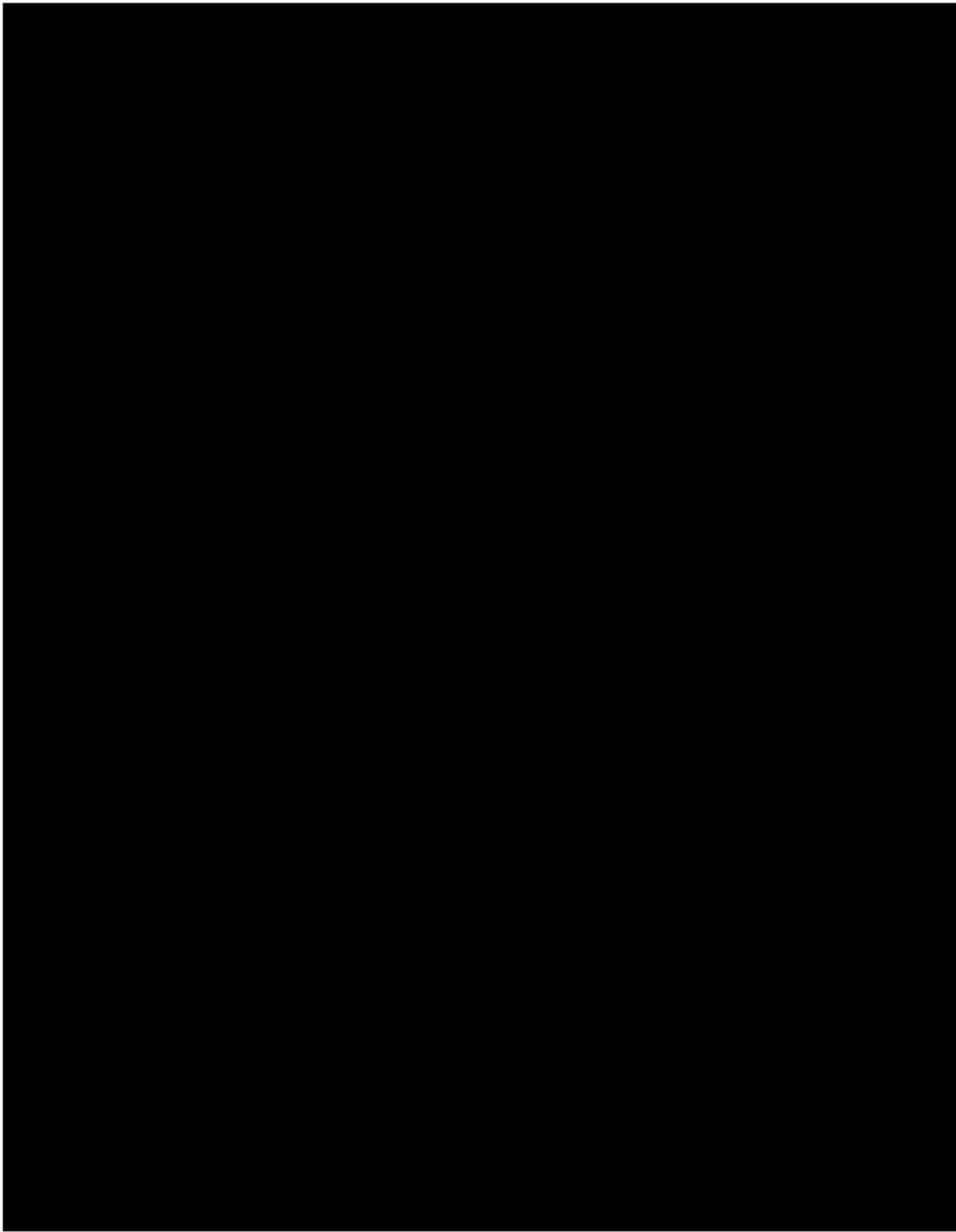
20   Q.   Are you familiar of the company

21   North?

22   A.   I am.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

Page 30

1   Q.   What does the company North do?

2   A.   North is a company that acquire --

3   that Google acquired in 2020 and so the, the

4   North company no longer exists.

5   Q.   And what was the intended benefit to

6   Google of acquiring North?

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 31
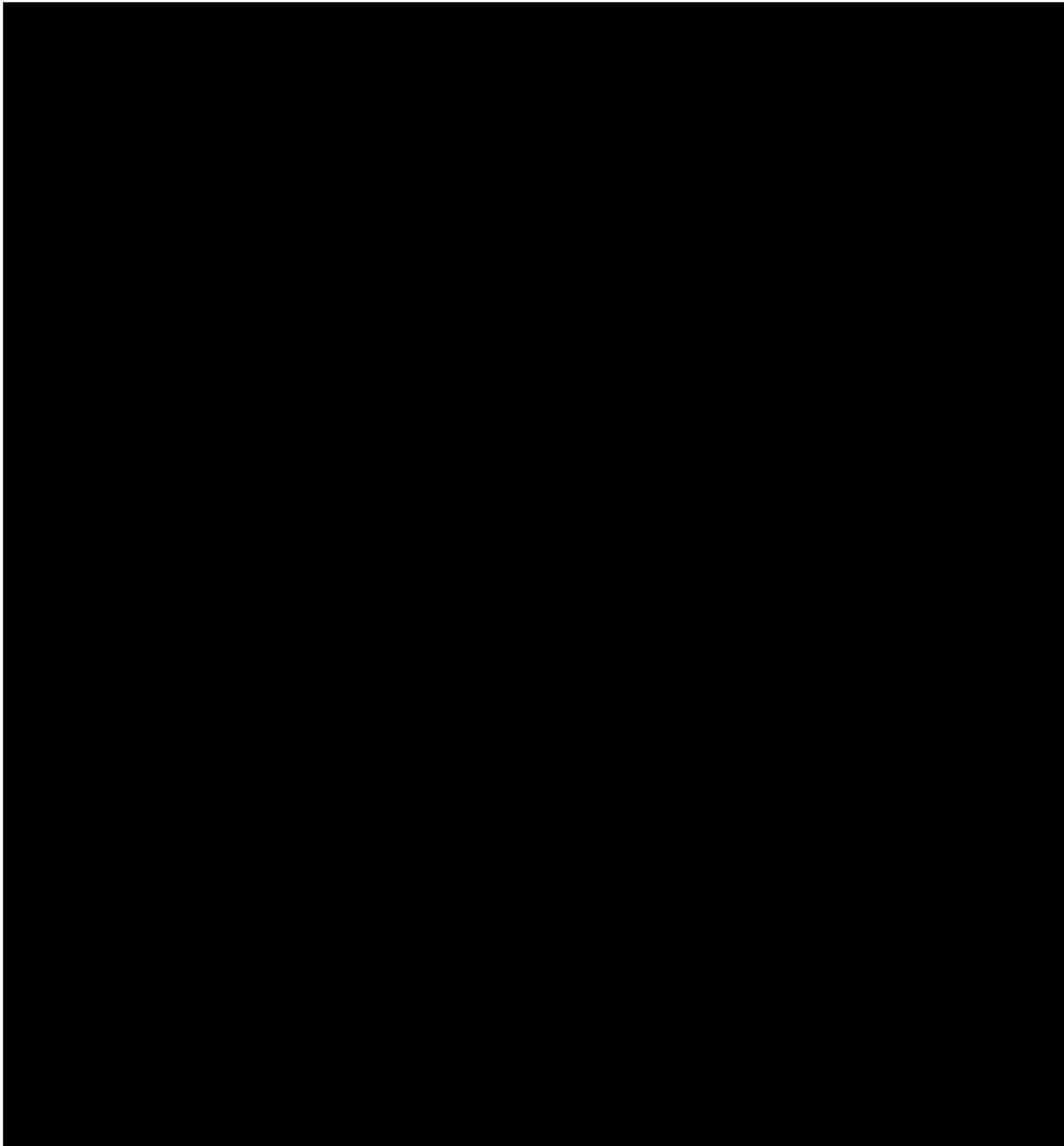
1   MR. HUGHTO: Objection.

2   A.   Yes.

3   BY MR. HARTMAN:

4   Q.   How so?

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 32
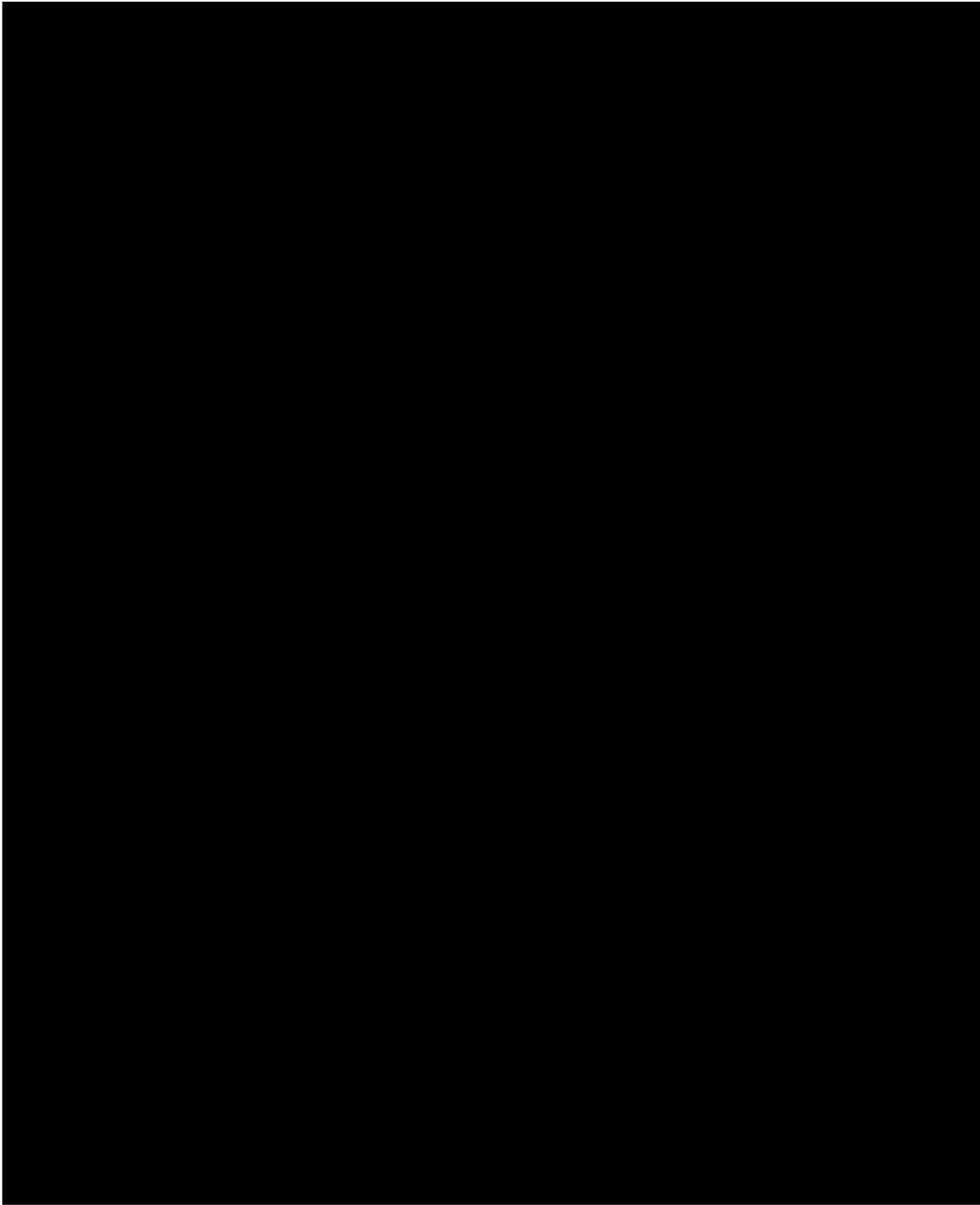
```
 1

 2

 3

 4

 5

 6              MR. HUGHTO:  Objection.

 7

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21

22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 33

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19   MR. HUGHTO: Objection.

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 34

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 35

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 36

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC
FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 53 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 37

1

2

3

4

5

6

7

8

9

10

11

12

13

14   Q.   Can you briefly define for me what

15   you mean by "product market fit"?

16   A.   Yes. When I say product market fit,

17   what that term refers to is shipping a product

18   that the intended people in what we would

19   consider to be a market get the intended value

20   out of that product, which results in them buying

21   it, using it, and hopefully recommending it.

22   Q.   Can you give an example of product

PUBLIC
FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 54 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                              Highly Confidential - Under the Protective Order

Page 38

```
 1    market fit?

 2            A.    Yes.

 3            Q.    Please do.

 4            A.    Yeah.  An example of product market

 5    fit -- we can use an example of Fitbit, which is

 6    a company that Google -- that is part of Google

 7    now.

 8                  And Fitbit, for example, makes bands

 9    which are intended to help users monitor certain

10    health information.  So this can be things like

11    heart rate or step count.

12                  And Fitbit achieved product market

13    fit by shipping a product that its users

14    continued to use for the purpose that it was

15    intended.

16            Q.    Thank you.  That's very helpful.

17

18

19

20

21

22
```
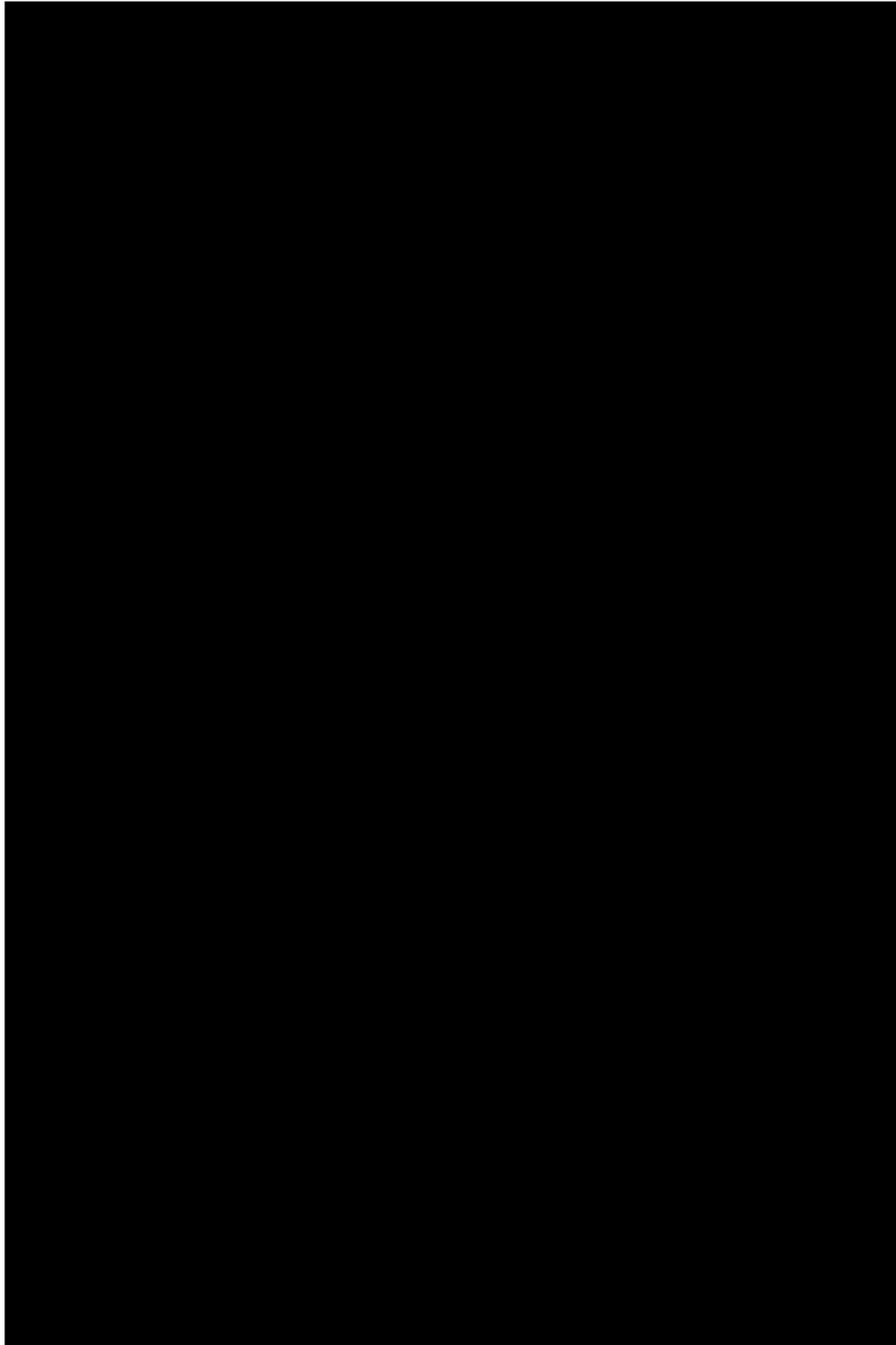
PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 55 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 39

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 40

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 41

1

2

3

4

5

6

7

8

9

10

11

12

13   MR. HUGHTO: Objection.

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 42
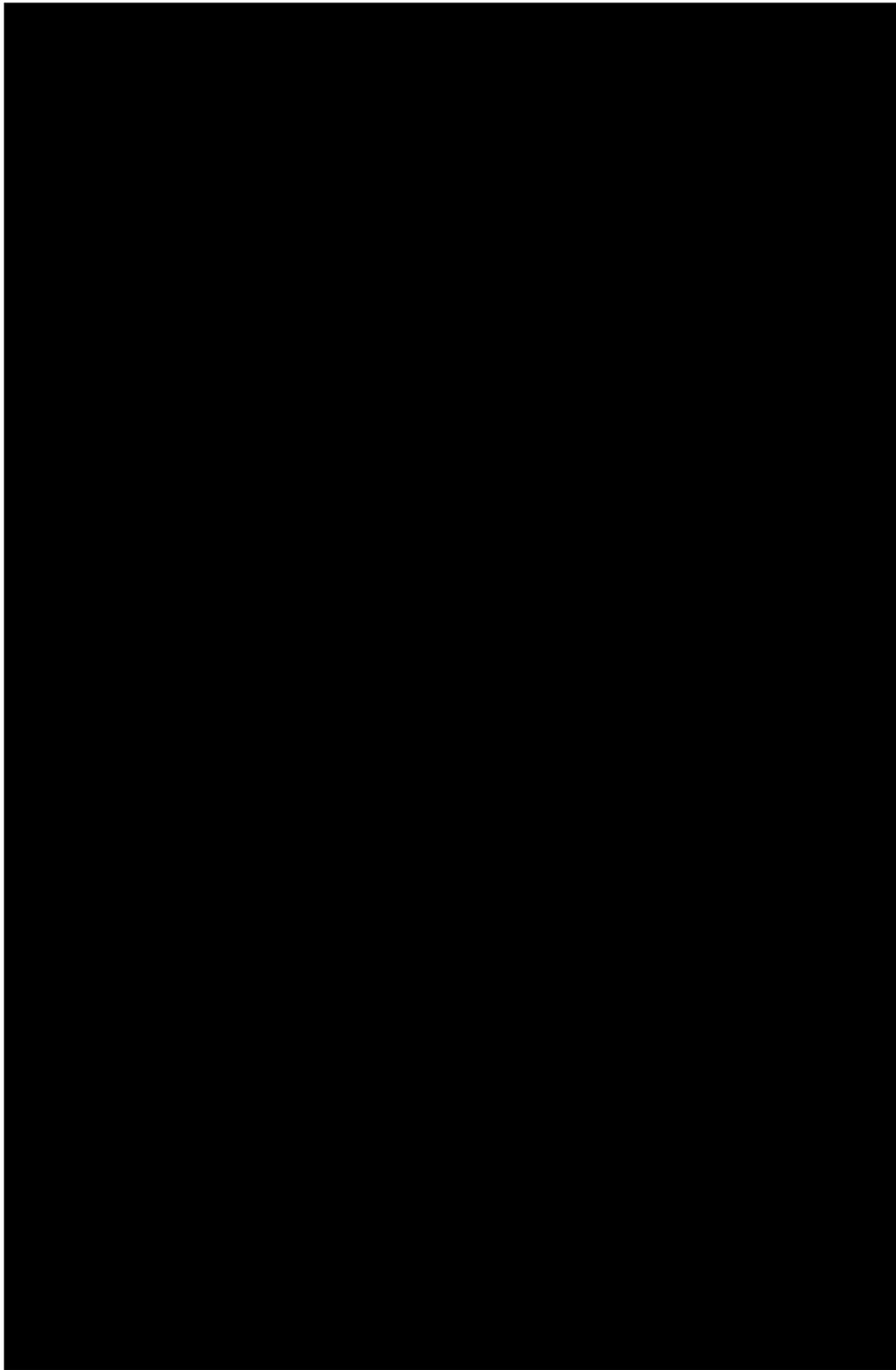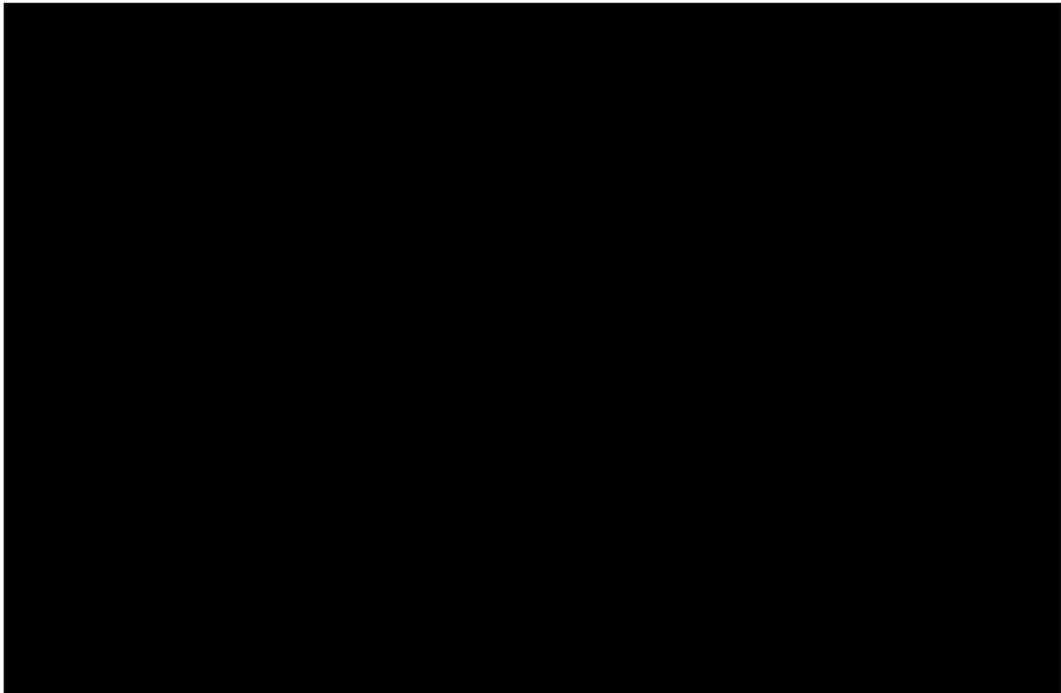
```
 1

 2

 3

 4

 5

 6                    MR. MACY:  Hey, Jake.  Do you mind

 7         if we take maybe five just because we've been

 8         going about 45 minutes just before you shift

 9         gears.

10                    MR. HARTMAN:  No problem.  Happy to

11         do it.

12                    THE TECH:  Okay.  Stand by.

13                    The time is 11:45 a.m.

14                    And we're going off the record.

15                    (Recess taken.)

16                    THE TECH:  The time is 11:54 a.m.

17                    And we're back on the record.

18         BY MR. HARTMAN:

19              Q.    Welcome back.

20                    Mr. Payne, does Google view the

21         market for AR and VR devices as mature?

22              A.    No.
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 59 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 43

1   ███████████████████████████████████

2   ███████████████████████████████████

3   ███████████████████████████████████

4   MR. HUGHTO: Objection.

5   ███████████████████████████████

6   MR. HARTMAN: Sure.

7   Why don't we go ahead pull up the

8   document with the Bates No. ALPH-0000194 and

9   we can mark that Meta 30.

10 ███████████████████████████████████

11 ███████████████████████████████████

12 ███████████████████████████████████

13   MR. MACY: We don't have files.

14   UNKNOWN SPEAKER: It should be in

15 the chat.

16   THE TECH: Just so everyone knows

17 how this goes. Once counsel names the

18 exhibit, I have to rename and throw it into

19 the link and then you refresh. It's kind of

20 like a ten-second delay.

21   MR. HUGHTO: We got it. Thank you.

22   MR. MACY: We have it. Take the

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 60 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 45

1   to be a slide deck in PowerPoint or some similar

2   program, right?

3   A.   It is.

4   Q.   So someone constructed this

5   document, correct?

6   A.   Yes.

7   Q.   So my first question was: Do you

8   know whether that was done by a single individual

9   or whether this is reflective of collaboration

10   between numerous individuals?

11   A.   I do not know if it was created by a

12   single individual. It was the product of

13   collaboration from numerous individuals.

14   Q.   Were you one of those individuals?

15   A.   Yes.

16   Q.   Okay. Let's take a look at the page

17   ending in 195. And to make it easy for you to

18   follow along, I'm going to use what's called a

19   "Bates number," the little tiny number in the

20   bottom right-hand corner.

21   A.   Okay.

22   ██

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 46

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18
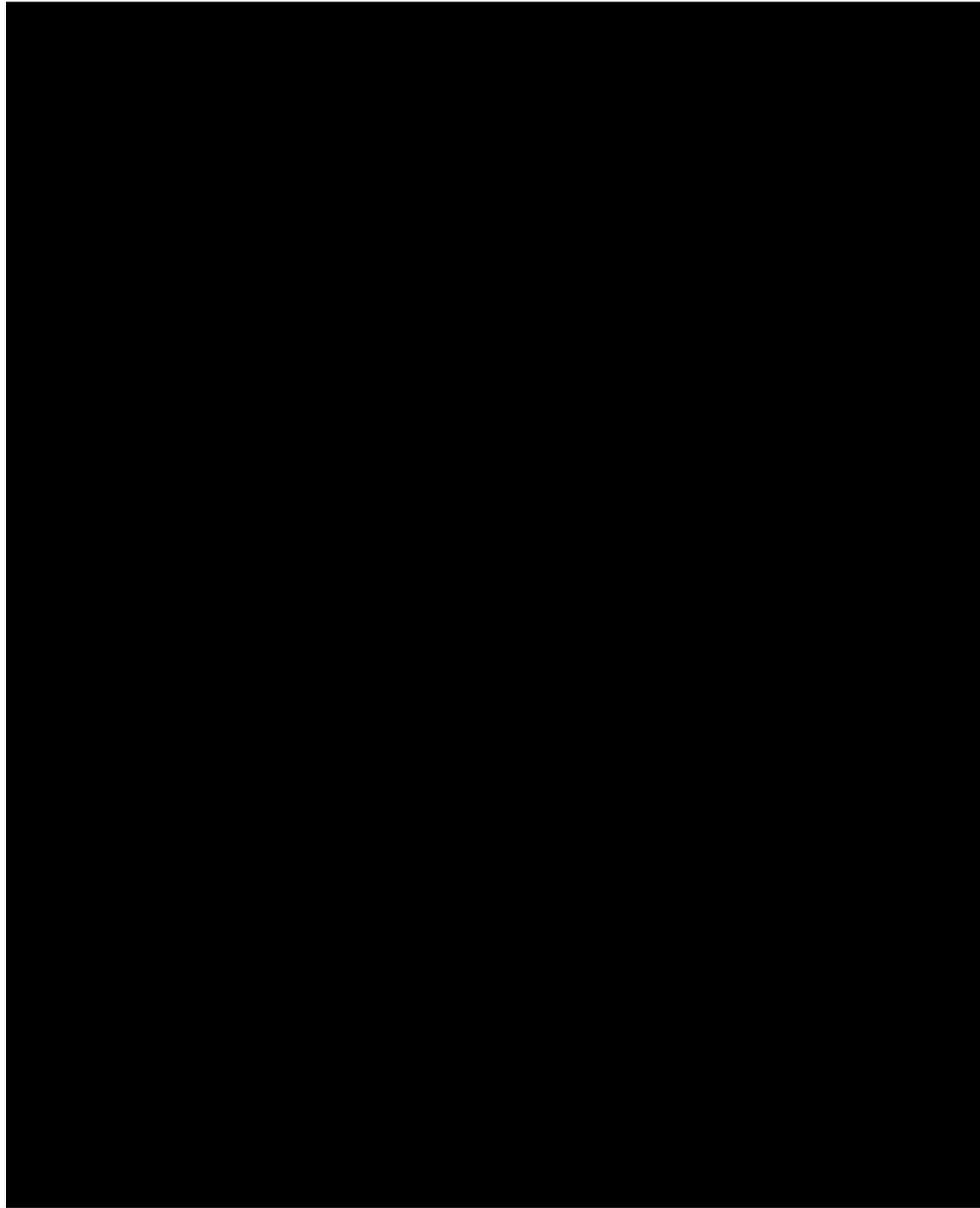
19   Q.   Okay. If we can turn to the page

20   ending in 198.

21   A.   Yes, I'm there.

22   Q.   Do you see this slide is titled

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order
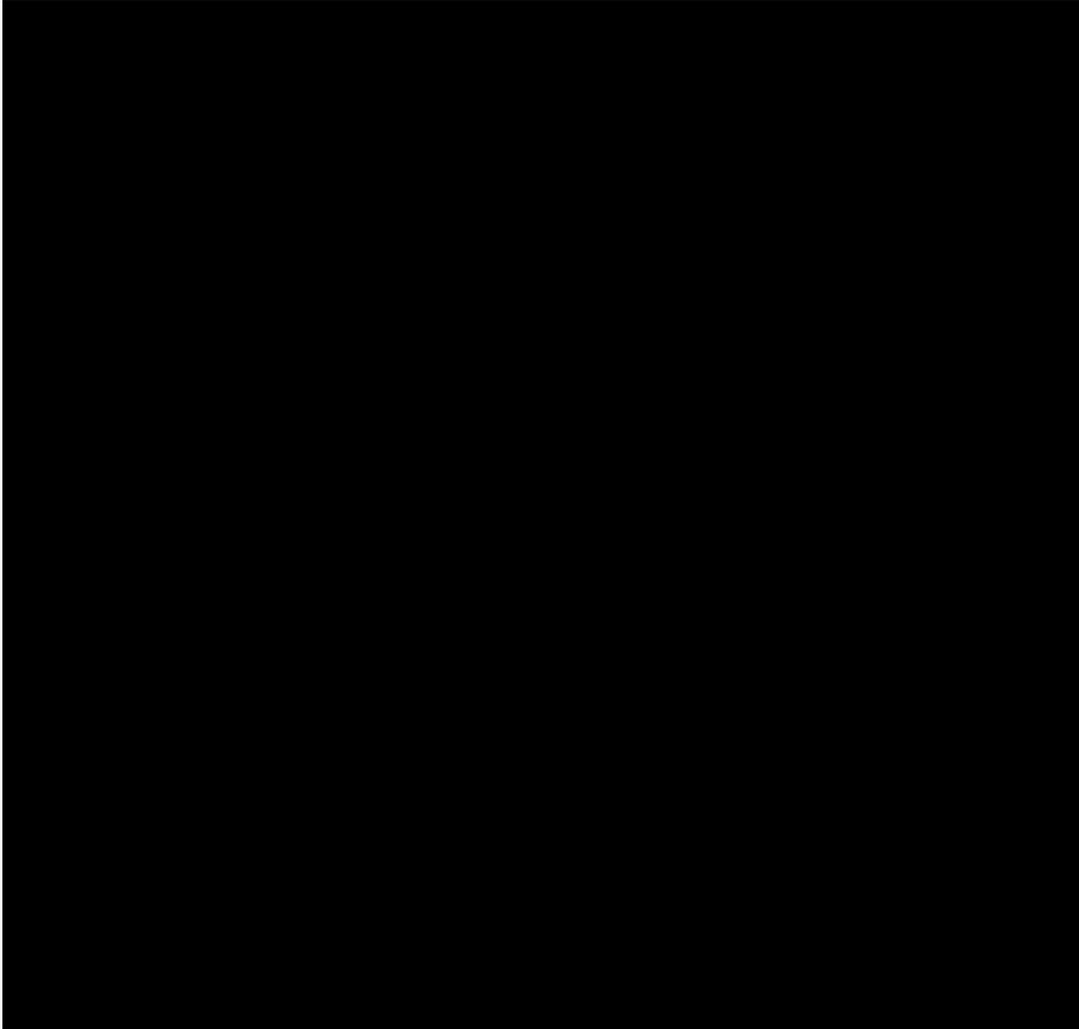
Page 47

1   ████████████████████████████████████

2   A.   It is.

3   ████████████████████████████████████

4

5

6

7

8

9

10

11

12

13

14

15

16

17   MR. HUGHTO: Objection.

18   ████████████████████████████████████

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 48

1

2

3

4

5

6

7

8

9

10

11
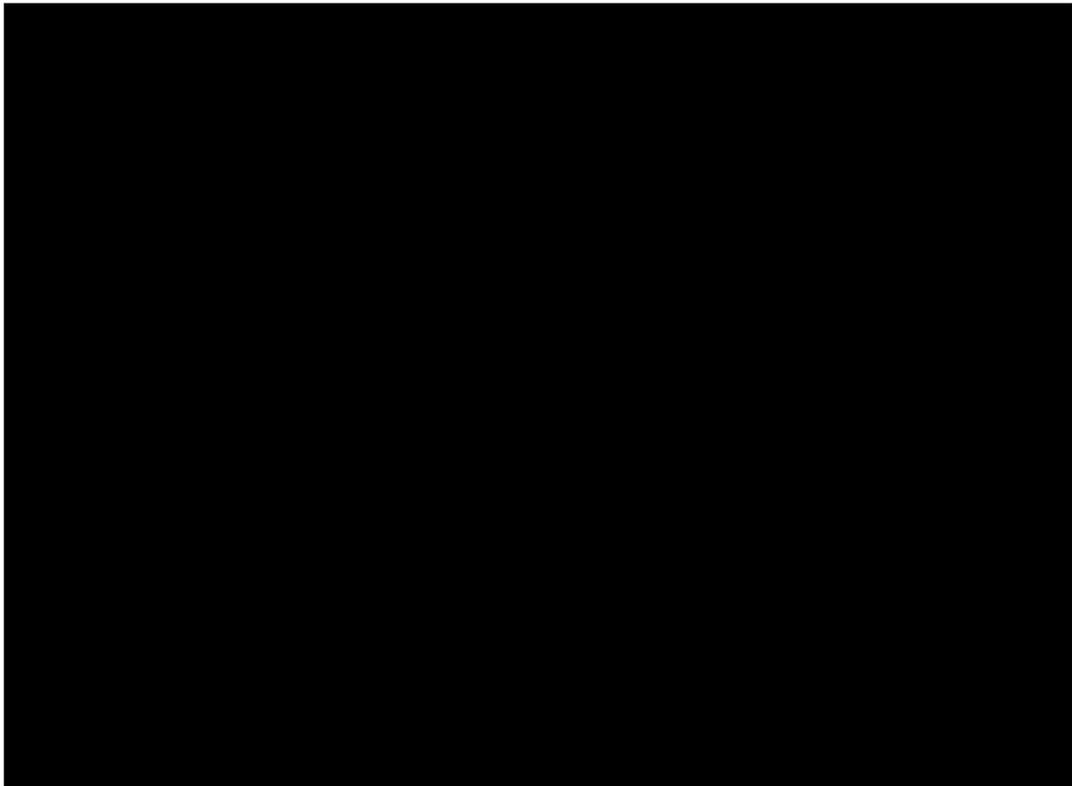
12   Q.   Yeah. I think -- let me ask that

13   question a little bit differently.

14   MR. HARTMAN: If we can turn to the

15   next page, 199.

16   (Tech complies.)

17   BY MR. HARTMAN:

18

19

20

21

22

Page 49

1

2

3

4

5

6

7

8
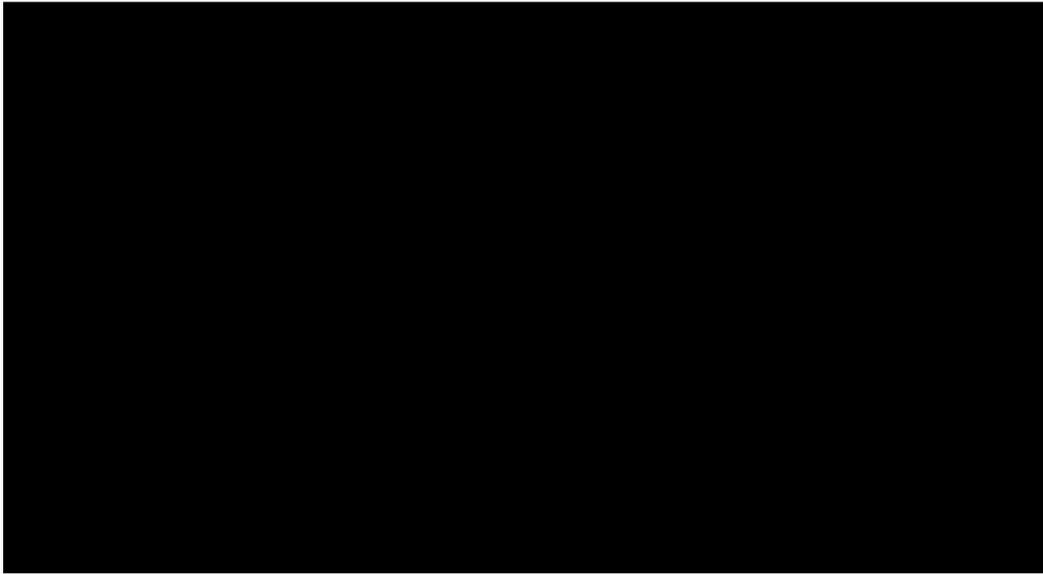
9   Q.   Mr. Payne, you testified a moment

10   ago that you were a contributor to this document,

11   correct?

12   A.   Yes.

13   Q.   Do you agree with that statement?

14   MR. HUGHTO: Objection.

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 50

1

2

3

4

5

6

7

8

9

10

11
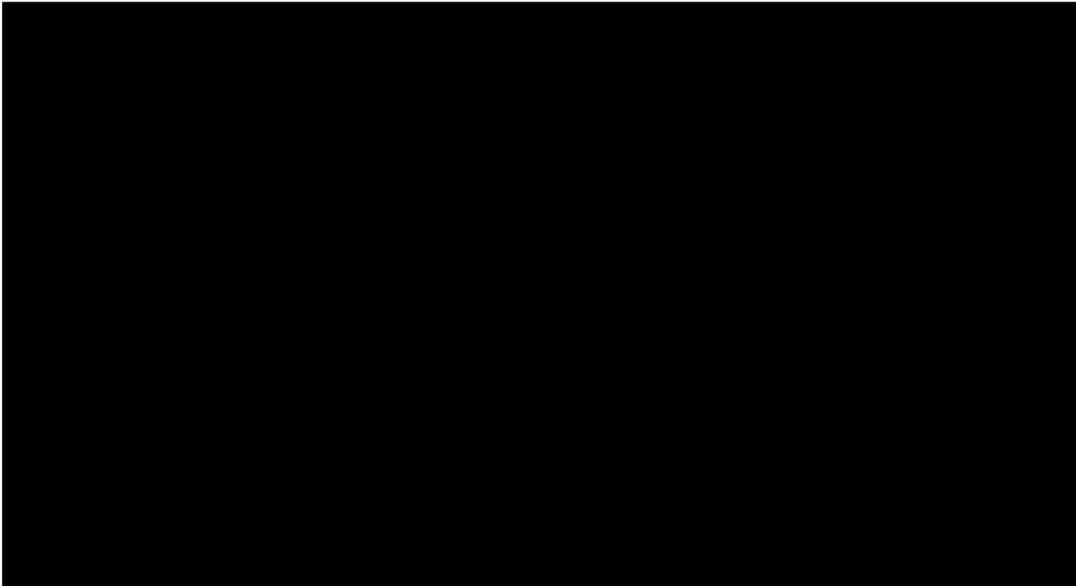
12

13

14

15

16

17

18
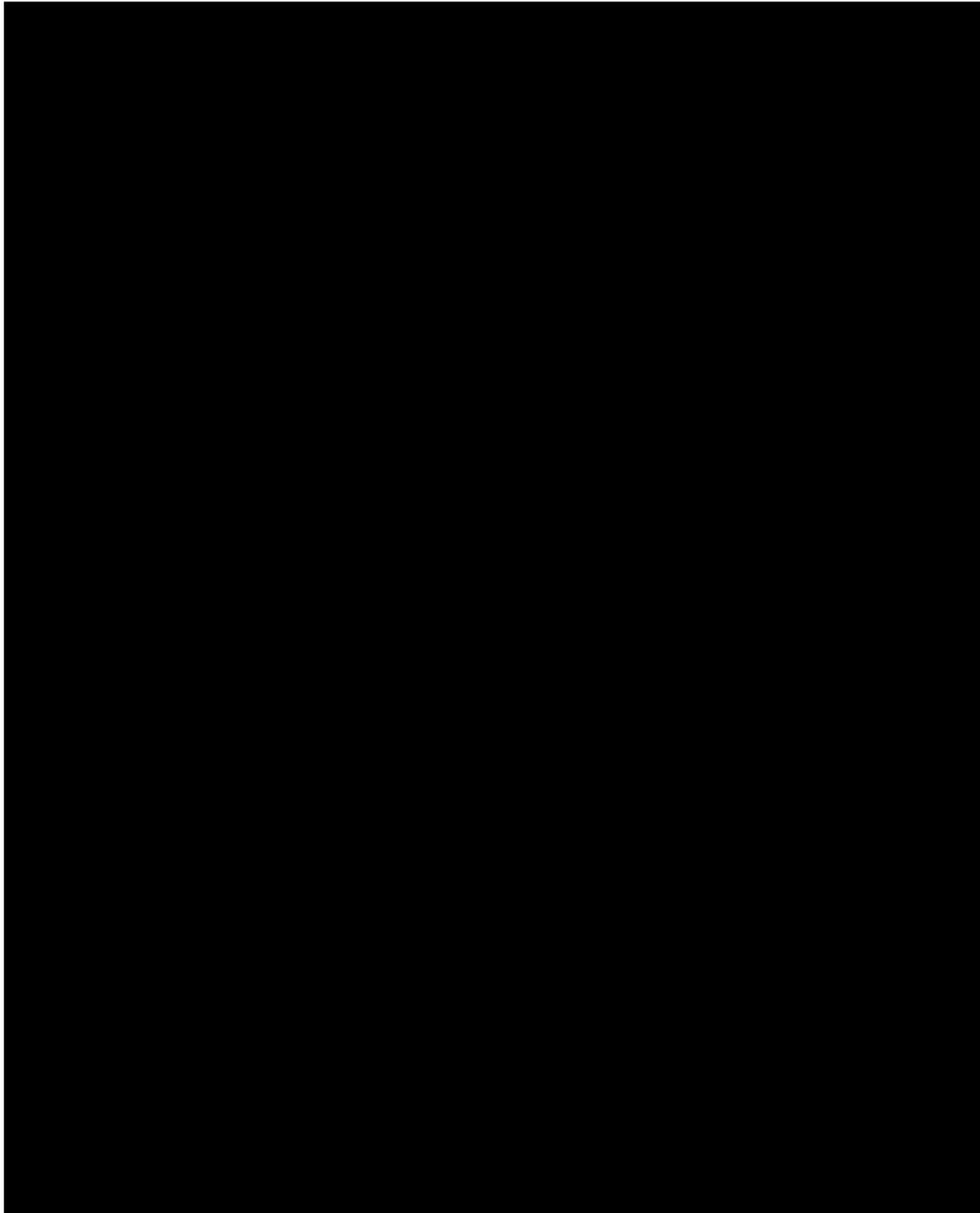
19   A.   Yes, that's what I mean.

20   MR. HARTMAN: Can we take a look at

21   the next page ending in 200.

22   (Tech complies.)

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 51

1   A.   Yes.

2   BY MR. HARTMAN:

3

4

5

6
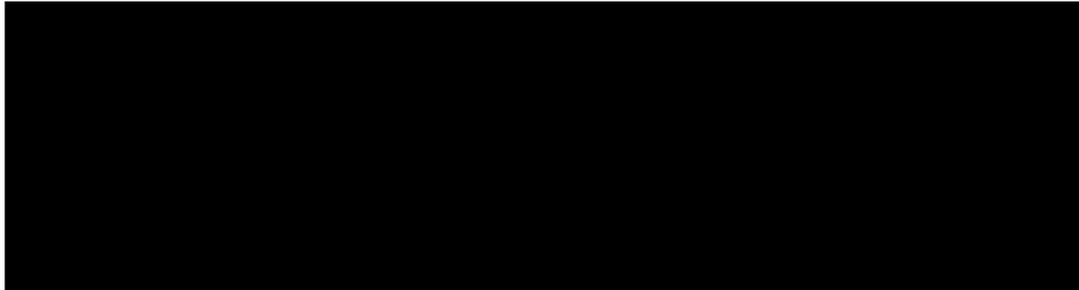
7   MR. MACY: Jake, sorry, we had some

8   friction there in the middle and the

9   beginning. Can you redo the whole question?

10   MR. HARTMAN: Sure.

11   BY MR. HARTMAN:

12

13

14

15

16

17

18

19

20

21

22

11/17/2022 Federal Trade Commission v. Meta Platforms, Inc., et al Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 52

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

1
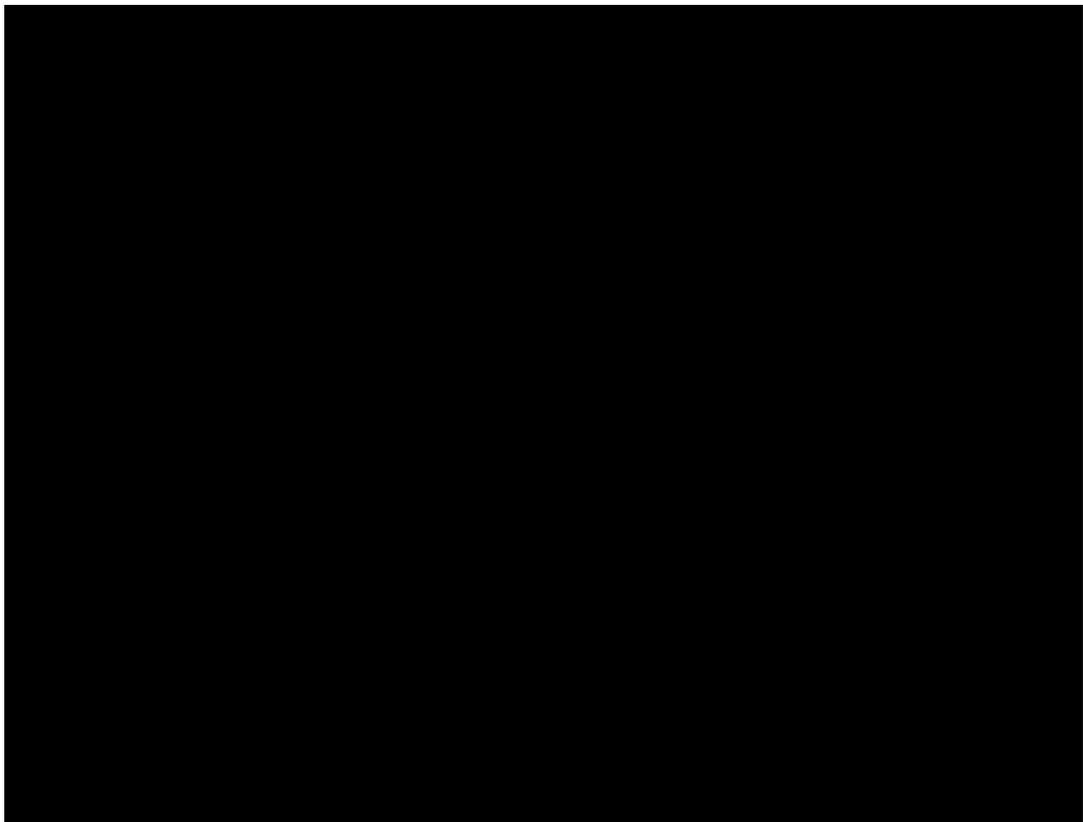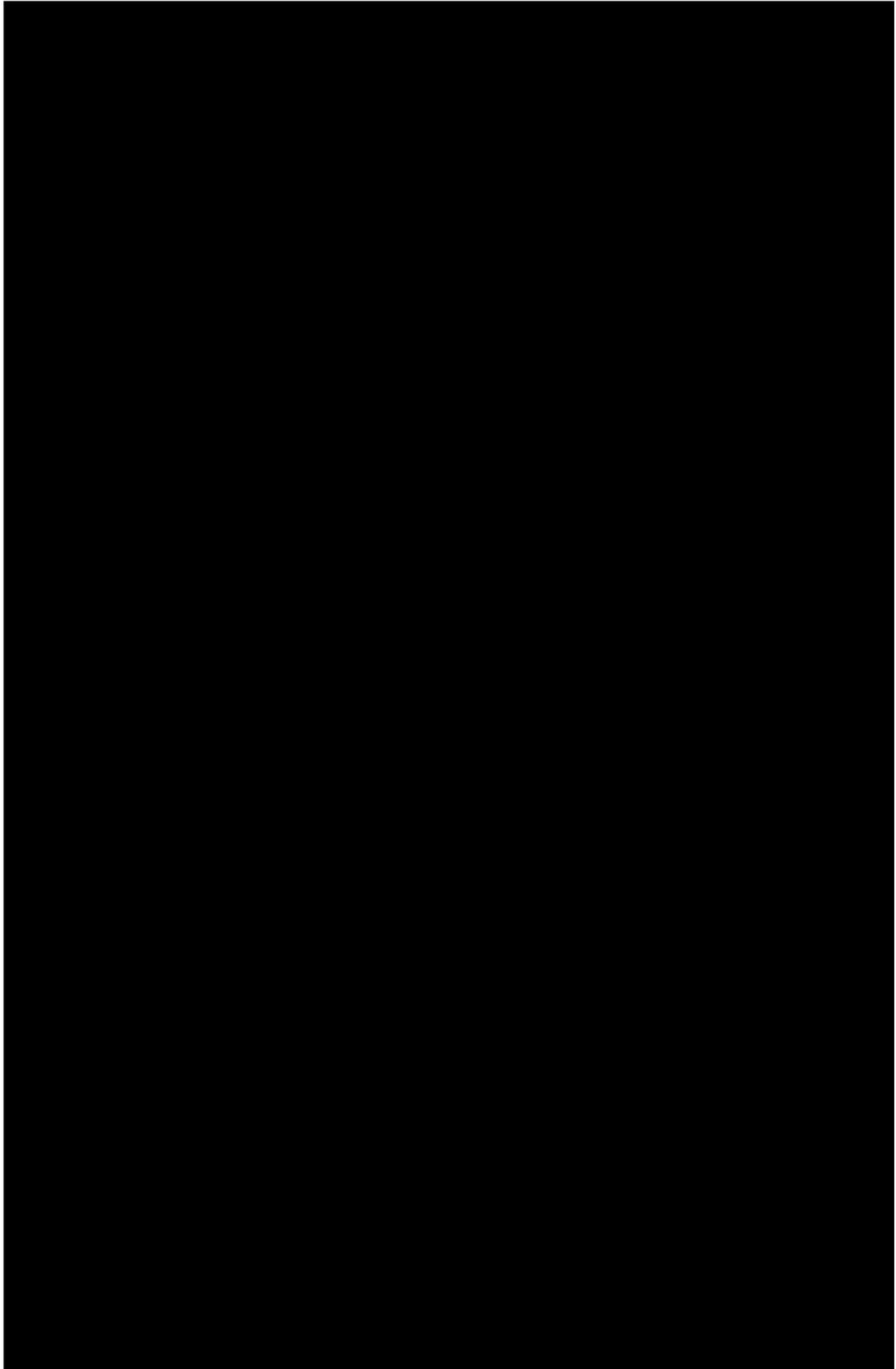
2   MR. HARTMAN: If we can turn forward

3   a couple of pages to the page ending in 202.

4   (Tech complies.)

5   BY MR. HARTMAN:

6

7

8

9

10   MR. HUGHTO: Objection.

11   MR. MACY: Yeah. And we're -- we're

12   getting feedback now all the times throughout

13   questions. So I'm wondering if we can just

14   find a quick solution for this because I,

15   I -- you're doing a great job focusing on the

16   question, but it's harder and harder. Is

17   there a quick fix that we can do? Just, you

18   know, we're listening really hard and it's

19   throughout the question we hear squeaking and

20   sometimes it's louder than not.

21   We're happy to go off the record and

22   quickly figure it out.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 54

1   MR. HARTMAN: Yeah. Let's do that.

2   Let's hop off the record.

3   THE TECH: All right. Stand by.

4   The time is 12:10 p.m.

5   We're going off the record.

6   (Discussion held off the record.)

7   THE TECH: The time is 12:12 p.m.

8   And we're back on the record.

9   MR. HARTMAN: Thank you.

10   BY MR. HARTMAN:

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 70 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

Page 55
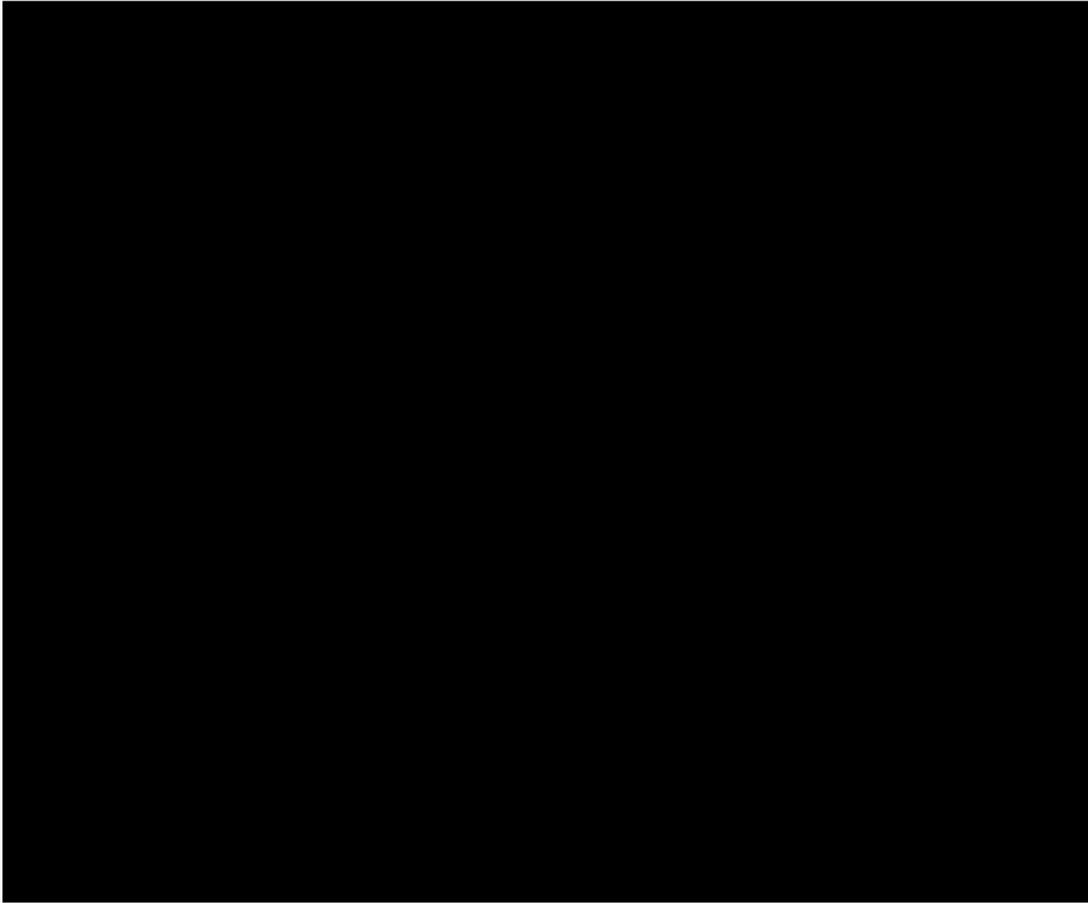
```
 1          A.    Yes.

 2          Q.    Please do.
```

 3

 4

 5

 6

 7

 8

 9

10

11

12

13

14

15
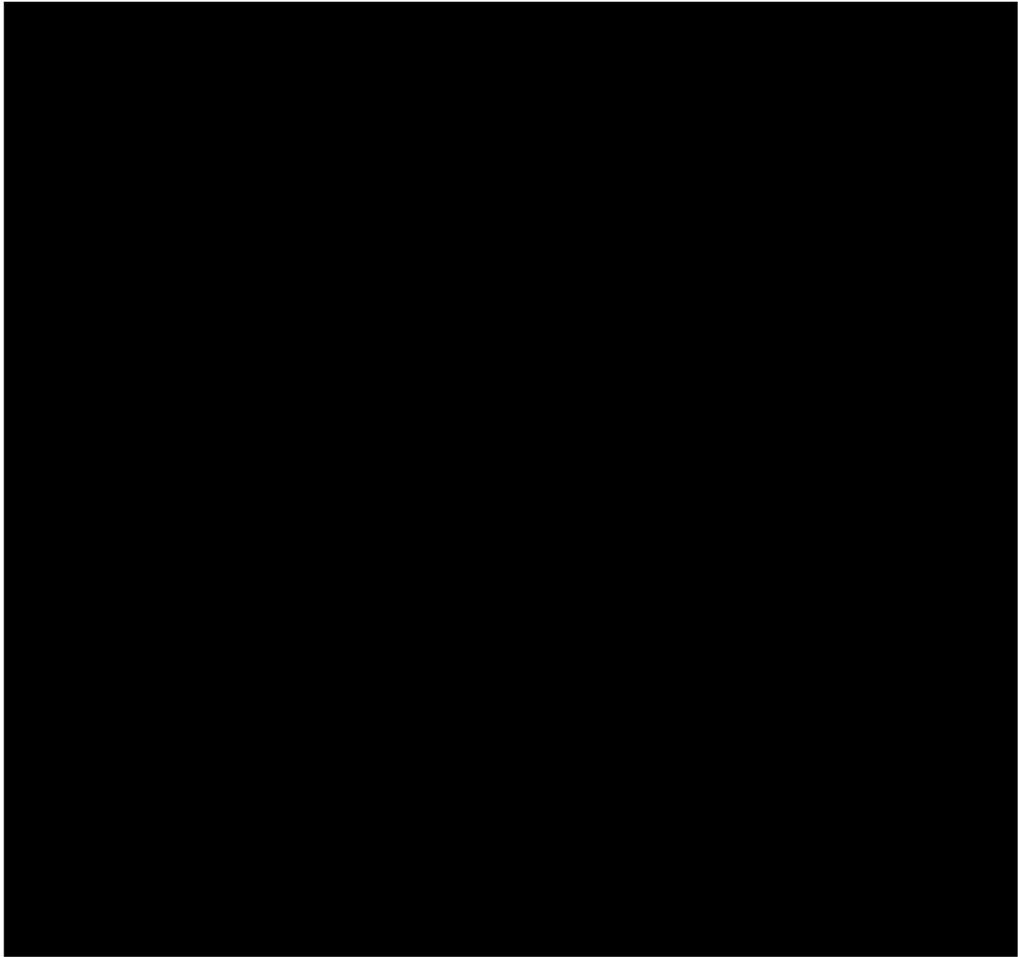
```
16                Can you tell me in your own words

17     what -- what this sentence means to you?

18          A.    Yes.

19          Q.    Please do.
```

20

21

22

Page 56

 1

 2

 3

 4

 5

 6

 7

 8

 9   Q.   If we can turn to the next page,

10   203.

11   A.   Yes.

12

13

14

15   A.   I'll state it differently.

16   Q.   Sure.

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 57
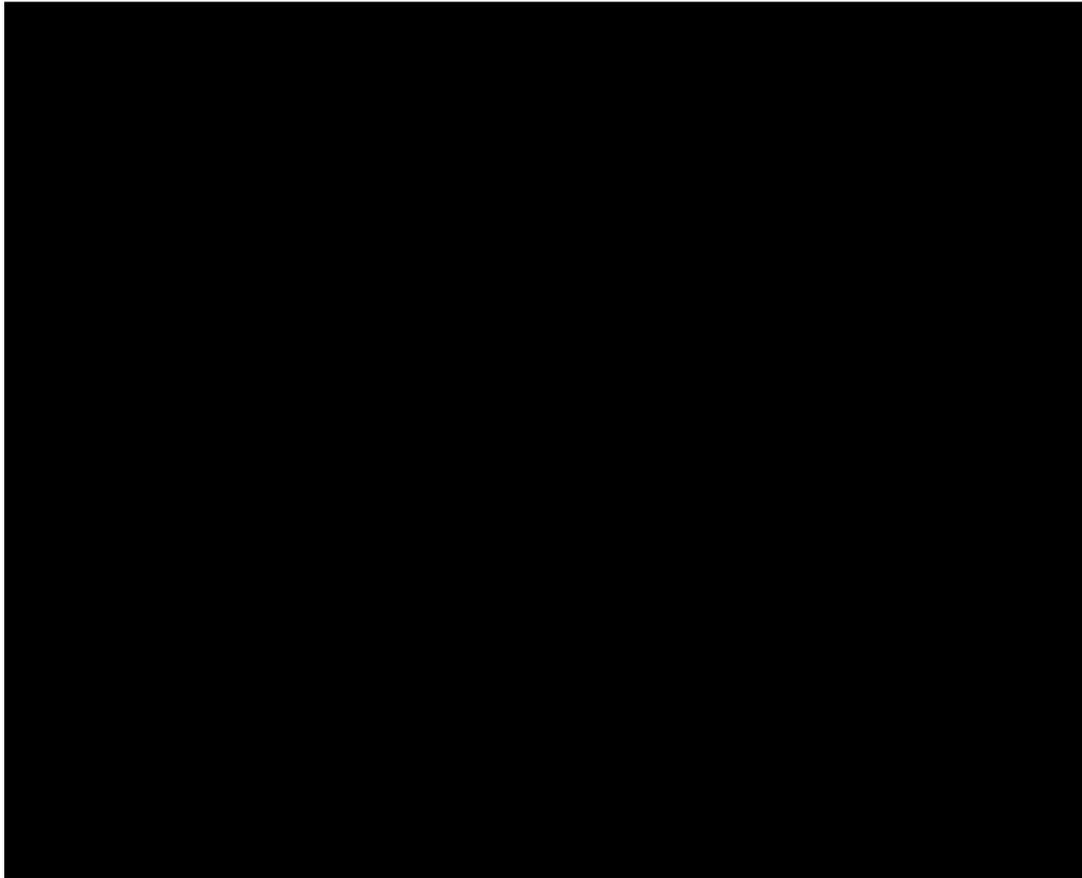
```
 1
 2
 3
 4
 5
 6
 7
 8
 9
10
11
12
13              MR.  HUGHTO:   Objection.
14
15
16
17
18
19
20
21              MR.  HUGHTO:   Objection.
22         A.    No.
```

Page 58
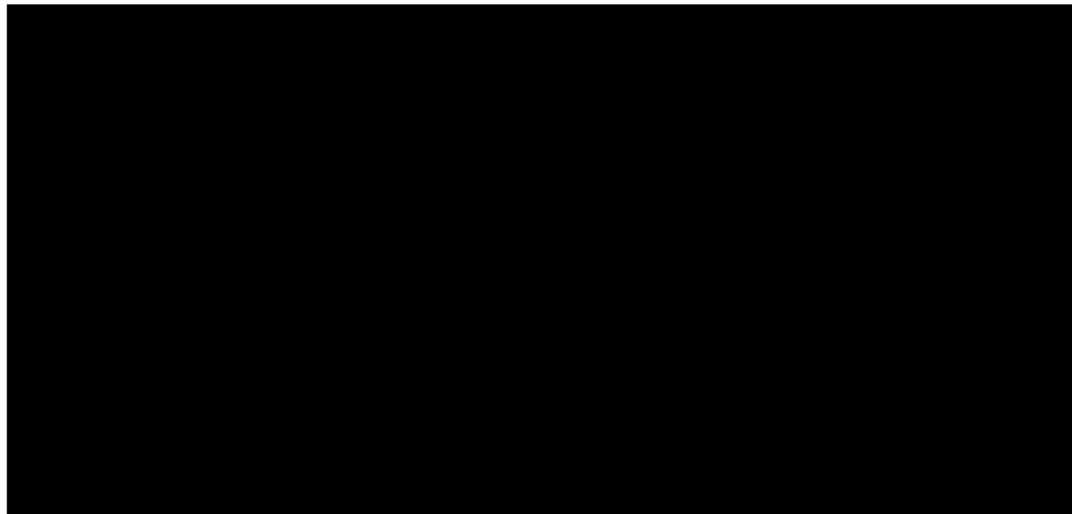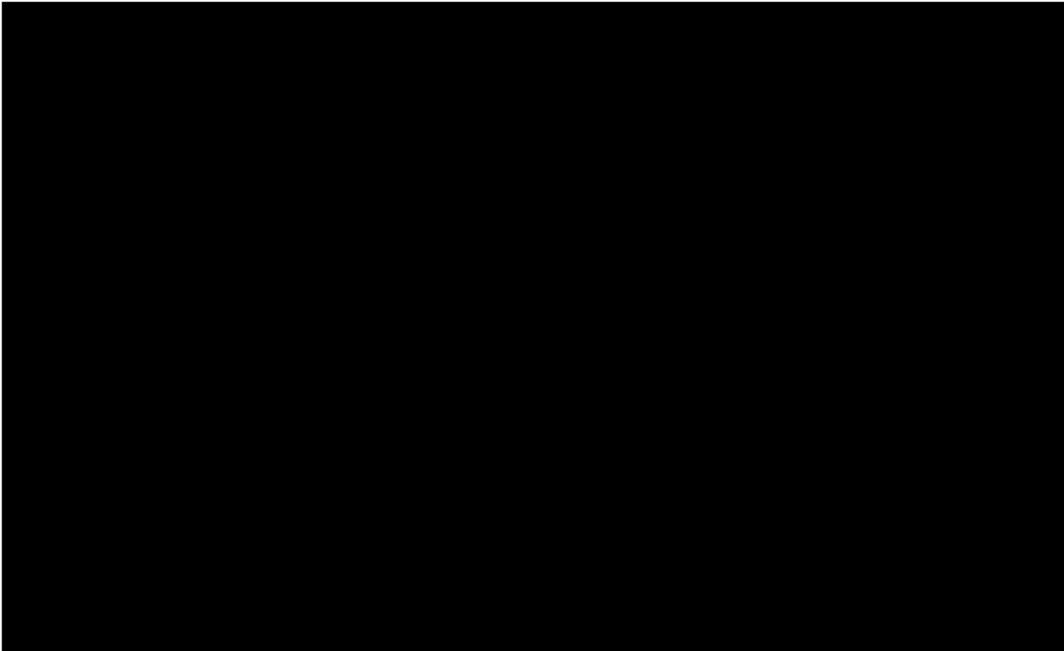
1   BY MR. HARTMAN:

11   Q.   So Google offers several

12   applications or services in the fitness category;

13   is that right?

14   MR. HUGHTO: Objection.

15   A.   Yes. Google offers multiple

16   products and services within the fitness

17   category.

18   BY MR. HARTMAN:

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 74 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                    Highly Confidential - Under the Protective Order

Page 59
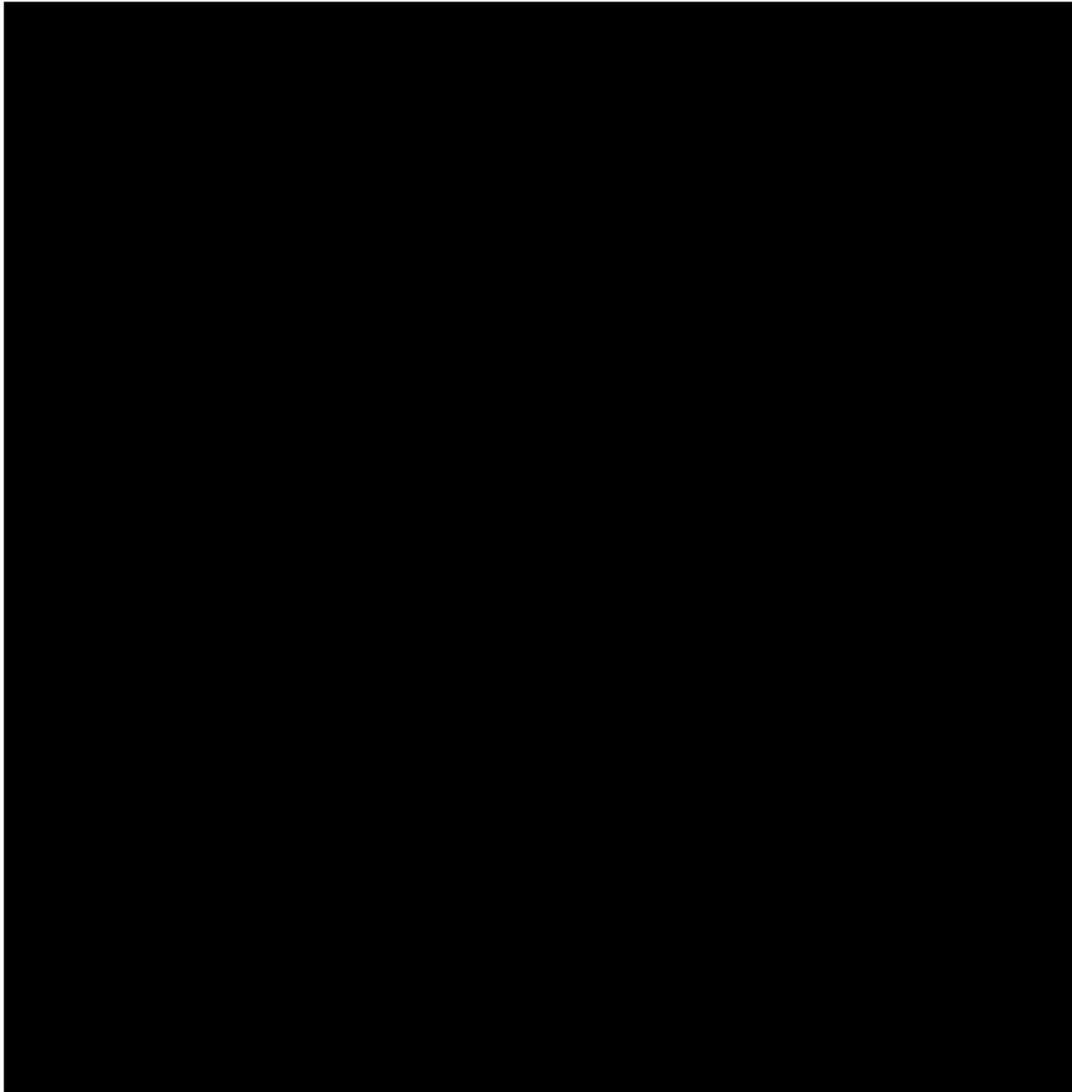
       16   Q.   All right. Can we take a look at

       17   the next page, ending in 204.

       18   And, Mr. Payne, if I can direct your

       19   attention to the right-hand column, the second

       20   bullet.

       21   MR. MACY: Take your time to review.

       22   THE WITNESS: Uh-huh.

Page 60

```
 1          A.     Okay.

 2     BY MR. HARTMAN:

 3     ████████████████████████████████████████

 4     ████████████████████████████████████████

 5     ████████████████████████████████████████

 6     ████████████████████████████████████████

 7     ████████████████████████████████████████

 8               MR. HUGHTO:   Objection.

 9          A.     No.

10     BY MR. HARTMAN:

11          Q.     Why not?

12     ████████████████████████████████████████

13     ████████████████████████████████████████

14     ████████████████████████████████████████

15     ████████████████████████████████████████

16     ████████████████████████████████████████

17     ████████████████████████████████████████

18     ████████████████████████████████████████

19     ████████████████████████████████████████

20     ████████████████████████████████████████

21          Q.     I see.

22          ████████████████████████████
```
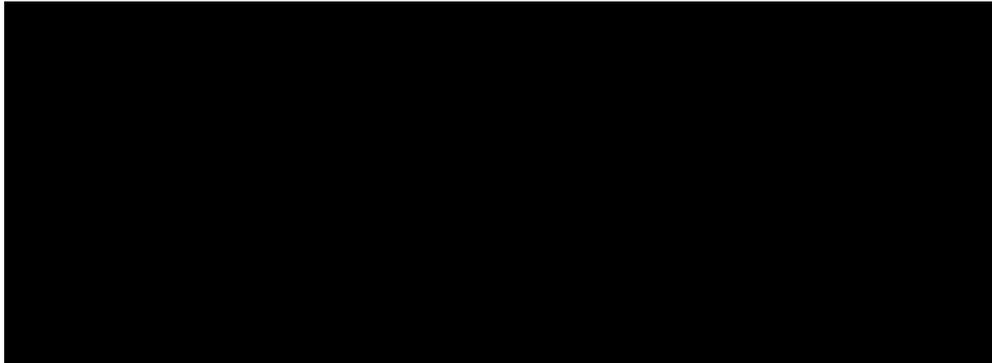
PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 76 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 61
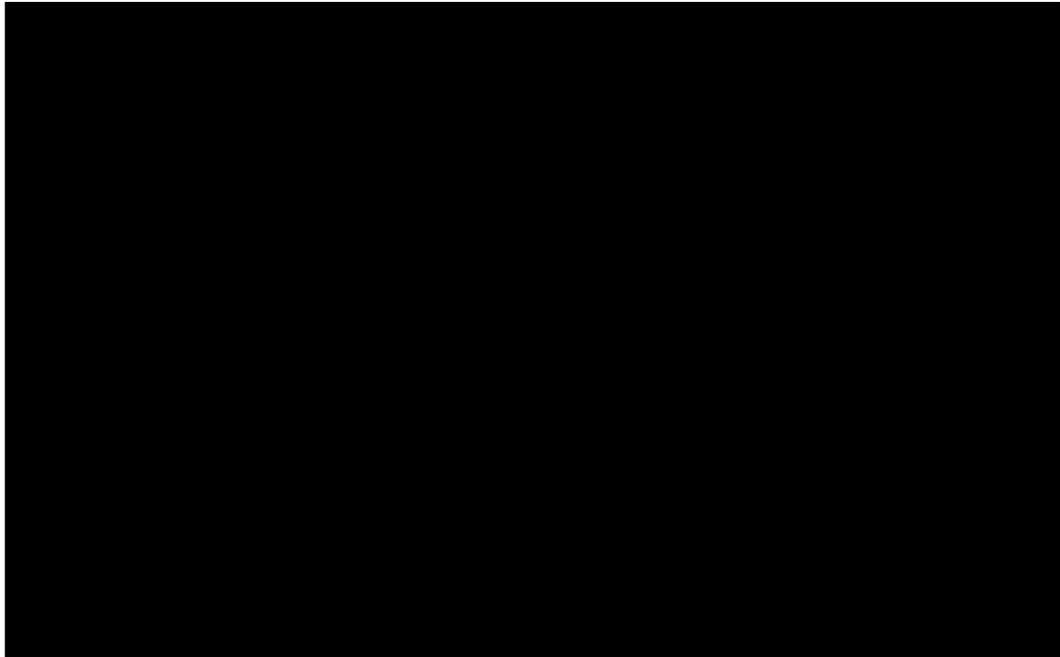
1   ████████████████████████████████

2   ████████████████████████████████

3   A.   Yes.

4   Q.   Thank you.

5   Does Google expect other hardware

6   manufacturers to enter the AR and VR hardware

7   market in the near future?

8   A.   Can you clarify "near future"?

9   Q.   Sure.

10   Does Google expect other hardware

11   manufacturers to enter the AR and VR hardware

12   market in the next two years?

13   A.   We don't know what other hardware

14   manufacturers will do other than what they've

15   publicly shared.

16   ████████████████████████████████

17   ████████████████████████████████

18   ████████████████████████████████

19   ████████████████████████████████

20   ████████████████████████████████

21   ████████████████████████████████

22   ████████████████████████████████

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 77 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

                                                              Page 62

  1   ███████████████████████████████████████.

  2   A.   Okay.

  3   ██

  4   ██

  5   ██
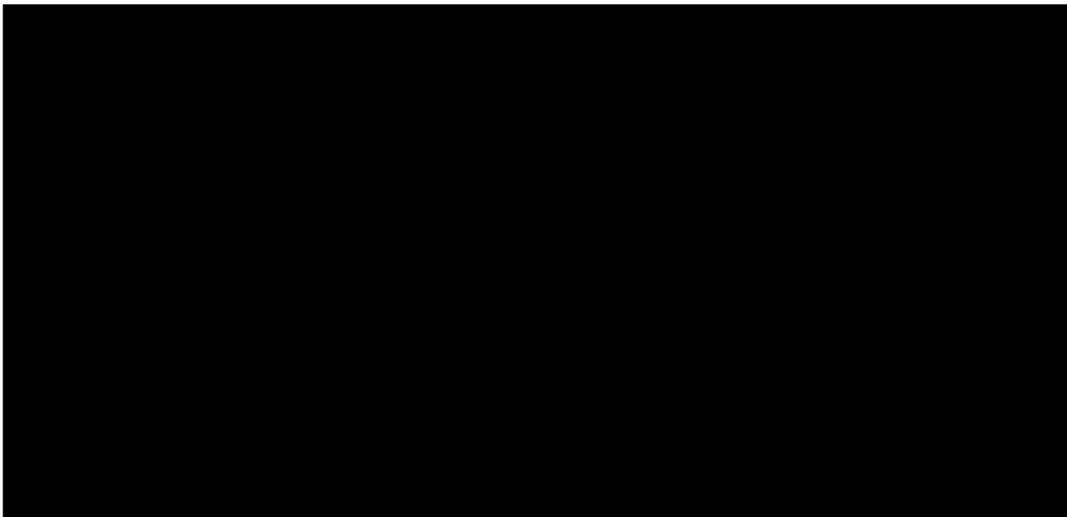
  6   MR. HUGHTO: Objection.

  7   A.   No.

  8   BY MR. HARTMAN:

  9   Q.   Why not?

 10   ██

 11   ██

 12   ██

 13   ██

 14   ██

 15   ██

 16   ██

 17   ██

 18   ██

 19   ██

 20   ██

 21   ██

 22   ██

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 63

1

2

3

4

5

6

7

8

9

10

11

12

13   MR. HUGHTO: Objection.

14

15

16

17

18

19
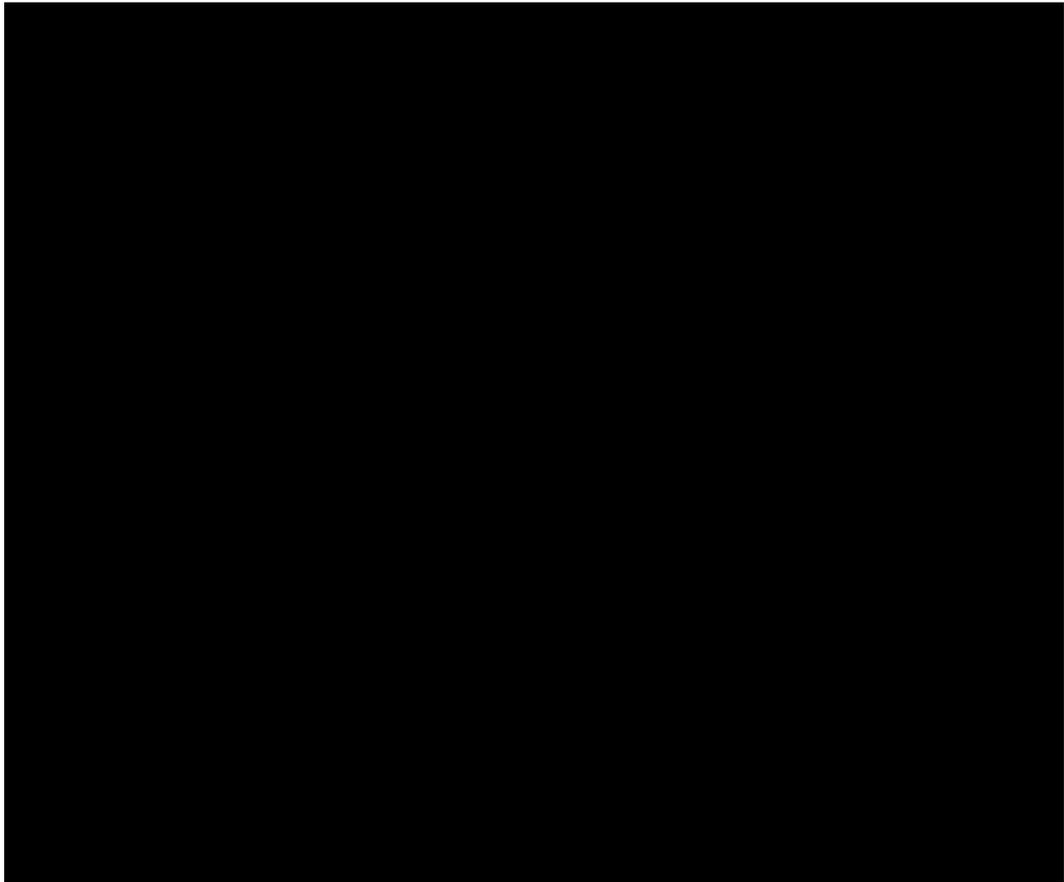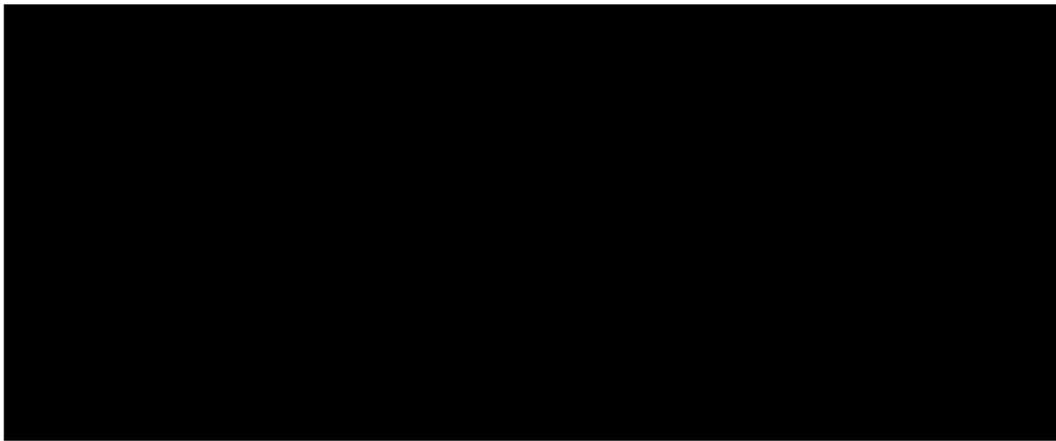
20   BY MR. HARTMAN:

21   Q.   Is that statement also true for

22   products entering a new geographic market, so,

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 79 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                        Highly Confidential - Under the Protective Order

Page 64

```
 1    for example, a product that was previously

 2    unavailable in the United States becoming

 3    available in the United States?

 4           A.    Sorry.  I'm not sure if I understand

 5    your question.

 6           Q.    Sure.

 7                 Does -- we can move on from that

 8    question.

 9                 MR. HARTMAN:  If we can pull up the

10         document ending in Bates No. 240, and please

11         mark that as Meta 31.

12

13

14

15

16                 MR. MACY:  Yeah.  As you -- yeah.

17    BY MR. HARTMAN:

18           Q.    Mr. Payne, is that document

19    available for you?

20           A.    No, I believe so.

21                 THE TECH:  It's still uploading.

22                 MR. MACY:  Okay.  Actually --
```
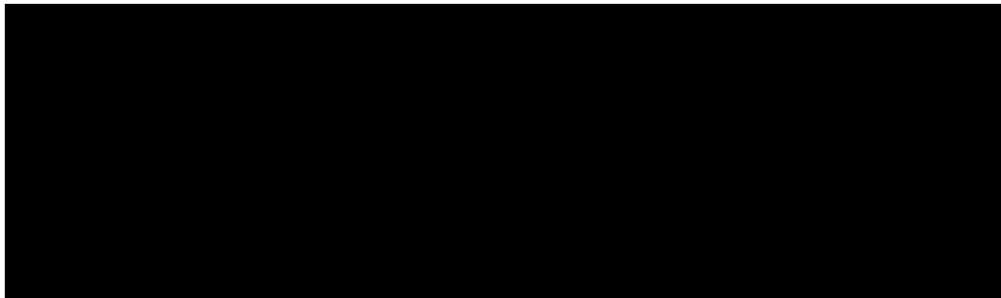
PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 80 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                    Highly Confidential - Under the Protective Order

Page 66

```
 1     I don't have a date on the document.  I'm just

 2     wondering.

 3            A.    I don't know.

 4                  MR. HARTMAN:  Can we turn to the

 5        page ending in 246.

 6                        (Tech complies.)

 7            A.    I'm there.  Just going to take one

 8     moment to review it one sec.

 9     BY MR. HARTMAN:

10            Q.    Please do.

11            A.    Okay.  I'm ready.

12            Q.    The numbers jump around a little

13     bit, but can I turn your attention to the point

14     ending -- sorry -- numbered 3 at the bottom.

15            A.    Yes.

16     ██████████████████████████████████████████████

17     ██████████████████████████████████████████████

18     ██████████████████████████████████████████████

19            A.    Yes.

20            Q.    Can you tell me what that sentence

21     means to you?

22            A.    I didn't write this sentence, so I
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 67

1   can't speak for the context behind it or the

2   specific intent of it.

21   MR. HUGHTO: Objection.

22   A.   No.

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 82 of 211 * PUBLIC *;

Page 68
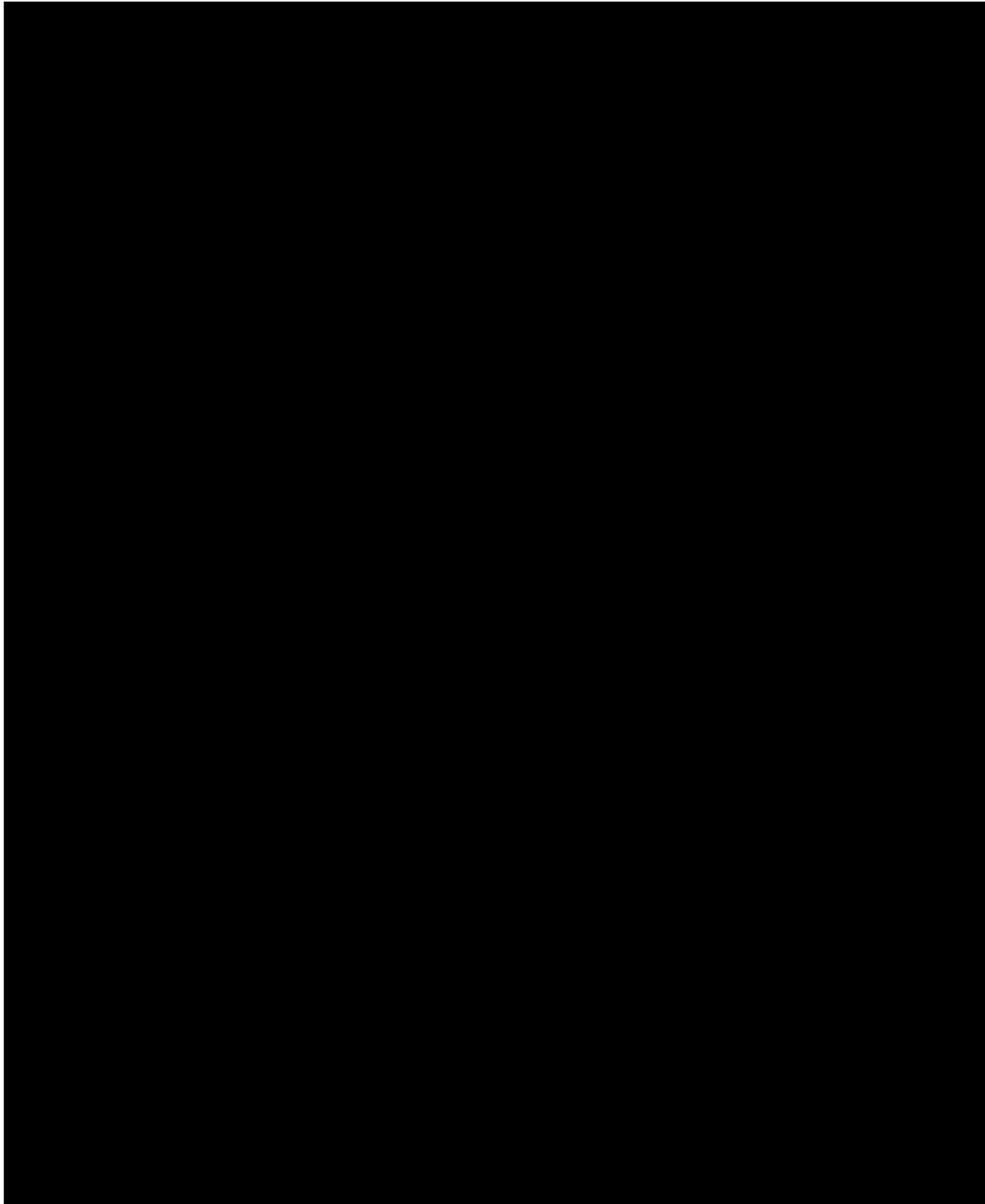
```
 1     BY MR. HARTMAN:

 2          Q.    Why not?

 3

 4

 5

 6

 7

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21

22                    MR. HUGHTO:  Objection.
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 69
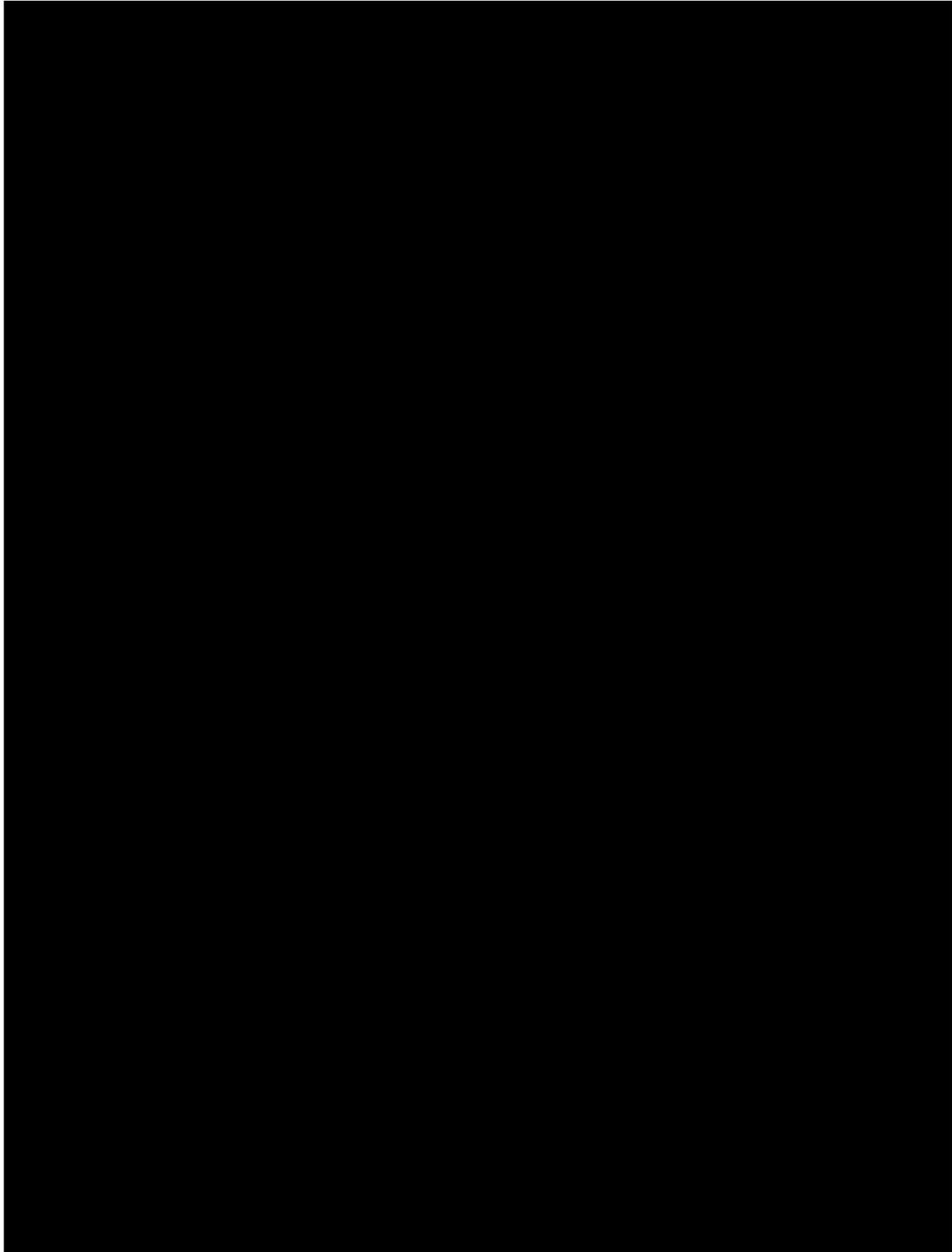
1   A.   No.   No.

2   BY MR. HARTMAN:

3   Q.   Why not?

15   MR. HUGHTO: Objection.

16   A.   No.

22   MR. HUGHTO: Objection.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 70

```
1

2

3

4

5

6

7                    MR. HUGHTO:  Objection.

8           A.    I wouldn't phrase it like that.

9    BY MR. HARTMAN:

10          Q.    How would you phrase it?

11

12

13

14

15

16

17

18

19

20

21

22
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 85 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                        Highly Confidential - Under the Protective Order

Page 71

```
 1          A.    I'm there.  Please give me a moment

 2     to read this.  I'll tell you when I'm done.

 3          Q.    Sure.

 4          A.    Okay.  I'm ready.

 5     █████████████████████████████████████████

 6     █████████████████████████████████████████

 7     █████████████████████████████████████████

 8          A.    To clarify, where would you like me

 9     to be looking?

10          Q.    Sorry.  Inside of the -- of the

11     slide, on the right-hand side.

12              MR. MACY:  Can you see these two?

13              THE WITNESS:  Yeah, what they were

14        talking about here.

15              MR. MACY:  Yeah.

16          A.    Okay.  So, yes, I see that.

17     BY MR. HARTMAN:

18     █████████████████████████████████████████

19     █████████████████████████████████████████

20     █████████████████████████████████████████

21     █████████████████████████████████████████

22              MR. HUGHTO:  Objection.  Can you
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 72

```
 1        point to what -- what you're talking about on

 2        this slide?

 3                 Can you --

 4                 MR. HARTMAN:  Happy to provide some

 5        more context.  If we look on the right-hand

 6        ███████████████████████████████████████████

 7        ███████████████████████████████████████████

 8                 MR. MACY:  Thank you.  I'll just say

 9        I think that that last correspondence I was

10        showing Juston where it was and he was

11        showing me.  So he was -- we were talking in

12        terms of trying to find it as opposed to him

13        answering.

14                 MR. HARTMAN:  Got it.

15        A.    Do you mind asking me your question

16   again now?

17        Q.    Sure.

18        ███████████████████████████████████████████

19        ███████████████████████████████████████████

20        ███████████████████████████████████████████

21        A.    Yes.

22        Q.    And if we can scroll down to just
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 87 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 73

1

2

3

4

5

6

7

8

9

10

11

12

13

14   A.   It does.

15

16

17

18

19
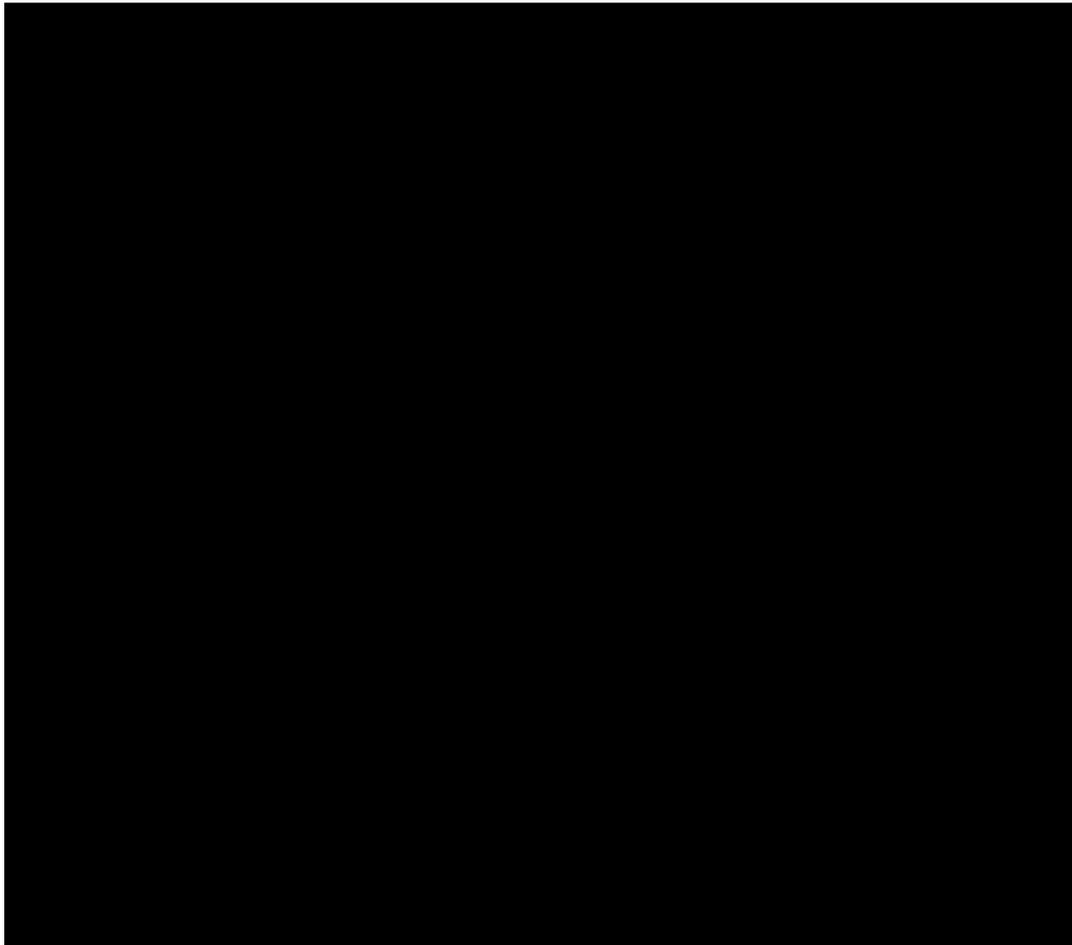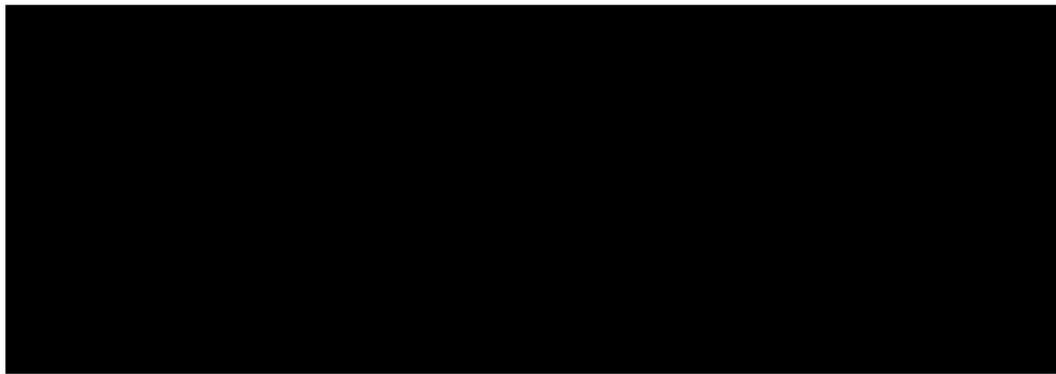
20   Is that right?

21   A.   Sorry. Is your question whether

22   that's what the sentence says?

11/17/2022 Federal Trade Commission v. Meta Platforms, Inc., et al Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 74

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 75
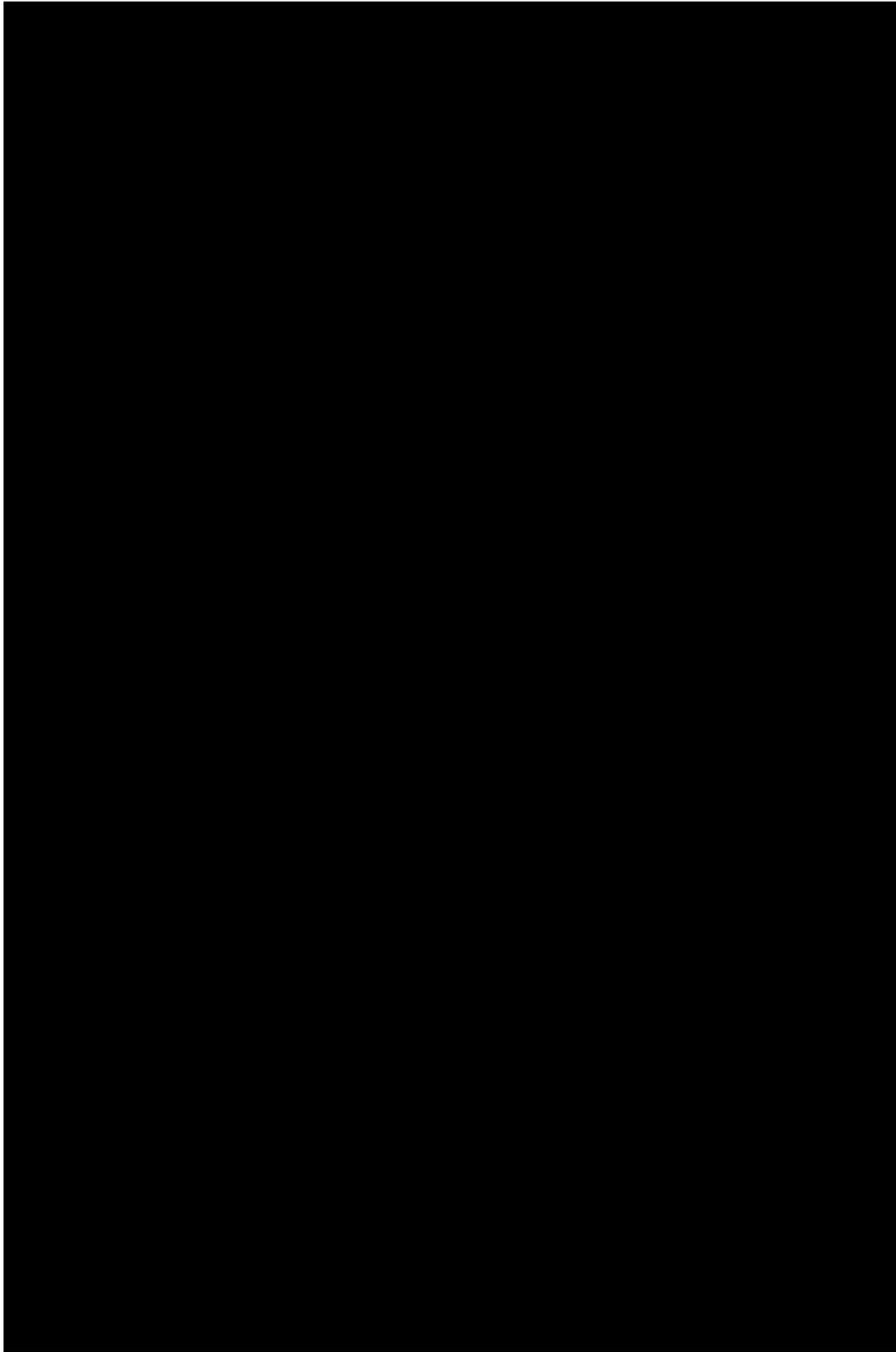
1

2

3

4   MR. HARTMAN: We can take that down.

5   (Tech complies.)

6   BY MR. HARTMAN:

7

8

9
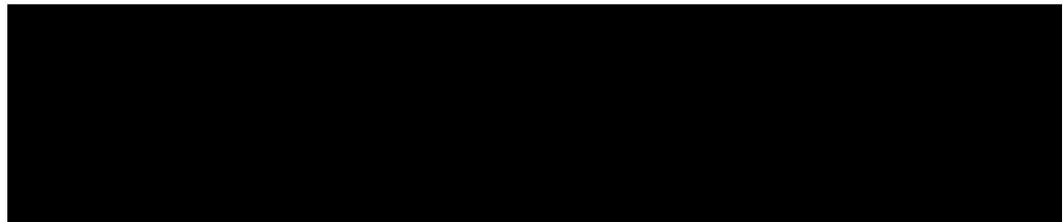
10   MR. HUGHTO: Objection.

11
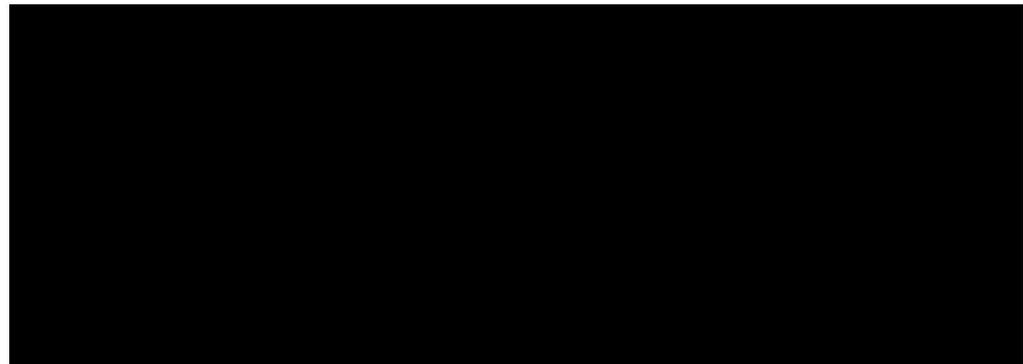
12

13

14

15

16   A.   Sorry, yeah.

17
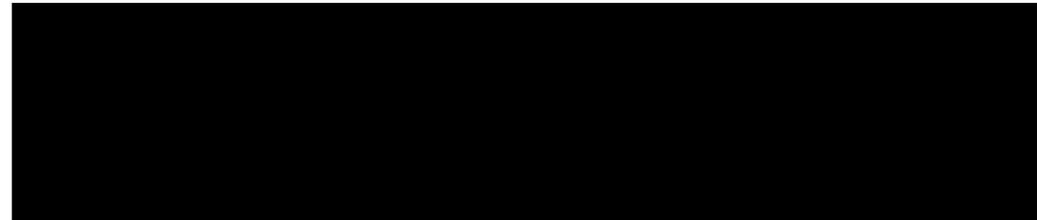
18

19

20   MR. HUGHTO: Objection; compound.

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 90 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 76
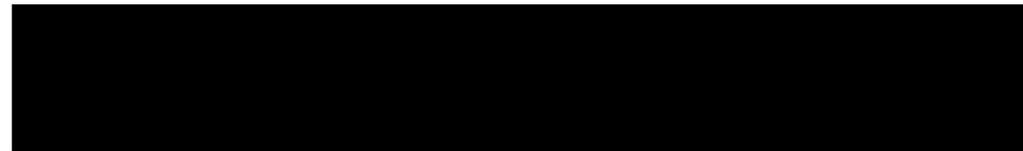
1
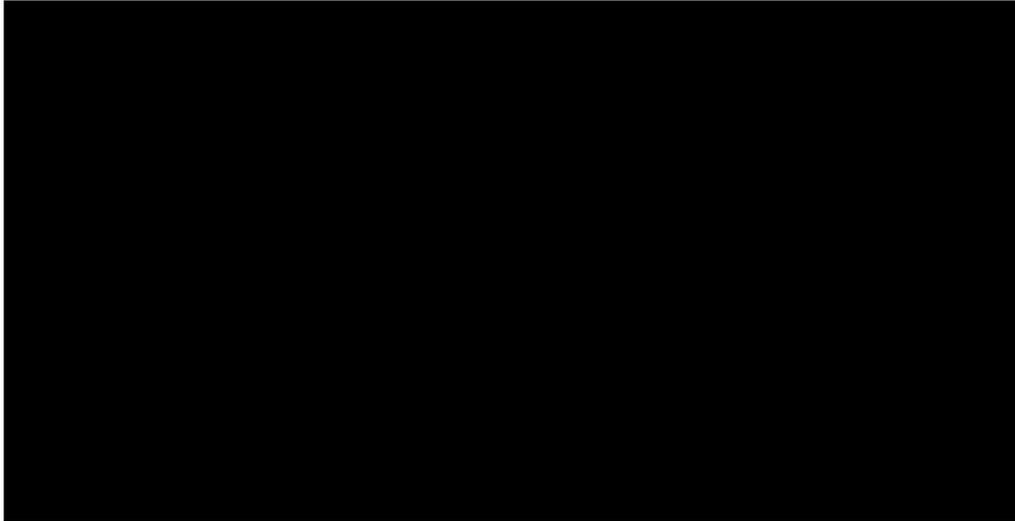
2

3

4

5

6

7

8   BY MR. HARTMAN:

9

10

11
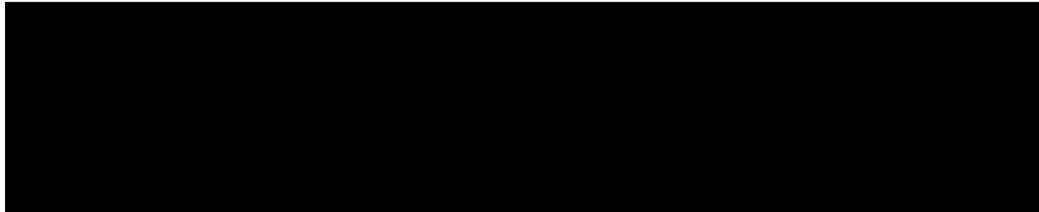
12   MR. HUGHTO: Objection.

13   A.   Can you clarify what -- what your

14   question is here? I'm not exactly sure what

15   you're asking.

16   Q.   Sure. Let me -- let me provide some

17   color by way of an analogy.

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 77
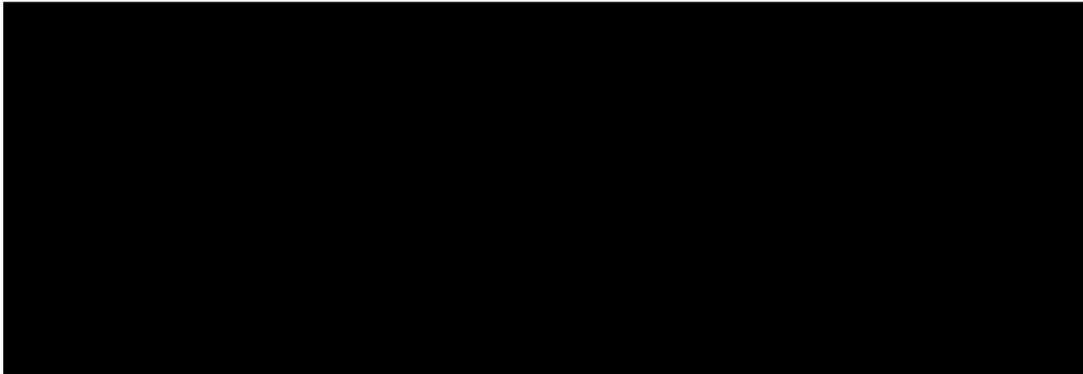
1

2

3

4

5

6

7

8   MR. HUGHTO: Objection.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 78

1   MR. HUGHTO: Objection.

17   Q.   Sure. Again, I don't intend for

18   these to be trick questions. We can just skip to

19   the document I want to ask you about.

20   MR. HARTMAN: If you can pull up the

21   document ending in 267, and we'll label that

22   Meta 32.

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 93 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 79

1

2

3

4   MR. HARTMAN: And if we can -- thank

5   you.

6   BY MR. HARTMAN:

7   Q.   Mr. Payne, are you familiar with

8   this document?

9   A.   I'm still opening it up.

10   Q.   Sorry.

11   MR. MACY: Take your time.

12   THE WITNESS: I'll take one second

13   with this.

14   A.   Yes, I'm familiar with this

15   document.

16   BY MR. HARTMAN:

17   Q.   Who is the author of this document?

18

19

20

21

22

Page 80

4   MR. HUGHTO: Objection.

5   A.   No.

6   BY MR. HARTMAN:

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 81

1

2

3

4

5

6   A.   Yes.

7

8

9

10

11

12

13

14

15

16

17   A.   No.

18   MR. HARTMAN: Can we take a look at

19   the page ending in 271.

20   (Tech complies.)

21   BY MR. HARTMAN:

22   A.   I'm there.
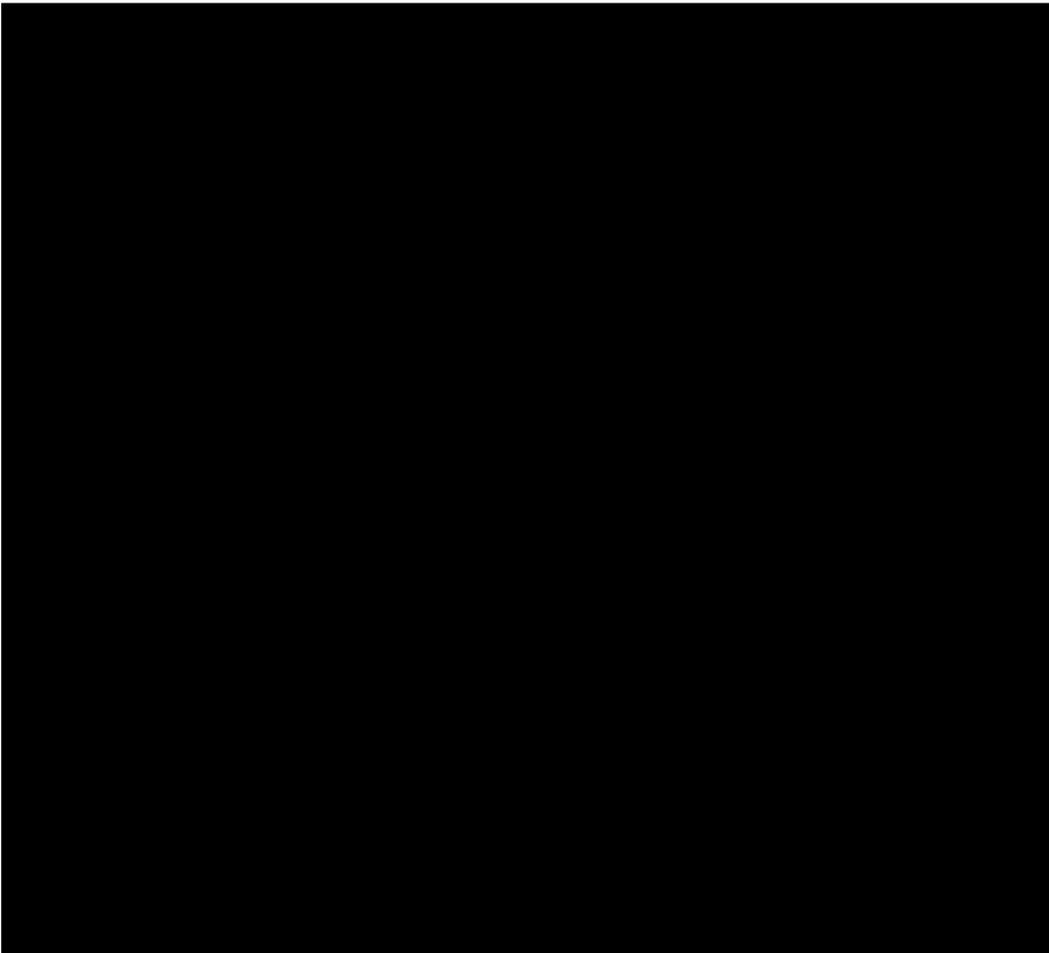
Page 82

1

2

3

4

5

6

7

8

9

10

11

12

13

14   MR. HUGHTO: Objection.

15   A.   I'll state it differently.

16   BY MR. HARTMAN:

17   Q.   Okay.

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 97 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 83
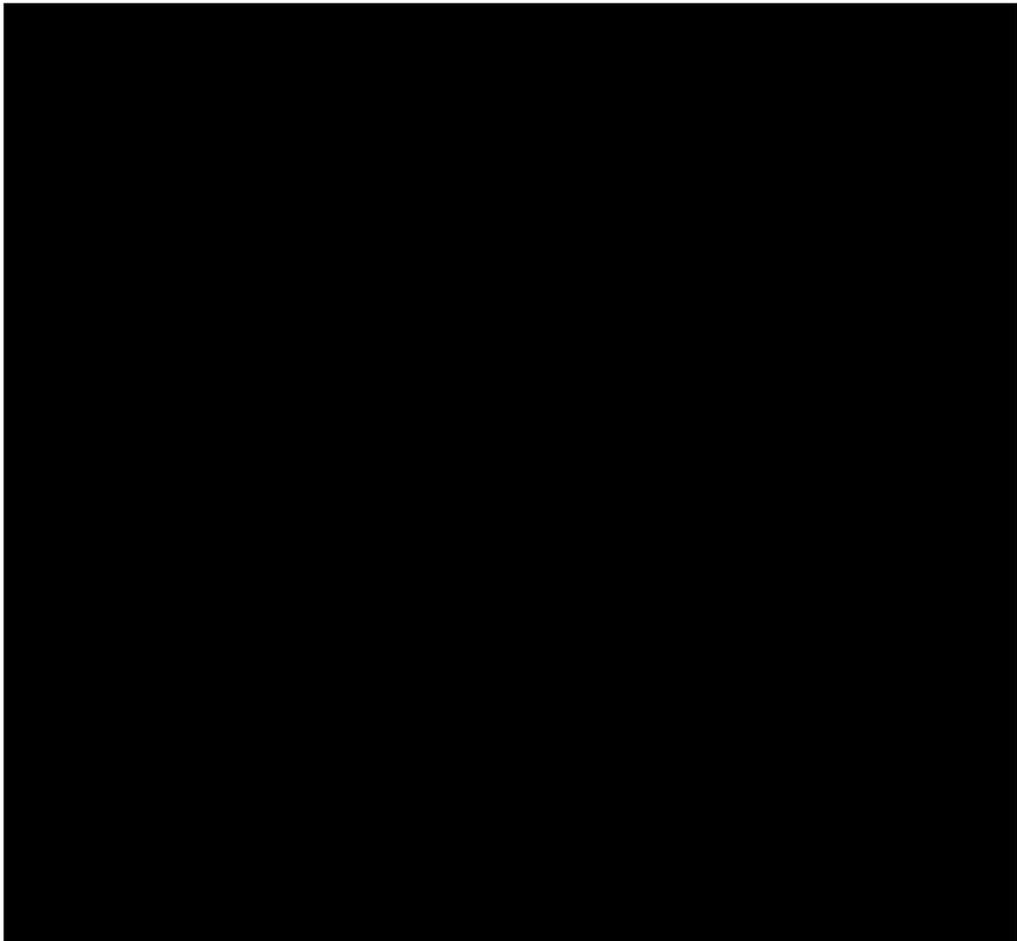
```
 1

 2

 3

 4

 5

 6

 7

 8

 9

10

11

12

13

14          Q.    Understood.  Thank you.

15              MR. HARTMAN:  Can we take a look at

16      the page ending in 275.

17              (Tech complies.)

18          A.    Yeah.  Give me one moment just to

19      read it through.

20          Q.    Uh-huh.

21          A.    Okay.  I'm ready.

22
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 98 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 84

```
 1
 2
 3
 4
 5
 6
 7
 8
 9
10
11
12
13
14
15
16         A.     One moment please.  No.
17
18
19         A.     Yes.
20
21
22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 85

1

2

3

4

5

6

7

8

9

10

11

12
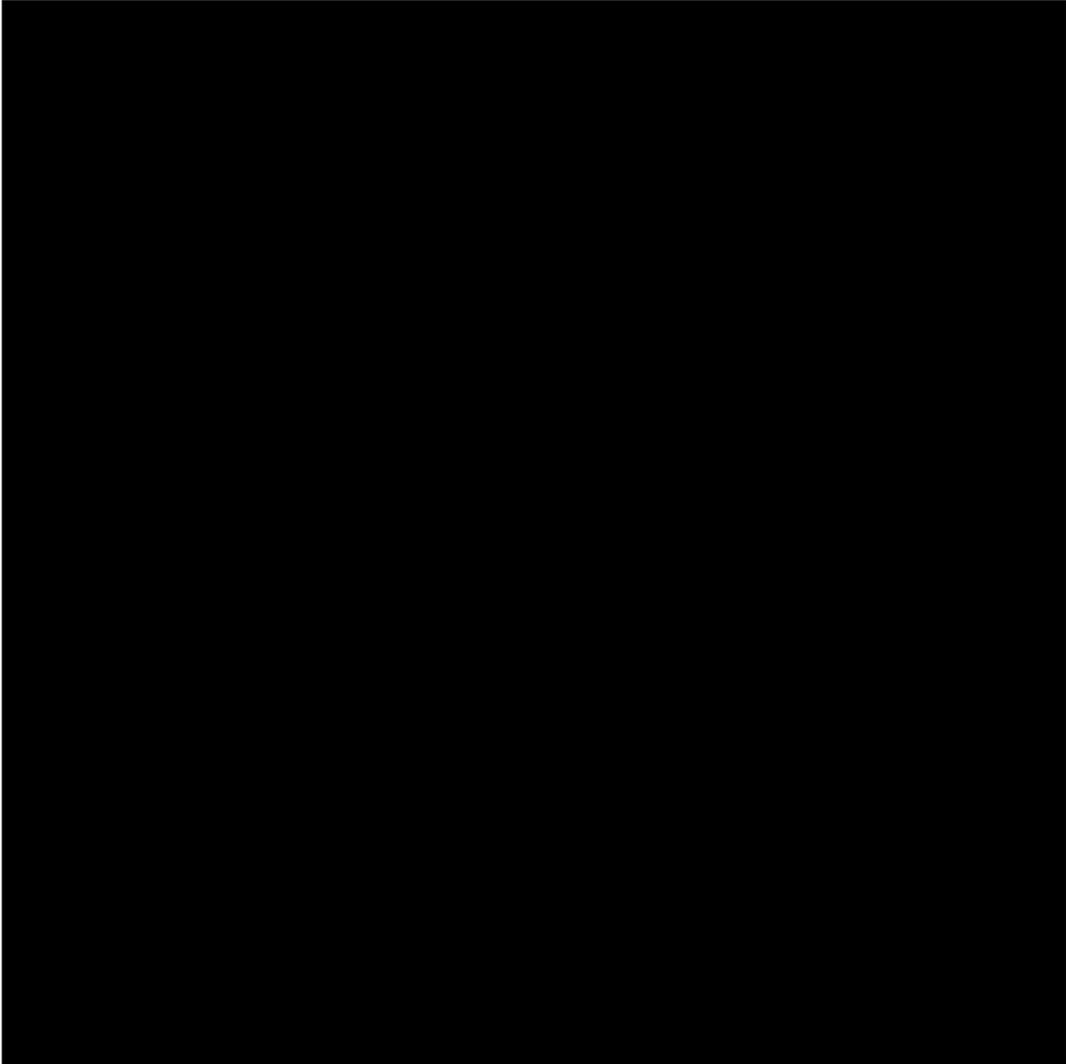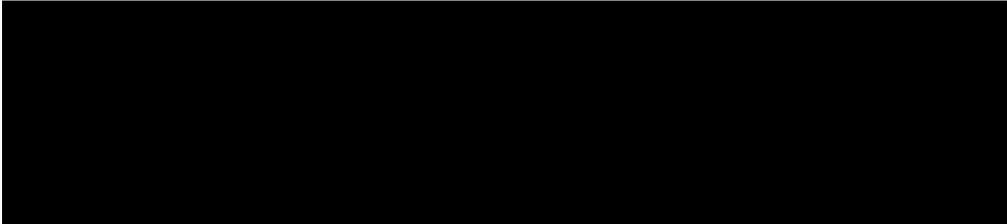
13

14

15

16

17

18
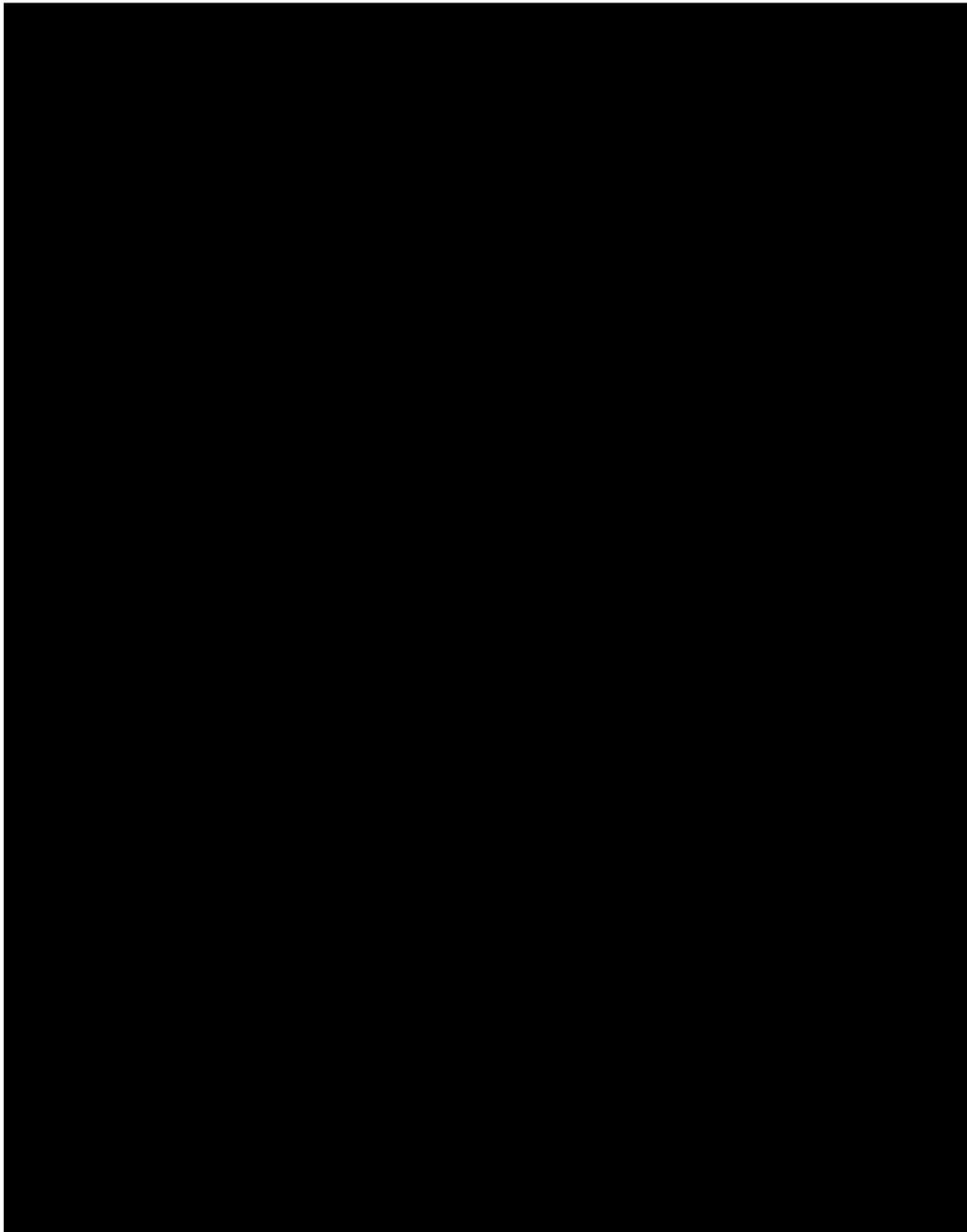
19   Q.   Are you familiar with Fitbit's

20   Stippit [phonetic] premium offering?

21   A.   I'm aware that it exists and I have

22   some understanding of it, but my -- my domain is

Page 86

```
 1    really AR -- is AR.  So I -- I'm not an expert in

 2    Fitbit's offerings.

 3                MR. HARTMAN:  Could we take a look

 4       at the page here ending in 307.

 5                (Tech complies.)

 6         A.    Hold on.  Now I'm navigating to it.

 7    And I'll need to read it.  Give me a moment to

 8    read it, please.

 9                Okay.  I'm ready.

10    BY MR. HARTMAN:

11         Q.    If we can focus on the text below

12    the slide what I'll describe as the second

13    ████████████████████████████████████████

14         A.    Okay.  Uh-huh.

15    ██████████████████████████████████████████

16    ██████████████████████████████████████████

17    ██████████████████████████████████████████

18                MR. HUGHTO:  Objection.

19         A.    No.

20    BY MR. HARTMAN:

21         Q.    Why not?

22         ████████████████████████████████████
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 101 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 87
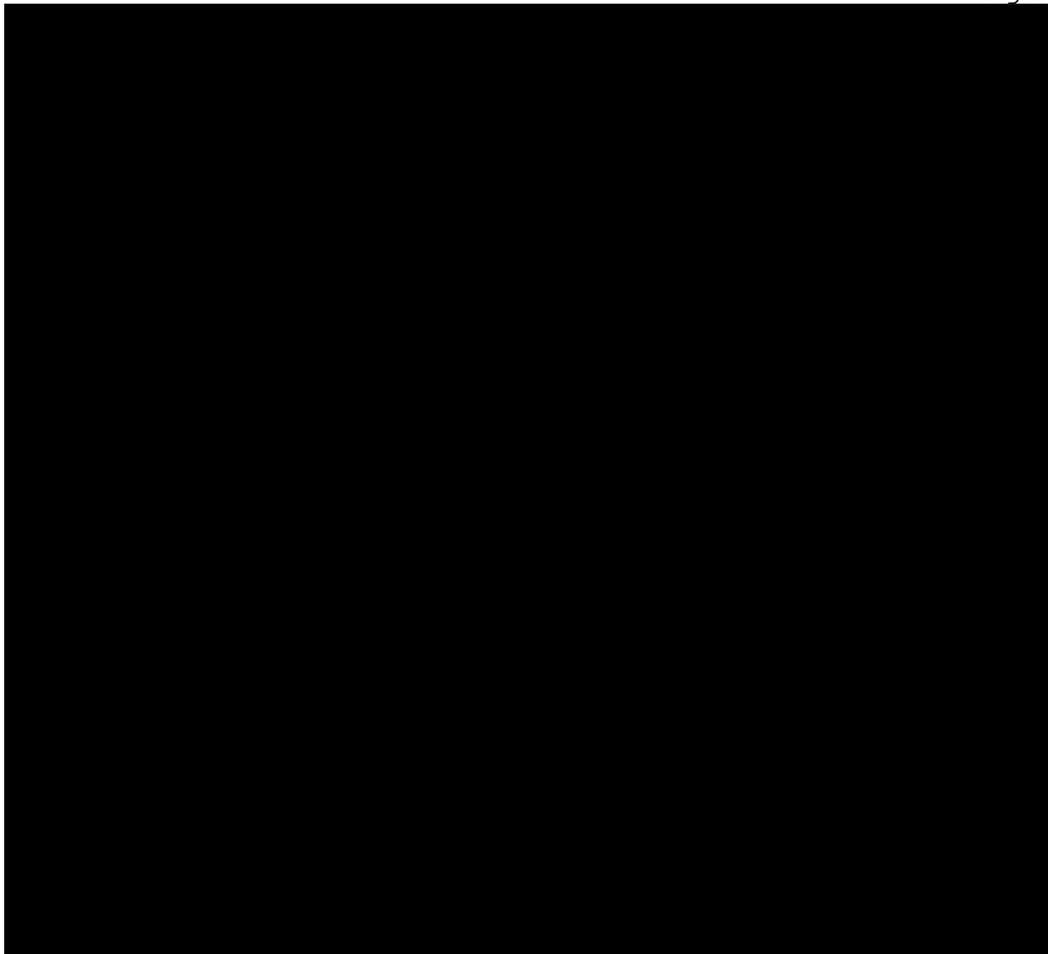
14   MR. MACY: And, Jake, we've been

15   going about 50 means. Are you nearly done

16   with this and maybe we can take a break.

17   MR. HARTMAN: Yeah. I'd like to

18   finish off this last couple of questions and

19   then I have some housekeeping and then we

20   should be in great shape for a break.

21   MR. MACY: Great.

22   BY MR. HARTMAN:

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 102 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                              Highly Confidential - Under the Protective Order

Page 88

```
 1              Q.    So sorry, Mr. Payne, let me -- let

 2    me ask that question a slightly different way.

 3    ███████████████████████████████████████████████

 4    ███████████████████████████████████████████████

 5    ███████████████████████████████████████████████

 6    ███████████████████████████████████████████████

 7                    MR. HUGHTO:   Objection.

 8              A.    I would be speculating if I said

 9    yes.

10    BY MR. HARTMAN:

11              Q.    Okay.  We can -- well, we can move

12    on.  A couple of lines down, do you see there is

13    ███████████████████████████████████████████████

14    ███████████████████████████████████████████████

15    ███████████████████████████████████████████████

16    ███████████████████████████████████████████████

17    ███████████████████████████████████████████████

18    ███████████████████████████████████████████████

19                    MR. HUGHTO:   Objection.

20    ███████████████████████████████████████████████

21    ███████████████████████████████████████████████

22    ███████████████████████████████████████████████
```
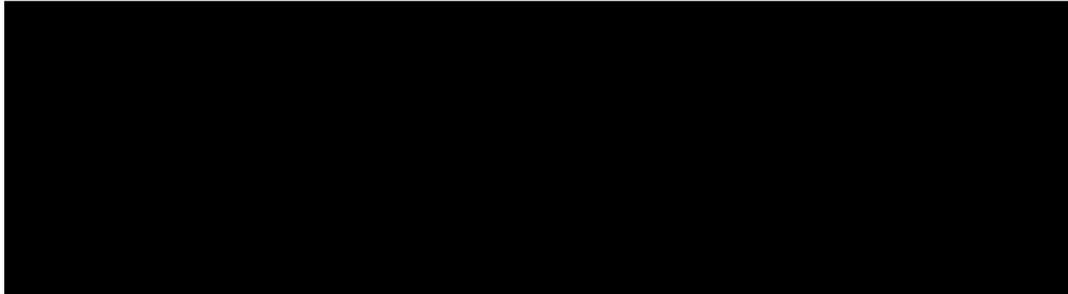
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 89
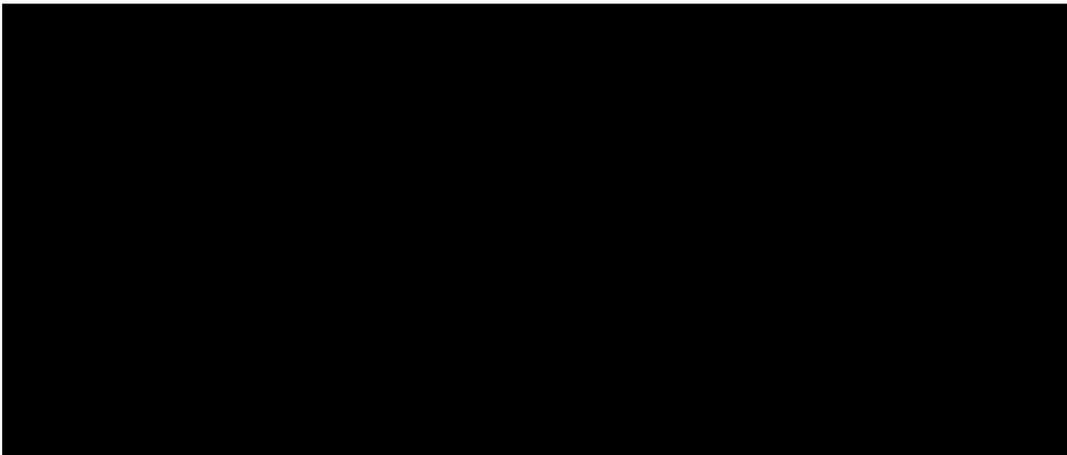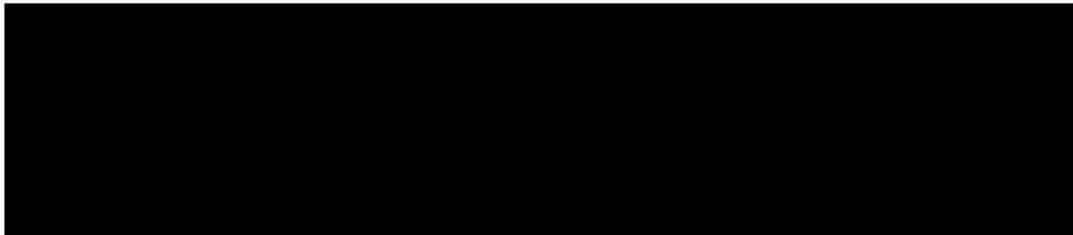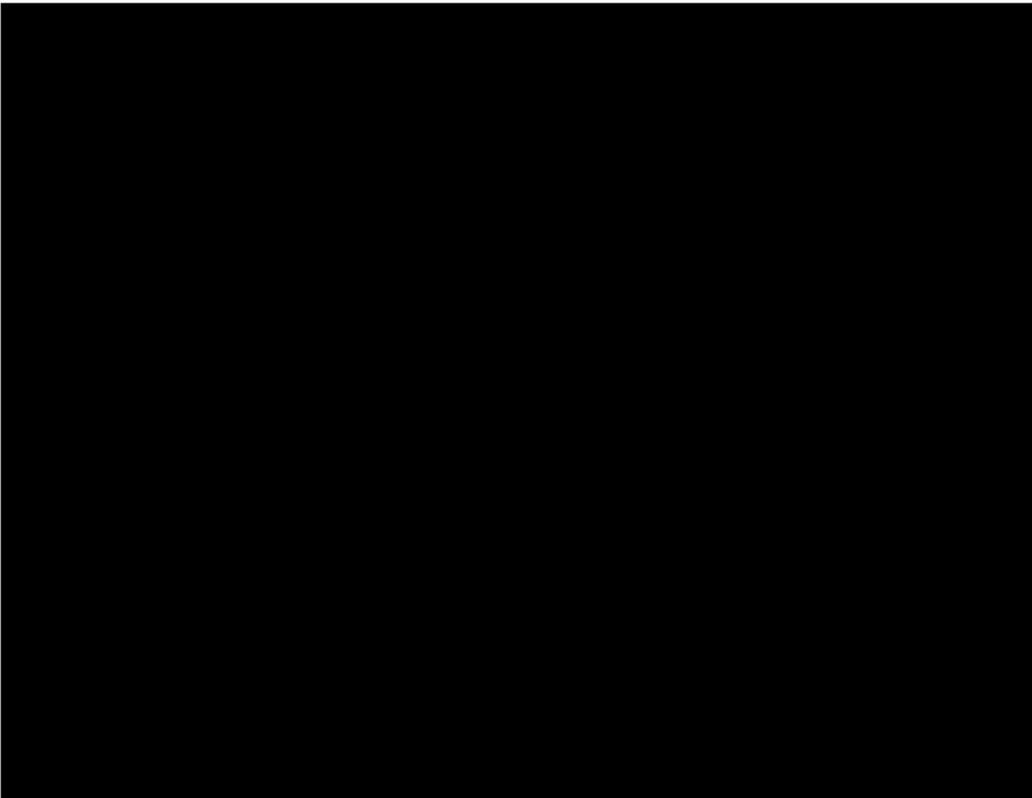
```
 1

 2

 3

 4

 5

 6

 7

 8

 9

10

11

12                  MR. HUGHTO:   Objection.

13

14

15

16

17

18

19

20

21                  MR. HARTMAN:   Okay.   Actually, I'm

22        very sorry, Creighton.   I may have lied to
```
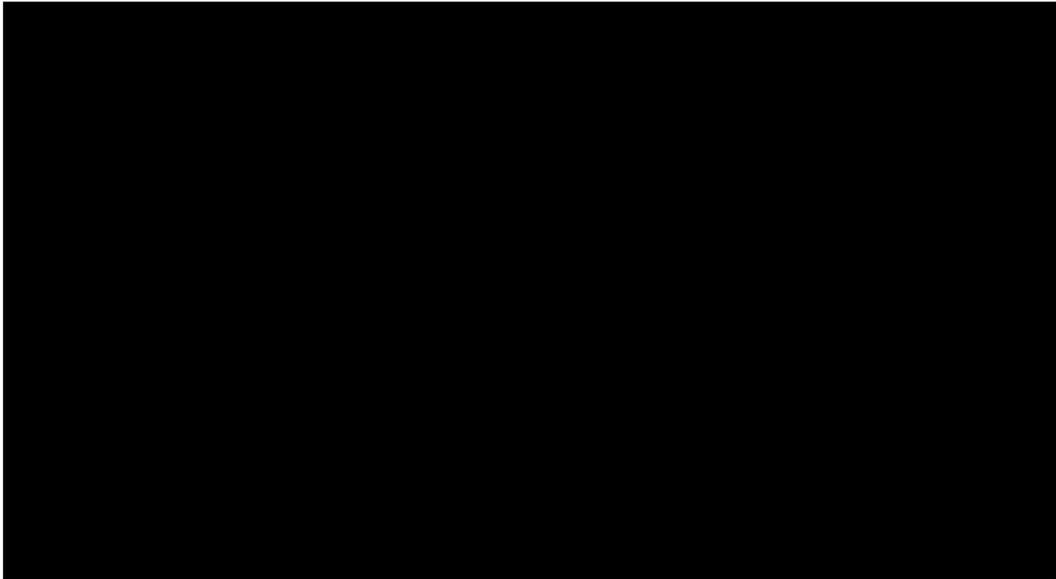
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 90

```
 1      you.  I have one more small set of questions,

 2      but why don't we take a break right now for a

 3      few minutes.

 4              MR. MACY:  Okay.  Yeah, we're going

 5      to -- we'll be back in five.

 6              THE TECH:  Stand by.  The time is

 7      1:06 p.m.

 8              We're going off the record.

 9              (Recess taken.)

10              THE TECH:  The time is 1:17 p.m.

11              We're back on the record.

12              MR. HARTMAN:  Welcome back.  If we

13      can take a look at the document beginning in

14      Bates No. ALPH-0000709 and mark that as Meta

15      Exhibit -- or sorry -- just Meta 33.

16              (Whereupon, Meta Exhibit 33, ███

17      ████████████████████████████████████████

18      ███████████████████████████

19          A.    Just give me one moment to review

20      it.

21              Okay.  I'm ready.

22      BY MR. HARTMAN:
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 91

1   Q.   Are you familiar with this document,

2   Mr. Payne?

3   A.   I am.

4   Q.   And does this document capture

5   survey research conducted on behalf of Google?

6   A.   It does.

7   ███

8   ███

9   A.   That was included in it, yes.

10   Q.   How would you describe the research

11   captured in this deck?

12   ███

13   ███

14   ███

15   ███

16   ███

17   ███

18   ███

19   ███

20   MR. HARTMAN: Okay.   And can we take

21   a look at the page ending in 725?

22   (Tech complies.)

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 92

```
 1    BY MR. HARTMAN:

 2         Q.    Can you tell me on the left-hand

 3    side -- the chart on the left-hand side, what

 4    this is capturing?

 5         A.    Yeah.  Give me one moment to review

 6    the slide.

 7               Okay.  I've reviewed the slide.  I'm

 8    sorry.  Do you mind asking the question again?

 9         Q.    Yeah.  Can you give me a brief

10    overview of what is captured by the chart on the

11    left-hand side of this slide?

12         A.    Yes.

13         Q.    Please do.

14

15

16

17

18

19

20

21

22
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 107 of 211 * PUBLIC *;

Page 93

 1

 2

 3

 4

 5

 6

 7

 8

 9   A.   Yes.
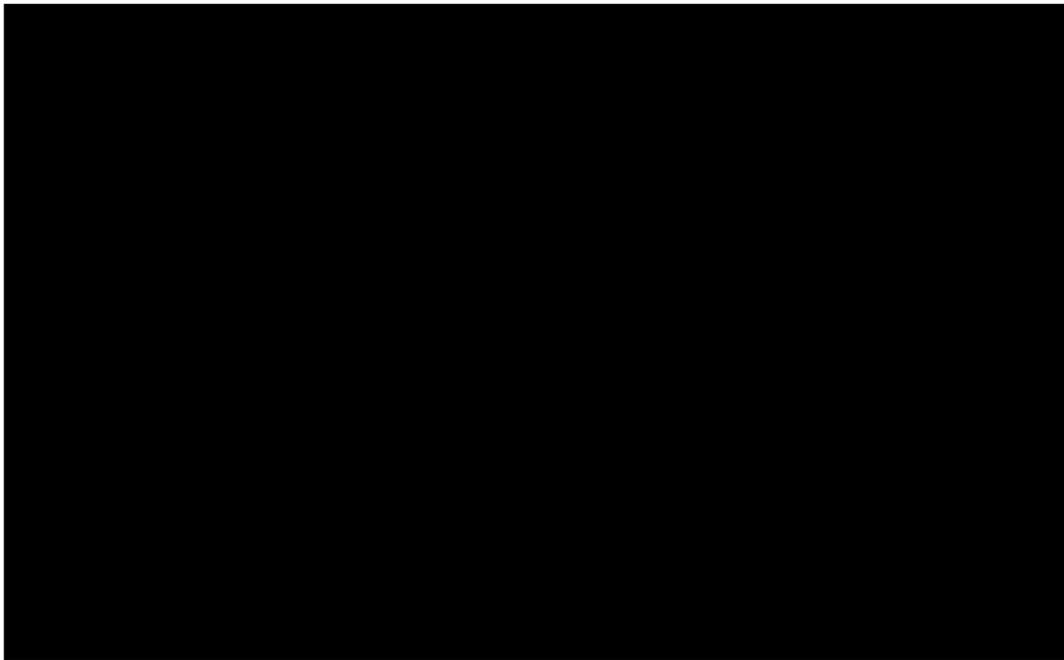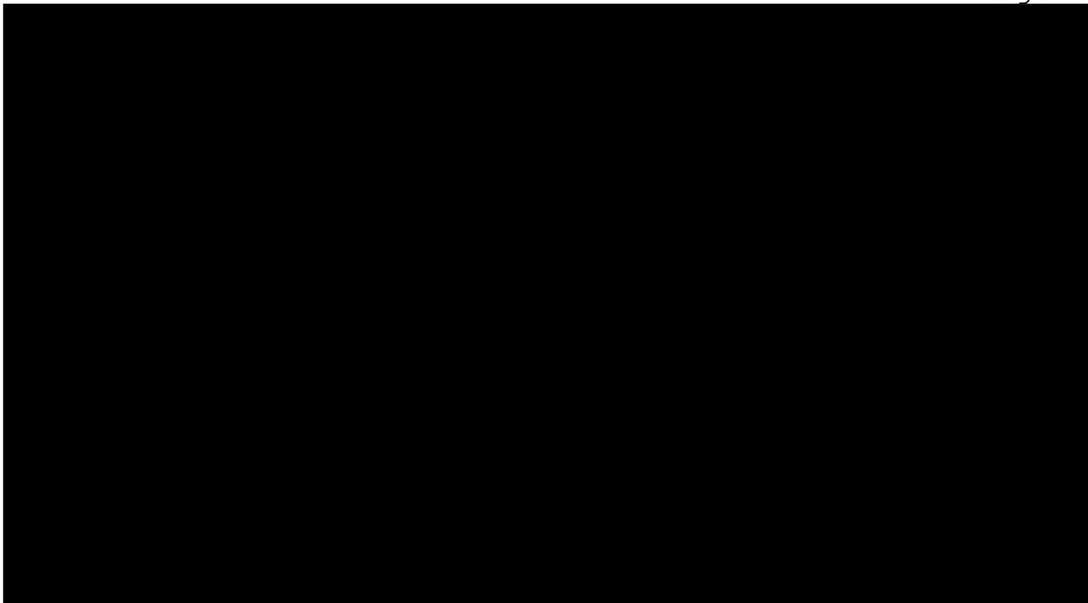
10   MR. HARTMAN: Okay.   You can put

11   that -- oh, sorry.

12   BY MR. HARTMAN:

13

14

15

16

17   MR. HUGHTO: Objection.

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 94
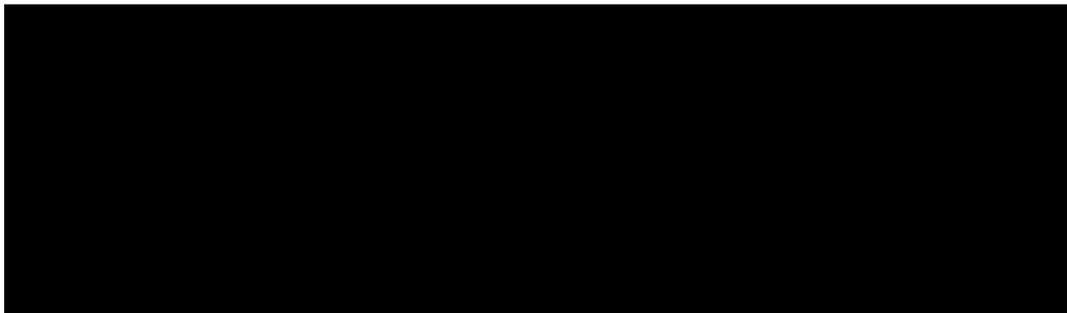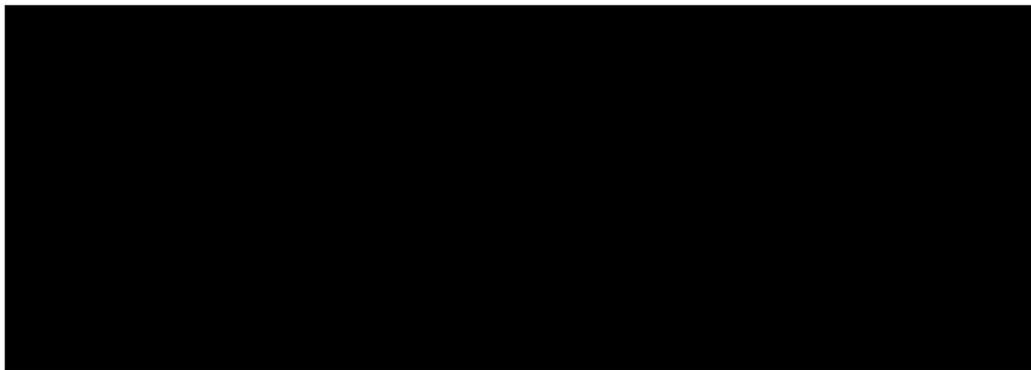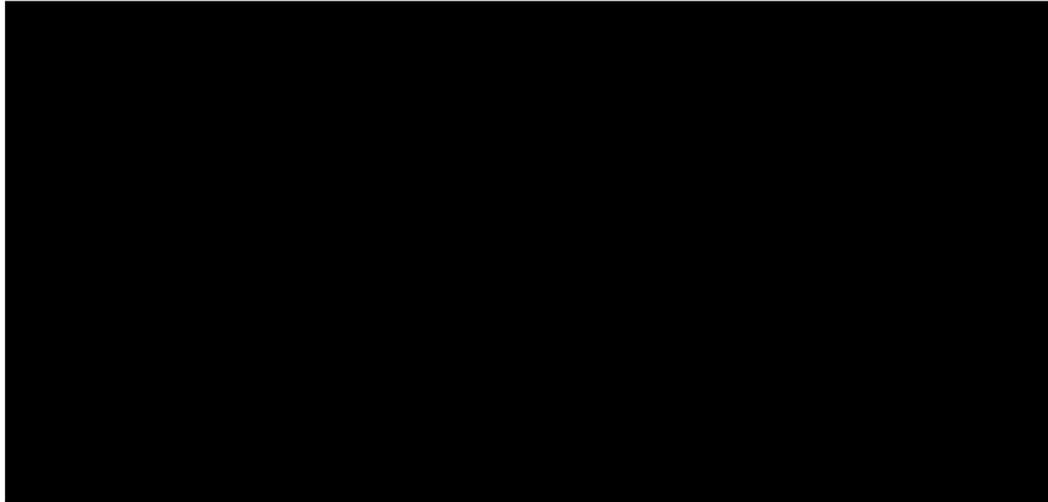
```
 1  ███████████████████████████████████

 2  ███████████████████████████████████

 3  ███████████████████████████████████

 4  ███████████████████████████████████

 5  ███████████████████████████████████

 6  ███████████████████████████████████

 7  ███████████████████████████████████

 8           MR. HARTMAN:  Okay.  We can put that

 9      document away.

10              (Tech complies.)

11  BY MR. HARTMAN:

12      Q.    Mr. Payne, you're aware that

13  Alphabet produced a number of documents in this

14  case in response to subpoenas it received,

15  correct?

16      A.    I am.

17      Q.    And those documents were provided to

18  Meta and the FTC by your outside counsel?

19      A.    Yes.

20      Q.    Were all of the documents provided

21  by your outside counsel created in the ordinary

22  course of Alphabet's business?
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 97

 1   specifically the product line, it's a product

 2   line of virtual -- virtual reality products that

 3   Meta creates.

 4   Q.   So I'm sorry. You said it's a --

 5   it's a hardware and you said software?

 6   A.   Oh, sorry. I didn't say, but, yes,

 7   that would be accurate. So -- so the Oculus

 8   products are virtual reality products, which are

 9   head-worn devices, and Meta creates both the

10   hardware, which is worn to view environments in

11   virtual reality, and Meta also creates the

12   software, which then creates the virtual reality

13   experiences within those hardware products.

14   Q.   Does Alphabet currently offer any VR

15   headset products like Oculus?

16   A.   We do not.

17

18

19

20

21

22

Page 98

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 99

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 100

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 113 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 101

1

2

3

4

5

6

7

8

9   MR. HARTMAN: Objection.

10

11

12

13

14

15

16

17

18

19

20   MR. HARTMAN: Objection.

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 102

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 103
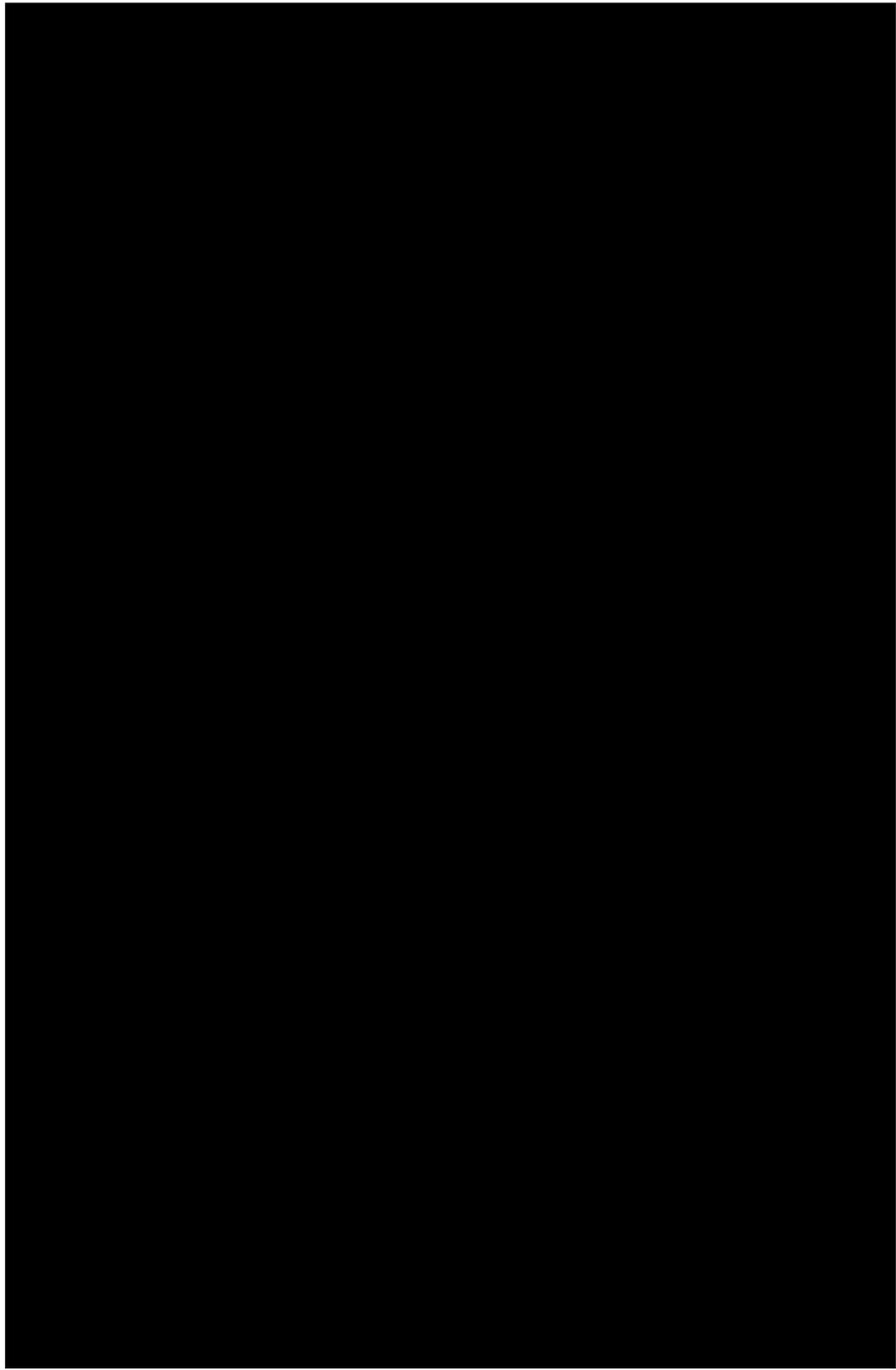
1   BY MR. HUGHTO:

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 116 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)

Highly Confidential - Under the Protective Order

Page 104

```
 1
 2
 3
 4
 5
 6
 7
 8
 9
10
11
12
13
14
15
16
17
18
19
20
21
22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 105

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 106

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 107

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21   A.   That was a subset of the second one.

22   Q.   Oh, okay.

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 120 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                          Highly Confidential - Under the Protective Order

Page 108

1

2

3

4

5

6

7

8

9   A.   The -- this space is largely devoid

10   of products right now. So what we know to be

11   objectively true right now is that Meta has

12   launched a series of products into it. We know

13   that there are some VR products in particular

14   focused specifically on gaming. For example,

15   Sony with their PlayStation product exists in the

16   category.

17   With that said, we expect, based on

18   rumors and hearsay, that other companies, be they

19   Apple, whomever, will launch in the future. And

20   what we don't know is what that launch will look

21   like. It could be a roaring success. It could

22   be a dud, and it could be anything in between.

Page 109

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 110

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 111

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 112

1

2

3

4

5

6

7

8

9

10   A.   Yes.

11   Q.   Please go ahead.

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 113

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 114

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 115


```
 7          Q.    Okay.  Do you know what Within

 8    Supernatural is?

 9          A.    I do at a high level, yes.

10          Q.    How would you describe it?

11          A.    I would describe Within Supernatural

12    as a software development company that makes,

13    from my understanding, applications for virtual

14    reality products.

15          Q.    Have you ever tried out the

16    Supernatural VR dedicated fitness offering?

17                MR. HARTMAN:  Objection.

18          A.    I believe I have.  My understanding

19    is that Within Supernatural makes a product

20    called Beat Saber, and if that is correct, then,

21    yes, I have tried Beat Saber.

22    BY MR. HUGHTO:
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 116

1

2

3

4   MR. HARTMAN: Objection.

5
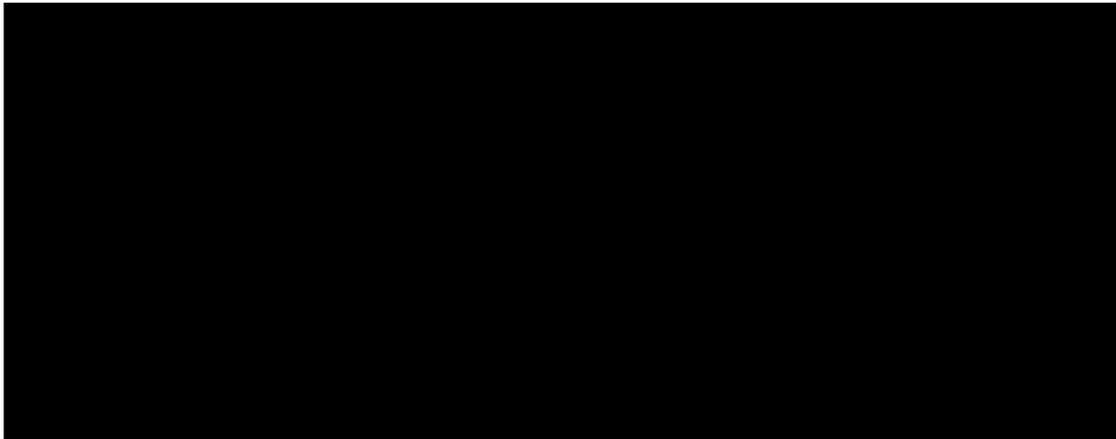
6

7

8

9

10

11   MR. HARTMAN: Objection.

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 117

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 130 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 123
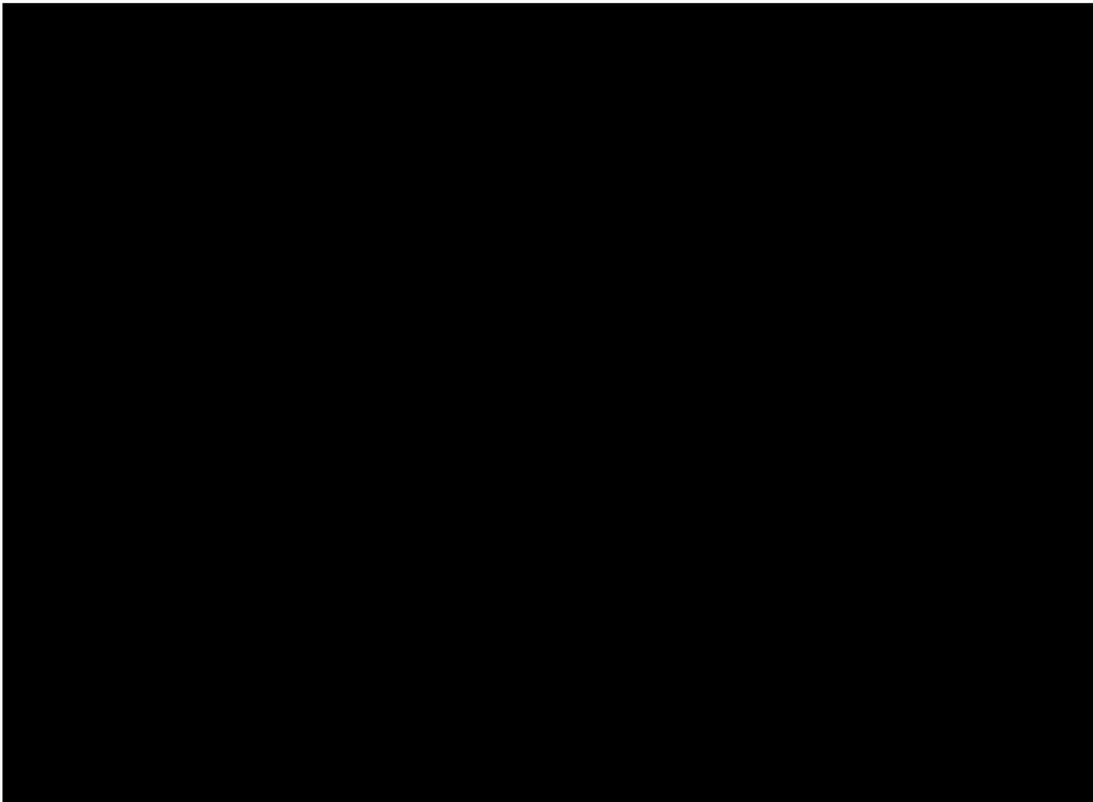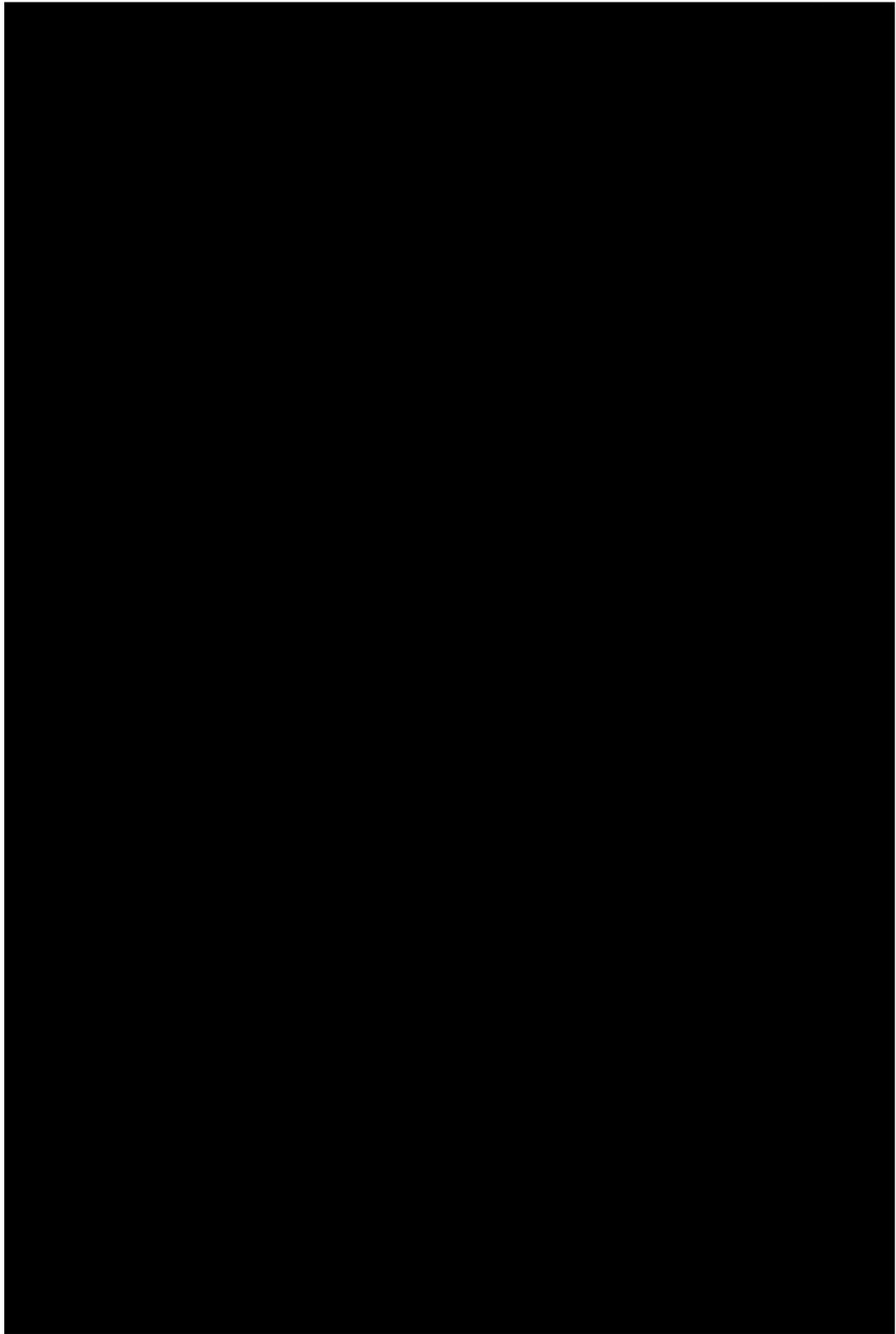
```
 1           A.    Yeah.  We would have to define our

 2    terms a bit more here.

 3    BY MR. HUGHTO:

 4           Q.    Let's see.  I think you said you

 5    played Beat Saber, right?

 6           A.    I did.

 7           Q.    Could you play Beat Saber with the

 8    Daydream View strapped to your face?

 9           A.    I would be speculating.  Daydream

10    didn't support Beat Saber.

11

12

13

14

15

16

17

18

19

20

21

22
```

11/17/2022 Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 124
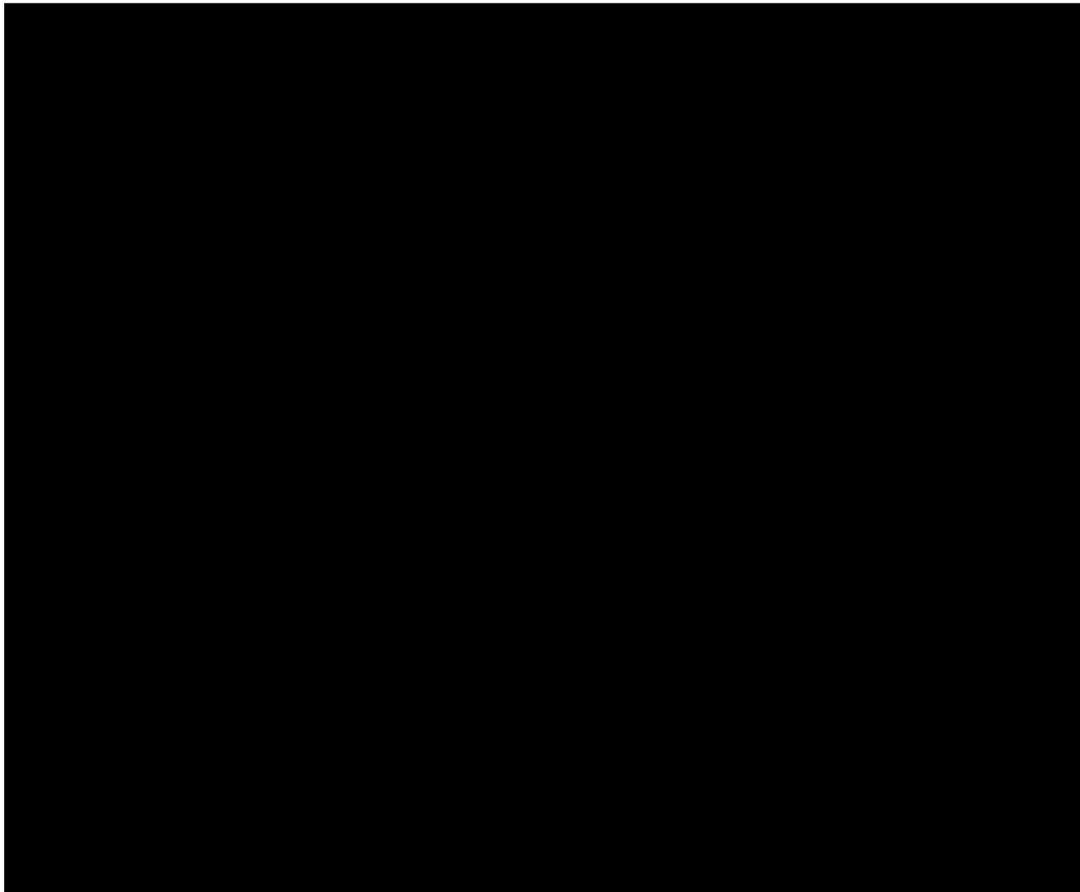
1

2

3

4

5

6   MR. HUGHTO: Let's look at a

7   document that FTC's previously marked as

8   PX0824.

9   MR. MACY: Hey, Sean, before you get

10   into this, do you mind if we take a

11   five-minute quick restroom break?

12   MR. HUGHTO: Sure.

13   MR. MACY: We'll be -- we'll be back

14   in about five to eight?

15   THE TECH: Sorry. It's 2:45 p.m.

16   We're going off the record.

17   (Recess taken.)

18   THE TECH: The time is 2:52 p.m.

19   We're back on the record.

20   MR. HUGHTO: I put up a document.

21   It's been previously marked PX0824.

22   (Whereupon, Exhibit PX0824,

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 132 of 211 * PUBLIC *;

11/17/2022 Federal Trade Commission v. Meta Platforms, Inc., et al Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 125

1 ████████████████████████████

2 ████████████████████████████

3 BY MR. HUGHTO:

4   Q. Please take a look at it and let me

5 know when you've had a chance to review it and we

6 can talk.

7   A. Sorry. I think I'm still waiting

8 for it to become available.

9   THE TECH: No, it's there. You

10 should refresh it.

11   THE WITNESS: Which one is it called

12 again? I'm sorry.

13   THE TECH: PX0824.

14 ████████████████████████████

15 ████████████████████████████

16 ████████████████████████████

17   THE TECH: Let me restart the server

18 in case you're not seeing it on your side.

19 One moment. I hate when it does that. Stand

20 by. Service restarted.

21   Refresh. See if you have it.

22   THE WITNESS: I see it. Give me one

Page 126

```
 1      second to review this.

 2              MR. MACY:  Take your time.

 3              THE WITNESS:  I'm just trying to

 4      make sure it's the right one because I don't

 5      have the title page.

 6              MR. MACY:  Sean, did you say we

 7      talked about this document earlier?

 8              MR. HUGHTO:  No.

 9              MR. MACY:  Oh, okay.  I thought I

10      heard you say that.  Okay.  Well, we got it

11      up.

12              Go ahead.  Take your time.

13              THE WITNESS:  Yeah.  I'm ready.

14   BY MR. HUGHTO:

15      Q.    Okay.  Do you recognize this

16   document?

17      A.    I do.

18      Q.    What is it?

19      ██████████████████████████████████████

20   ████████████

21      Q.    Okay.  And what is the YouTube VR

22   product?
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 127

```
 1          A.    YouTube VR is a mode, as it were, of

 2    YouTube which can be used to -- in a

 3    three-dimensional immersive product.  It can be

 4    accessed either through an app or through YouTube

 5    itself.
```
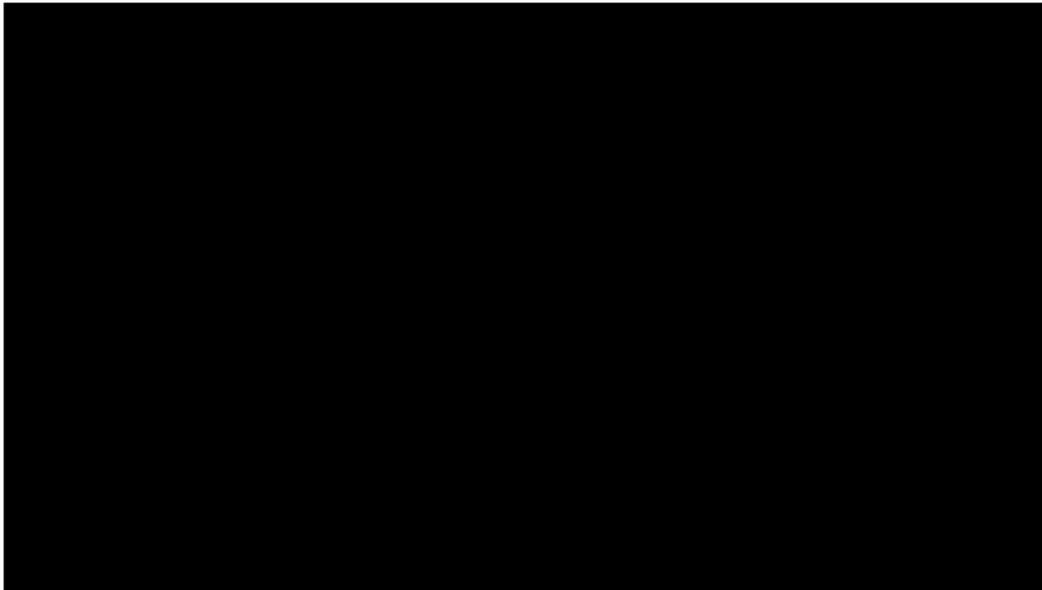


```
14                Do you see that?

15          A.    I do.

16          Q.    Well, let me ask first:  What's --

17    did you work on this deck?  Were you one of the

18    collaborators on this deck?

19          A.    I was not.

20          Q.    Okay.  Do you understand what this

21    slide is about?

22          A.    I do.
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 128

1   Q.   Okay.   What's it about?

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20   MR. HARTMAN: Objection.

21

22

Page 129

1

2

3

4

5

6

7

8

9

10   Do you see that?

11   A.   I do.

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 130

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

```
 1
 2
 3
 4
 5
```
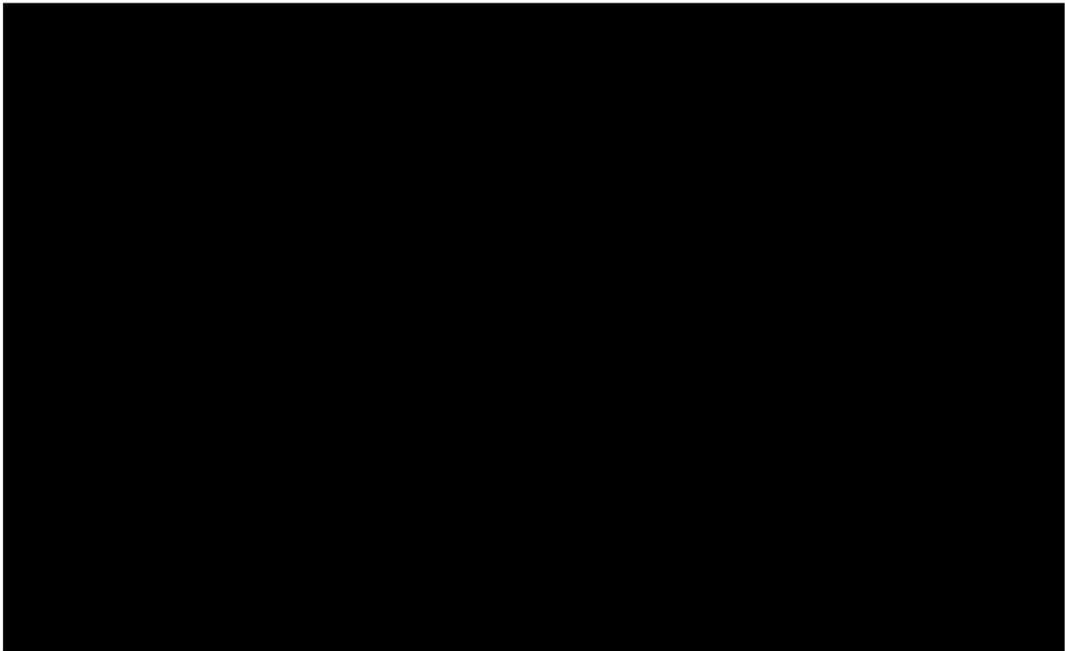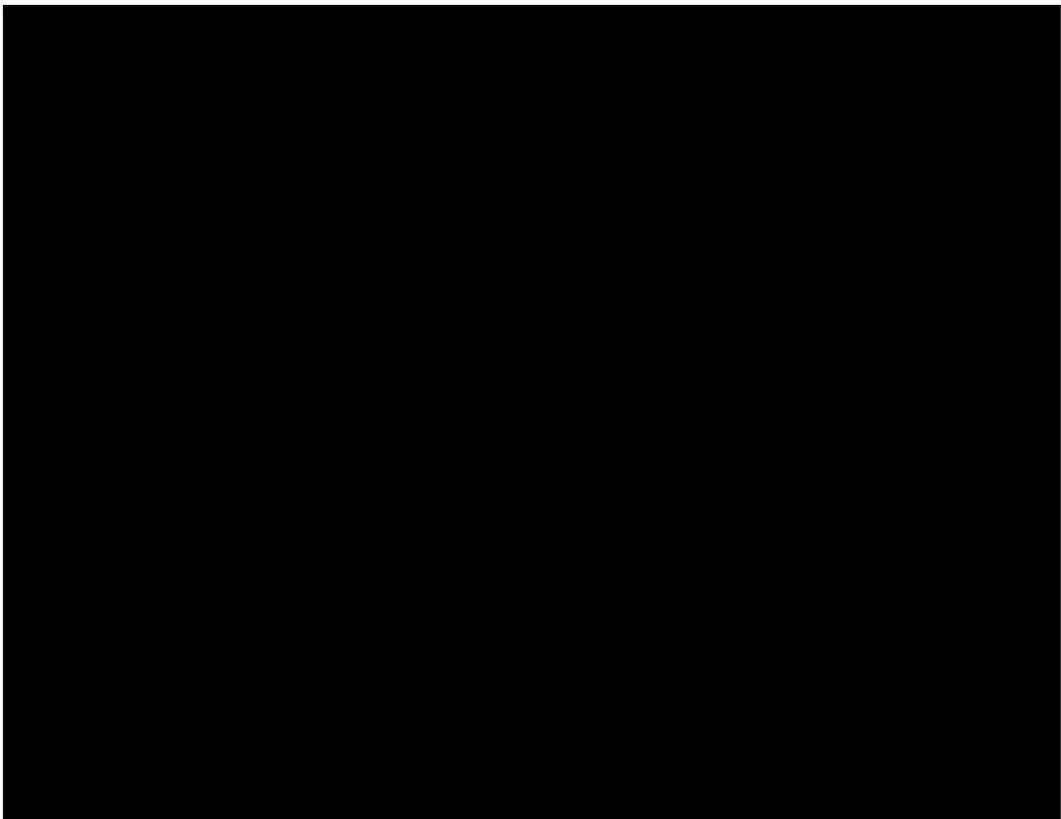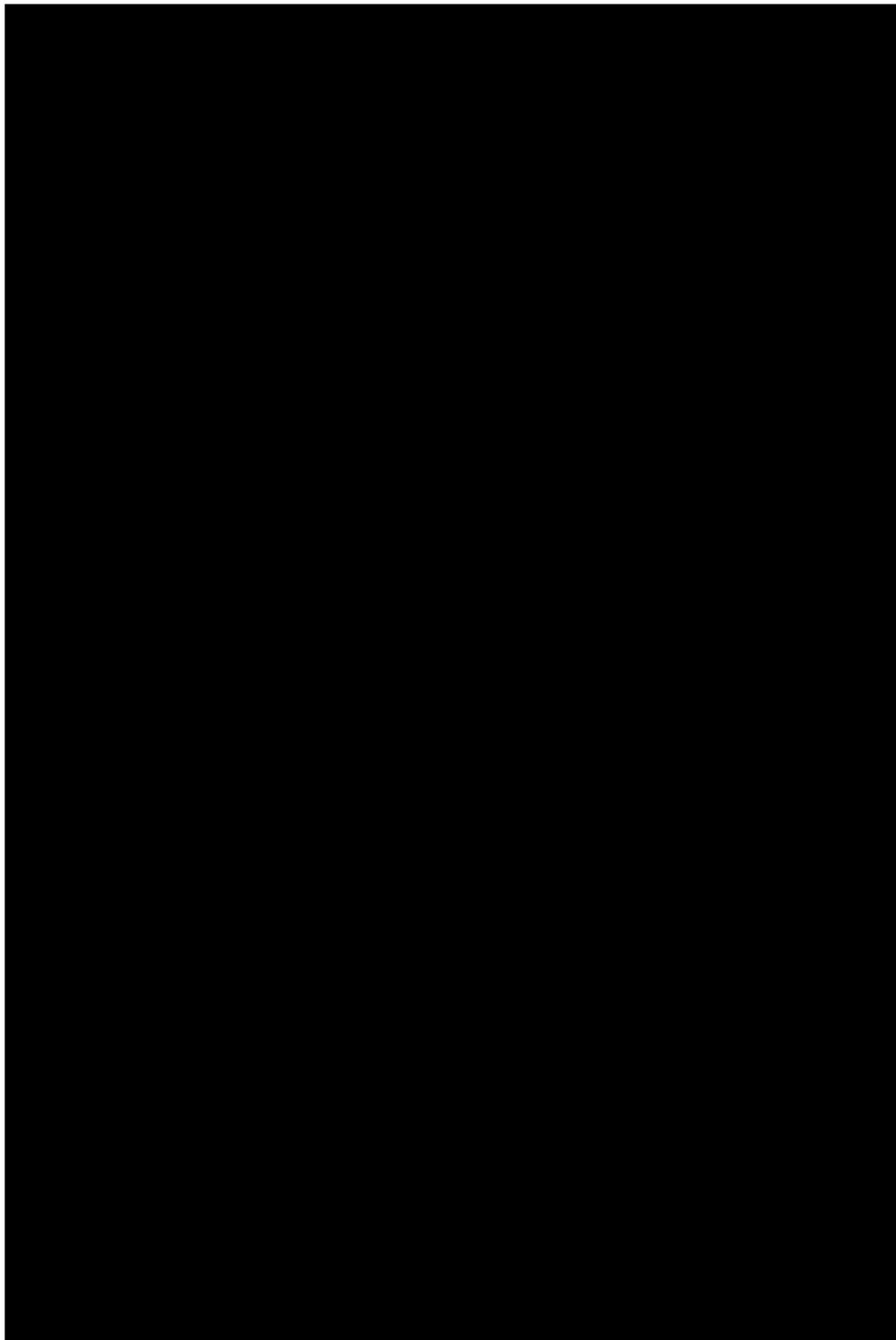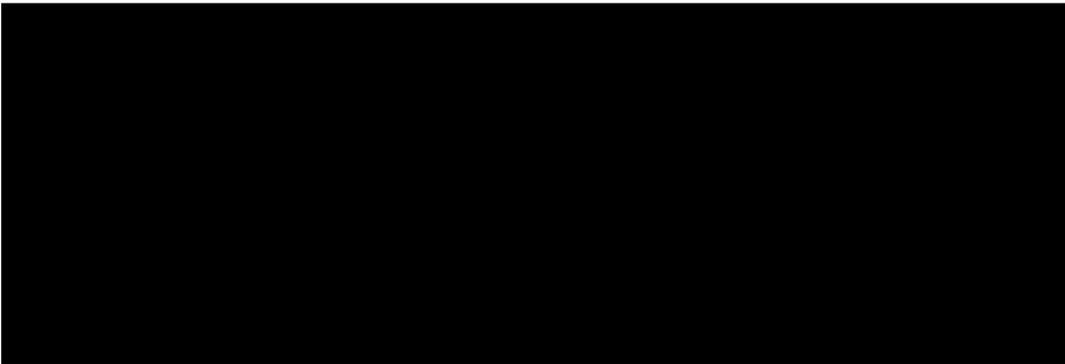
```
 6          Q.     What other form factors have
 7     immersive video?
 8          A.     There are videos that YouTube VR
 9     streams that are referred to as 360 videos, and
10     those videos are able to be viewed on any device,
11     including laptops and phones.
12          Q.     I thought -- so if I'm looking at
13     something that has 360 perception on my phone, am
14     I immersed in the scene?
15          A.     It -- what I can comment on is, is
16     that the video that in this case that's being
17     projected to the screen gives the ability the
18     user -- sorry -- gives the user the ability to,
19     in a case of a phone, scroll around that video
20     and look around in 360 degrees.  And so in this
21     sense, the video could be considered immersive if
22     we want to use the definition of being surrounded
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 139 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 134

1   THE WITNESS: And I'm sorry. Oh, I

2   see now. Yep, I'm there. Give me just one

3   second to read this one.

4   MR. HUGHTO: Sure.

5   THE WITNESS: Okay. I'm ready.

6   BY MR. HUGHTO:

7   Q.   What -- what is this slide about?

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 140 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 135

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 141 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 136

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 137

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 143 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 138


```
 9              Do you need a chance to take a look

10      at this slide?

11          A.    I do.  I first need to find the

12      slide.  I'm going to try to reload this.  Some of

13      the slides aren't loading for me.  I'm not sure

14      if we are having another tech problem, but

15      there's slides missing.  Sorry.  What -- what

16      page was this again?

17          Q.    Can you see it on your screen?  I

18      can tell you what it is.  I'm sorry.  I didn't

19      mean to not answer.  I'm just trying to suggest

20      another option.

21              MR. MACY:  We're looking at it as

22          the actual document so it's a fuller picture.
```

Page 139

```
 1                    MR. HUGHTO:  Okay.  It's

 2        ALPH-0000747.

 3                    THE TECH:  The 11th page of the

 4        document.

 5                    THE WITNESS:  Wait.  747, this is

 6        760.

 7                    MR. MACY:  Hold on.

 8                    MR. HUGHTO:  I mean, if it helps,

 9        it's the same document we're looking at.

10        It's just two pages further.

11                    THE WITNESS:  Got it.  Yeah, it

12        loaded now.

13                    MR. HUGHTO:  Okay.

14                    THE WITNESS:  And give me one moment

15        to review this one.

16                    Okay.  I'm ready.

17        BY MR. HUGHTO:

18            Q.    Okay.  What do you understand this

19        slide to be about?

20

21

22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 140

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 141
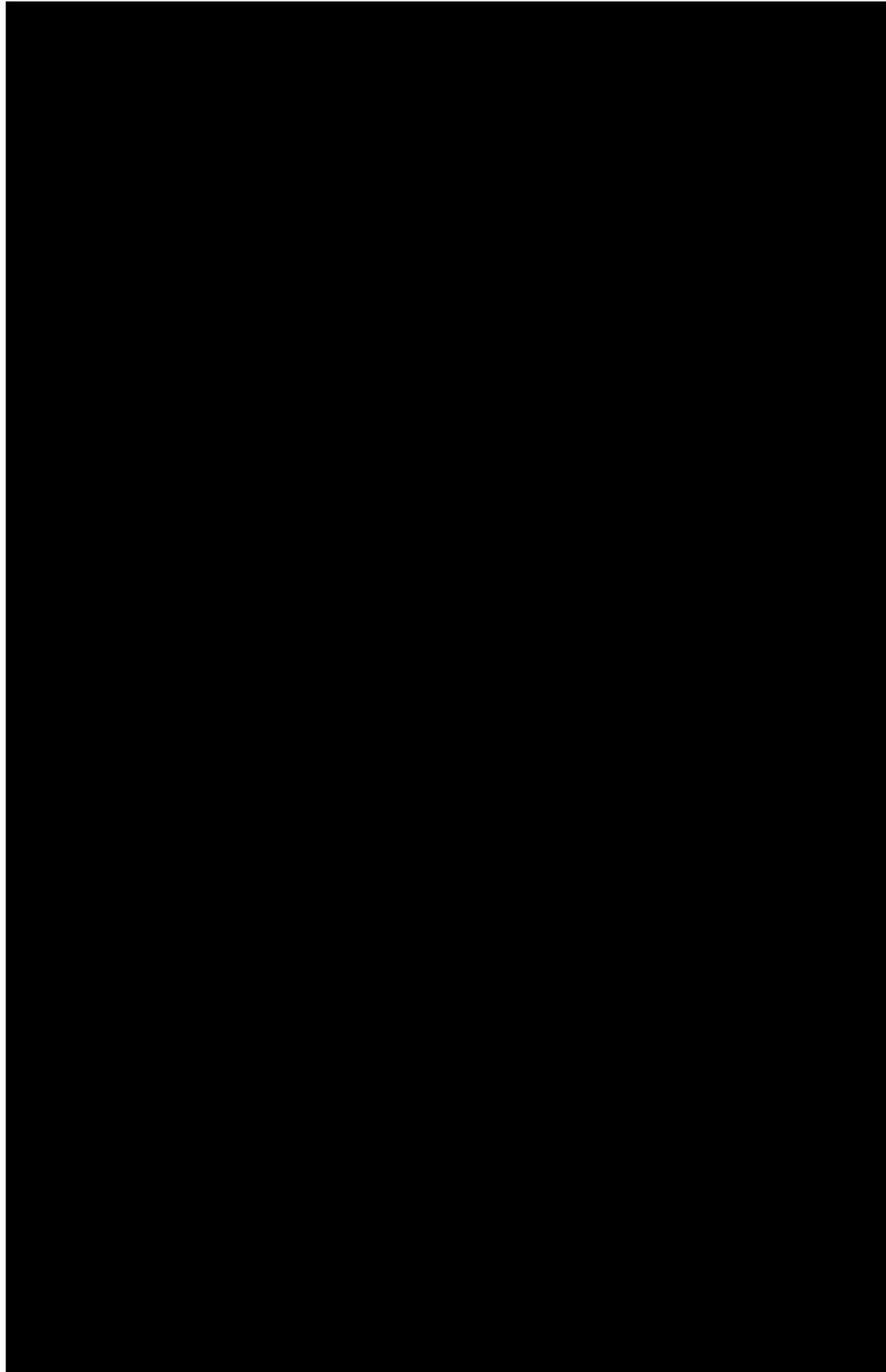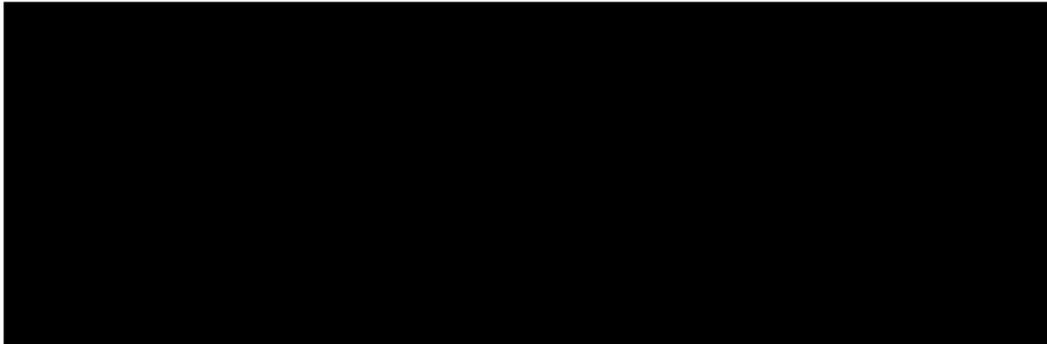
```
 1  ██████████████████████████████████████

 2  ██████████████████████████████████████

 3  ██████████████████████████████████████

 4  ██████████████████████████████████████

 5  ██████████████████████████████████████

 6              MR. HUGHTO:  Okay.  All right.

 7       Let's look at another document.  This one's

 8       been previously marked as PX0827.  It's Bates

 9       number ending 194.

10  ██████████████████████████████████████

11  ██████████████████████████████████████

12  ██████████████████████████████████████

13  BY MR. HUGHTO:

14       Q.   Tell me when you've had a chance to

15  look at it.

16              THE WITNESS:  It's loading some of

17       the slides.

18              MR. MACY:  Take your time.  It's

19       still loading some of the slides.

20              MR. HUGHTO:  That's fine.  For what

21       it's worth, I think this may be the same as

22       Meta 30, but I don't want to assume that, so.
```
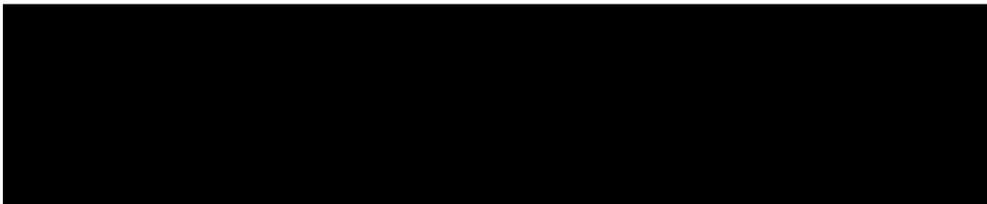
PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 147 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                            Highly Confidential - Under the Protective Order

                                                                   Page 142

 1   THE WITNESS: I don't think it's

 2   going to load.

 3   THE TECH: For what it's worth, the

 4   Bates numbers match up from Meta 30.

 5   THE WITNESS: Try this one. Let me

 6   see if that works. Yeah, this one I believe

 7   is loading.

 8   Okay. I have this doc opened up and

 9   I'm ready.

10   BY MR. HUGHTO:

11   Q.   Okay. So do you agree it's the

12   same? It's Meta 30 which you looked at earlier?

13   A.   I do.

14   Q.   Okay. Let's go to Bates ending 202,

15   which is the ninth page of this document. I

16   think Mr. Hartman might have asked you about this

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 148 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

                                                            Page 143
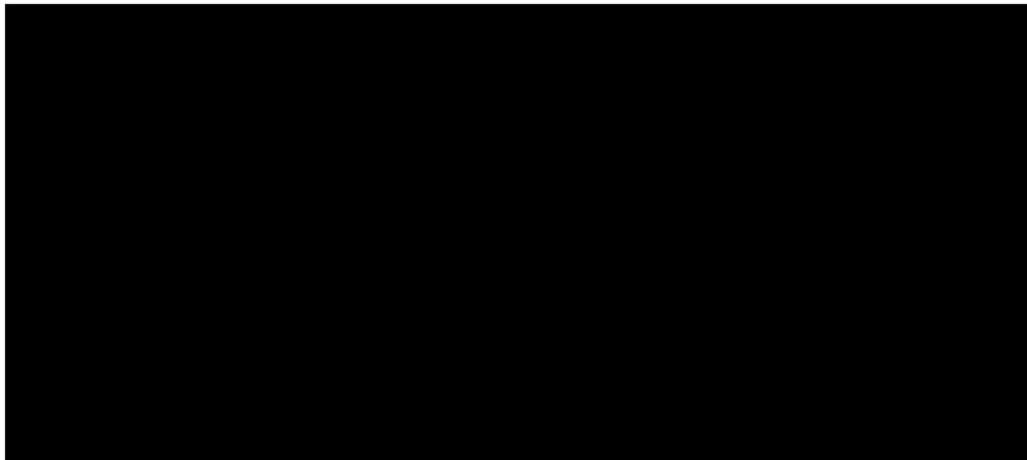
1   Can you tell me what that's about?

2   A.   Yes.

3   Q.   Please do.

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 149 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 144
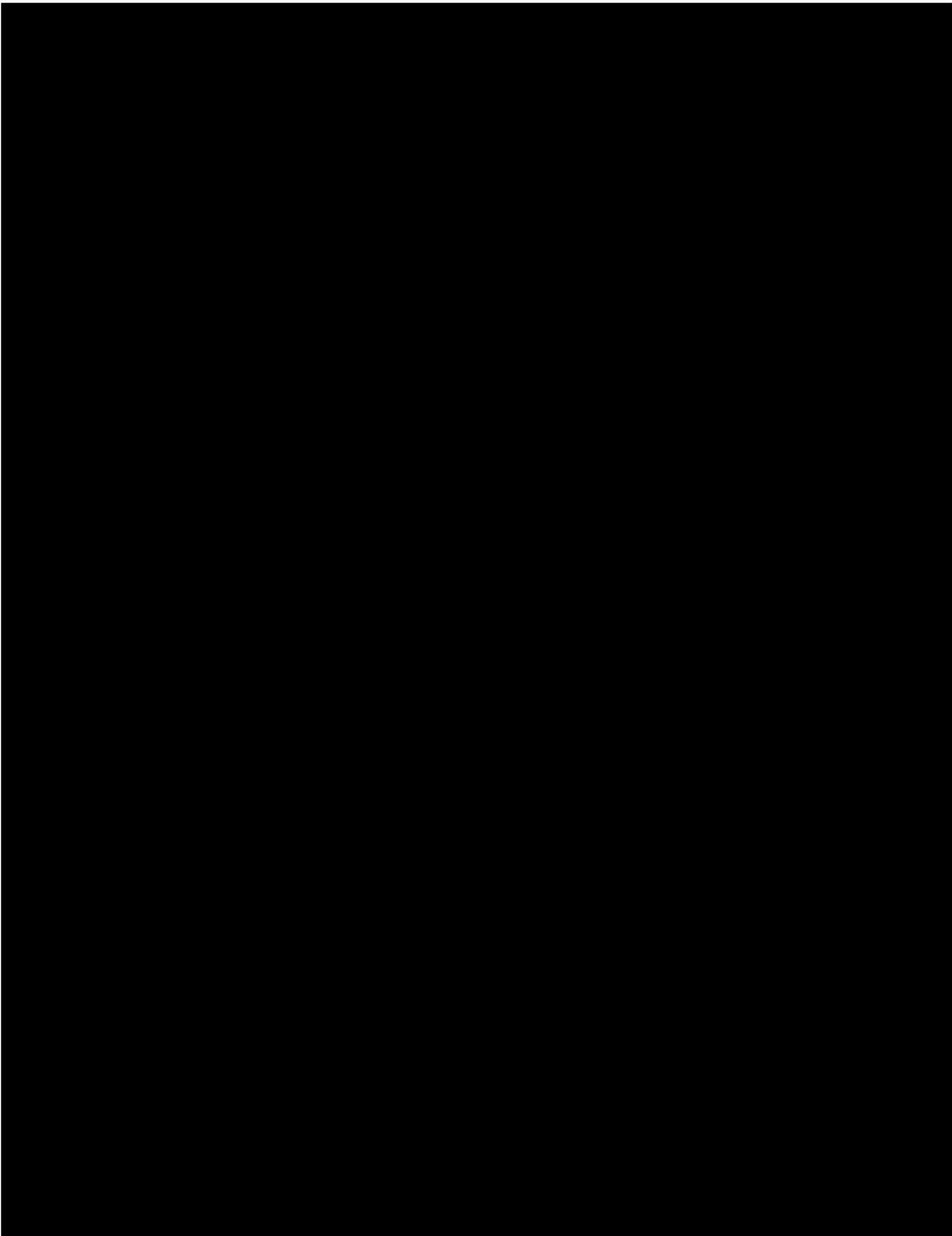
1

2

3

4

5

6

7

8
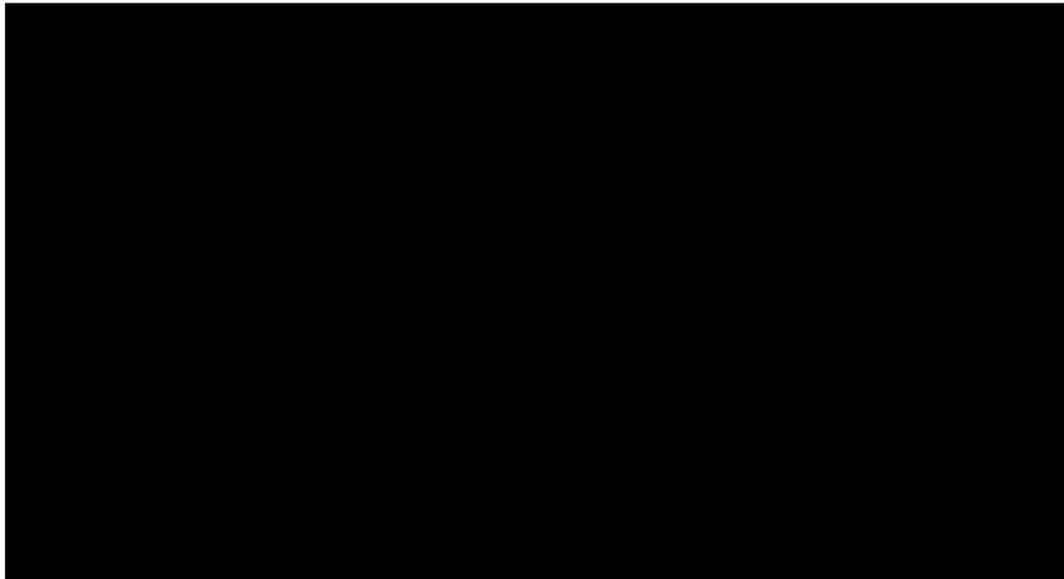
9   Q.   Thank you.

10   MR. HUGHTO: Let's look at another

11   document now.   Again, I've marked it PX0828,

12   but I believe it's the same as Meta 31, which

13   starts Bates ending 240 and concludes Bates

14   ending 258.

15

16

17

18   THE WITNESS: Yes, I see this.

19   BY MR. HUGHTO:

20   Q.   Okay. So you -- I think this is the

21   second time you've seen this today, right?

22   A.   It is.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 145

```
 1          Q.    Okay.  What -- I don't know if

 2    Mr. Hartman asked you this, but when is this

 3    from?

 4          A.    Give me one second to read one piece

 5    of this.

 6

 7

 8

 9

10

11          Q.    Okay.  And do you -- well, let me

12    try to help.

13

14

15

16

17

18

19

20

21

22
```
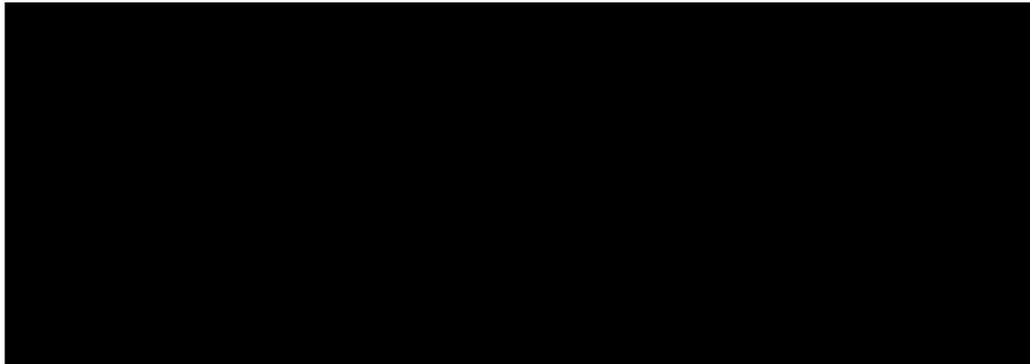
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 146

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 147
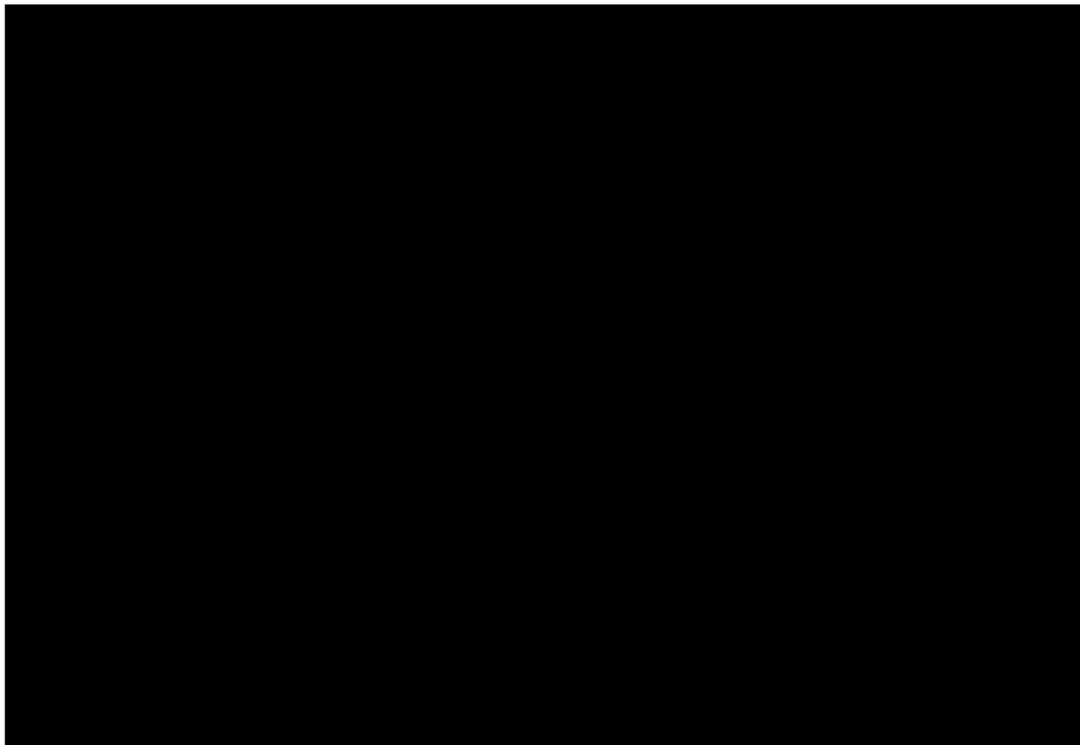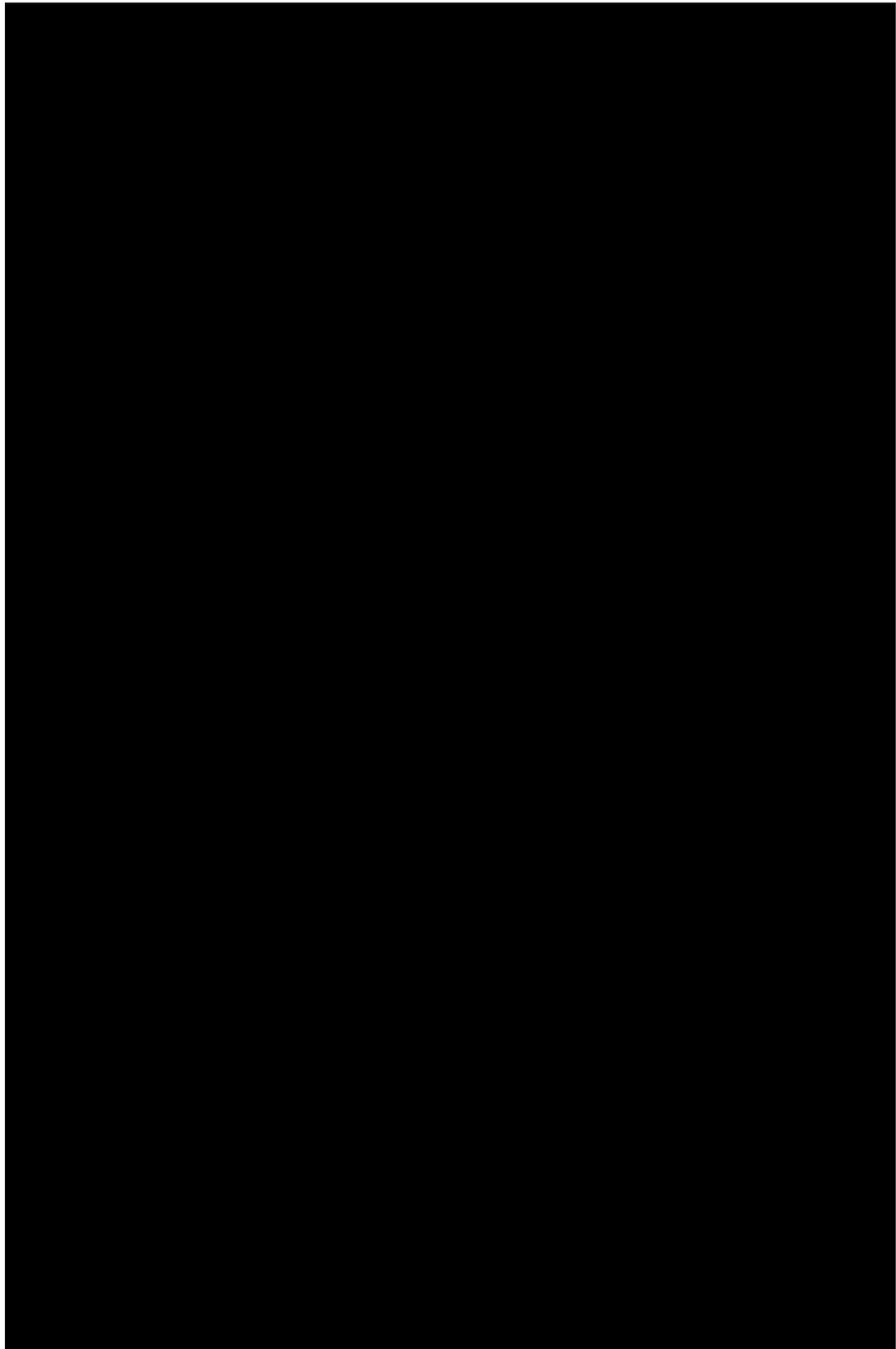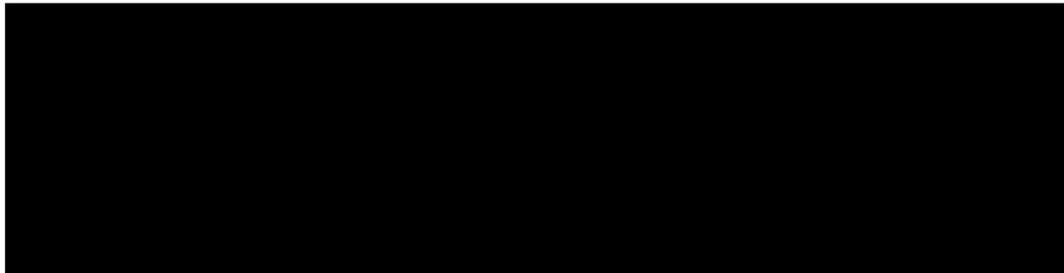
```
 1

 2

 3

 4

 5        Q.    Let's go to the third page of this

 6   document where it's Bates ending 242.

 7              Do you see this?

 8        A.    I do.

 9

10

11              Do you see that?

12        A.    Yes, I see that.

13

14

15

16              Do you see that?

17        A.    I do.

18        Q.    What does that mean?

19

20

21

22
```
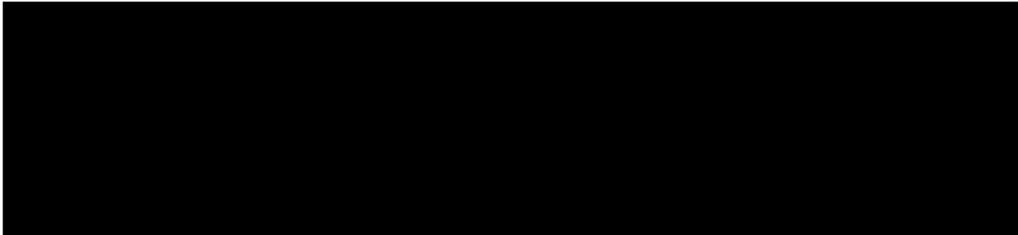
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 148

1

2

3

4

5

6

7

8

9

10

11
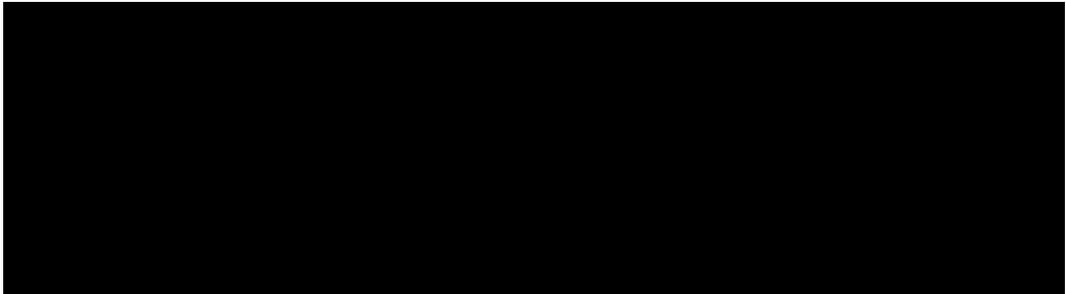
12   Q.   Thank you.

13   Let's move ahead to the sixth page

14   of this document, which ends Bates 245.
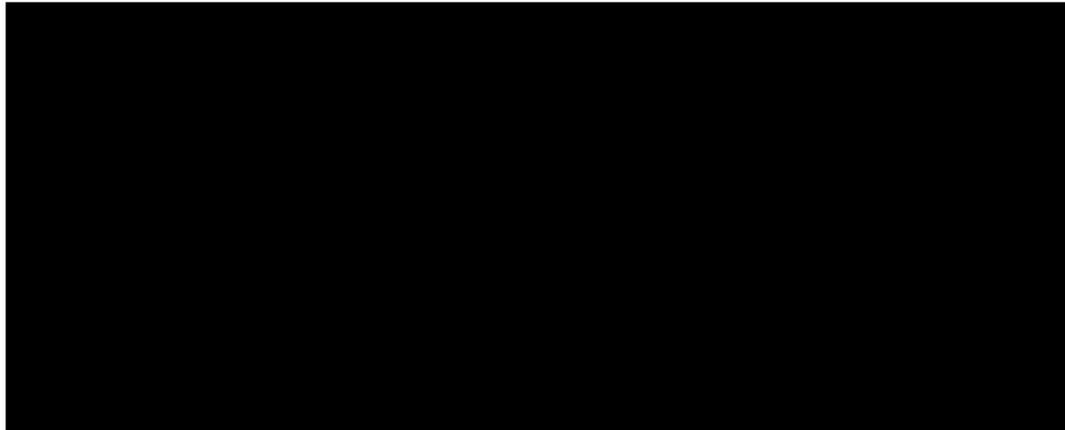
15   Do you see this?

16   A.   I do.

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 149

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 150
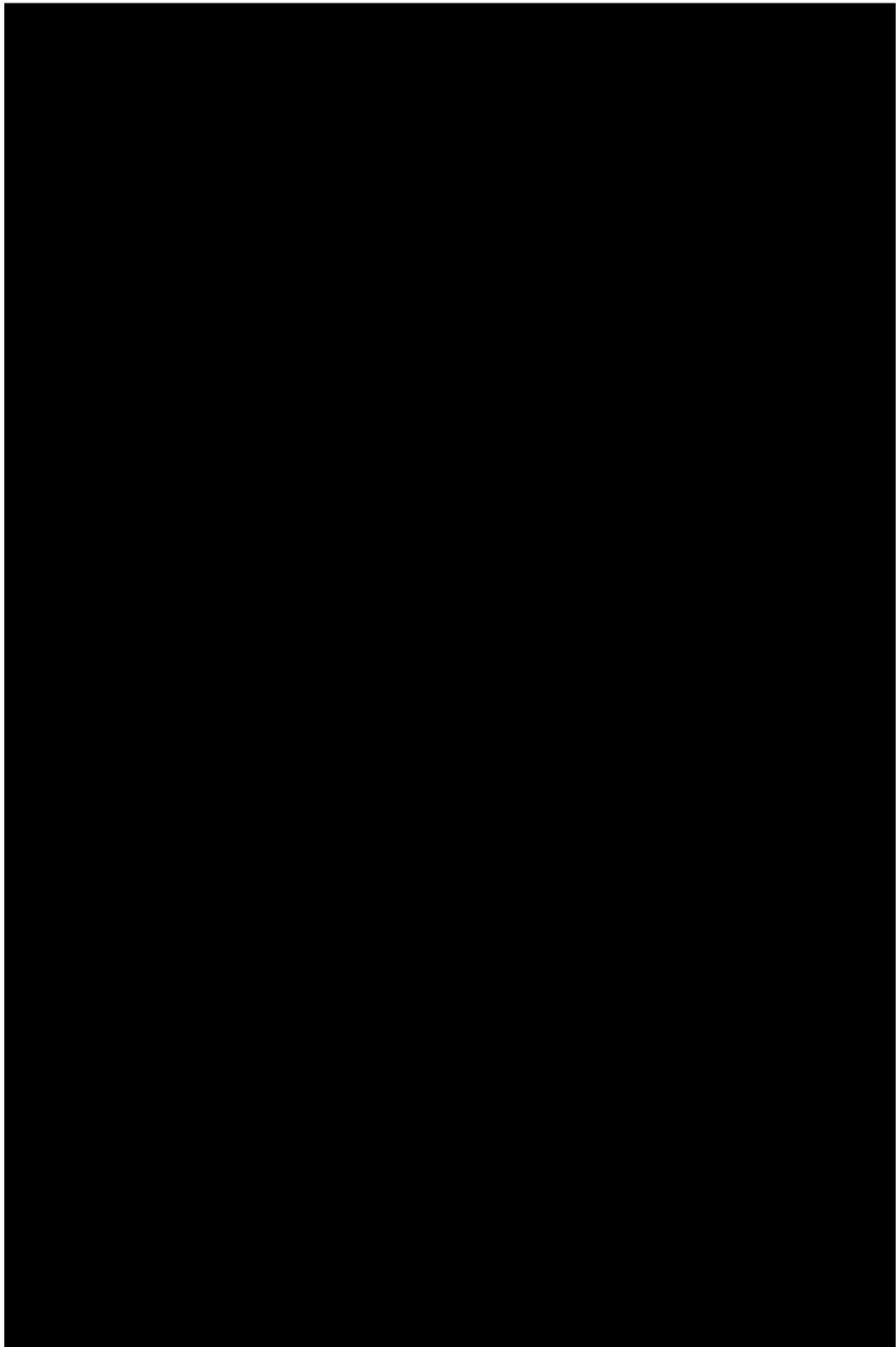
```
 1

 2

 3

 4

 5

 6

 7

 8

 9

10

11          Q.    Let's go to the 16th page of this

12     document, which ends -- Bates ending 255.

13

14

15

16

17                Do you see that?

18          A.    Yeah, I do.

19

20

21

22
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 156 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 151

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 157 of 211 * PUBLIC *;
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 152

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 153

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21   Q.   And let's go ahead a couple of more

22   pages to the 18th page of this document, which is

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 159 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 154

```
 1     Bates ending 257.

 2               Do you see this slide?

 3          A.   Yeah, I'll just review it for one

 4     moment.

 5          Q.   Sure.

 6          A.   Okay.

 7          Q.   Okay.  So this is a slide that's
```

 8
 9
10

```
11               Do you see that?

12          A.   I do.

13          Q.   Okay.  And then there is a series

14     of, I guess -- well, you tell me.  What -- how do

15     you understand this slide?
```

16
17
18
19
20
21
22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 155

1   Do you see that?

2   A.   I do.

3

4

5

6

7

8

9

10

11

12
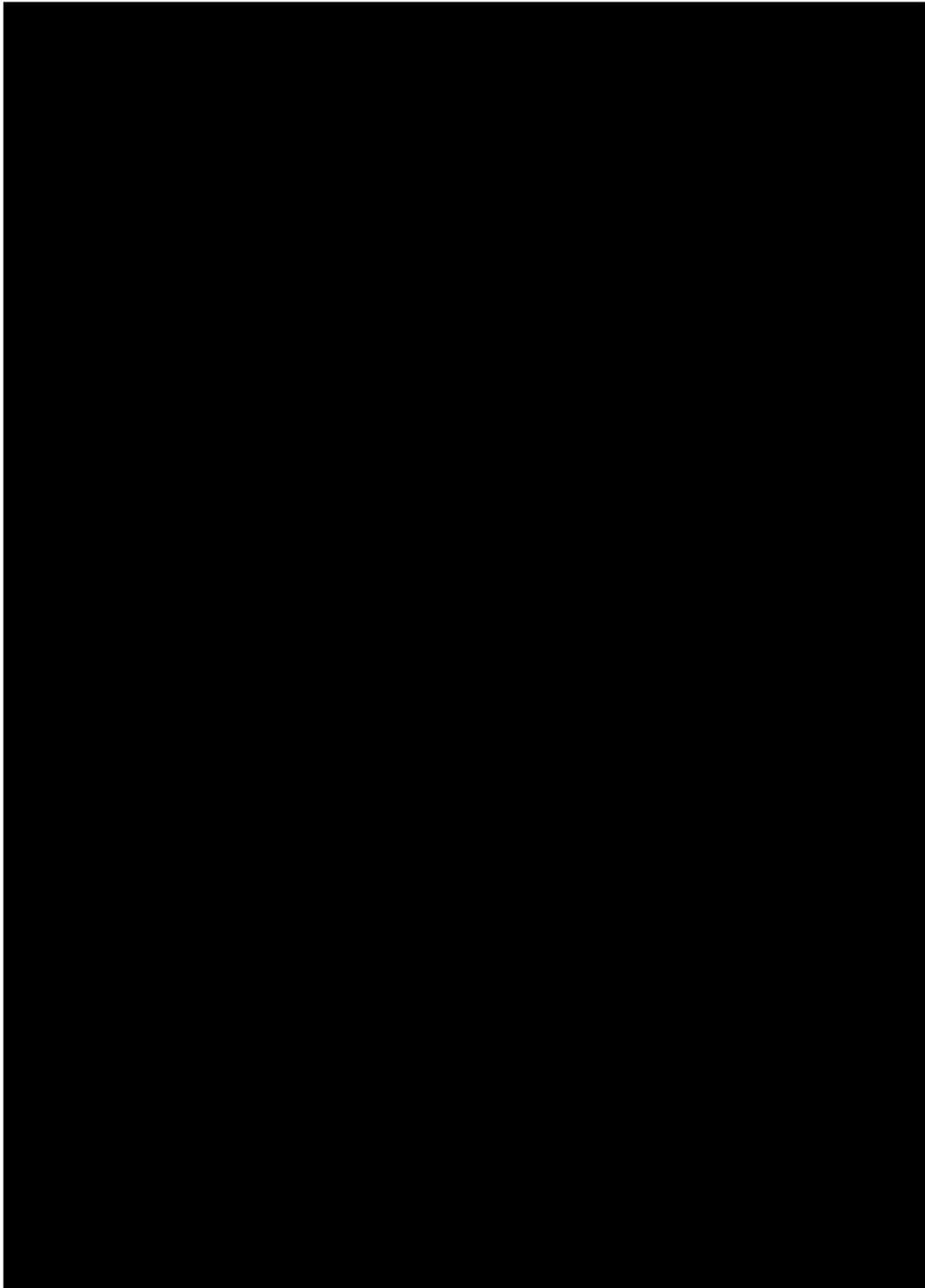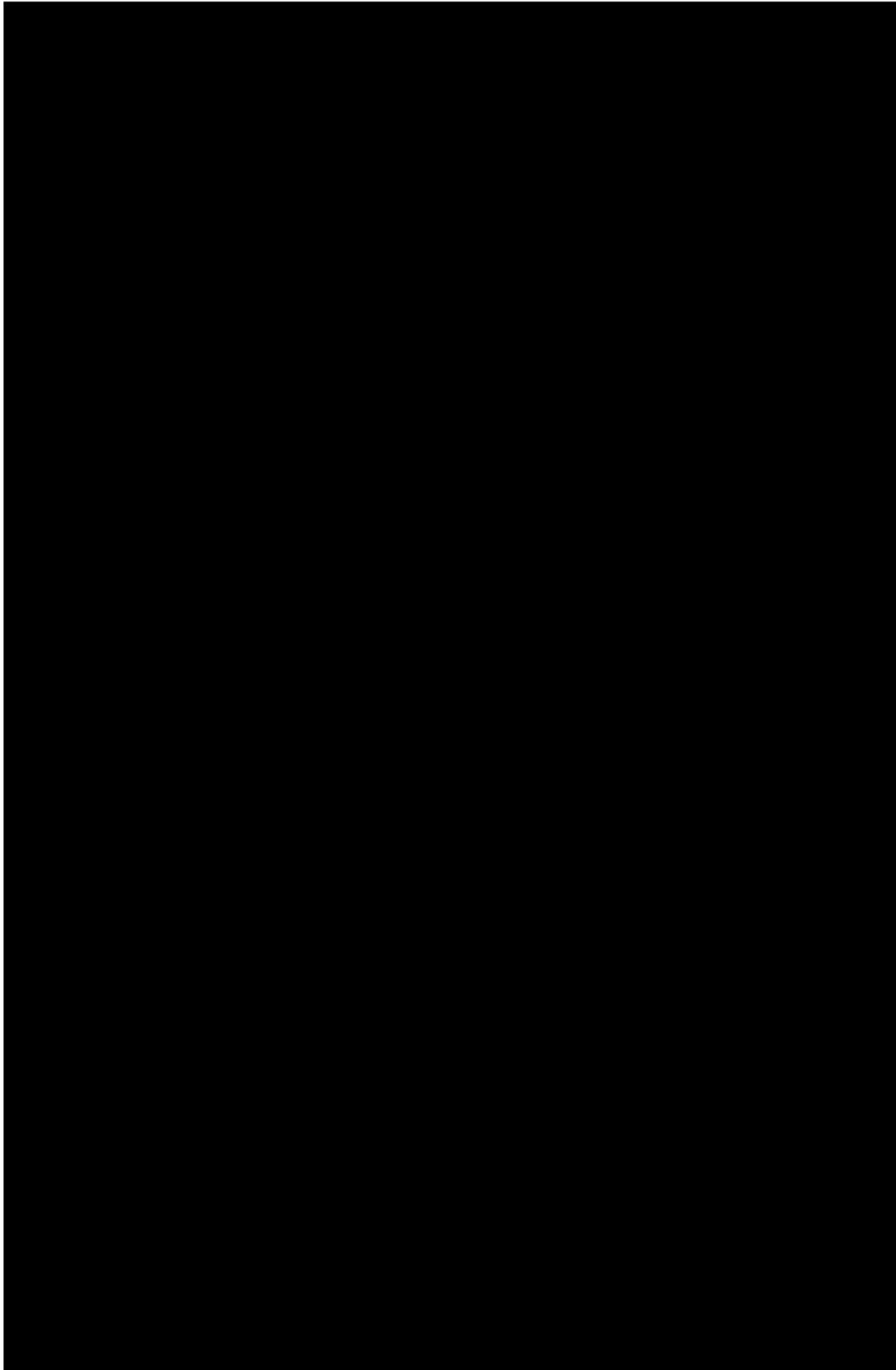
13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 156

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)

Highly Confidential - Under the Protective Order

Page 157

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 158
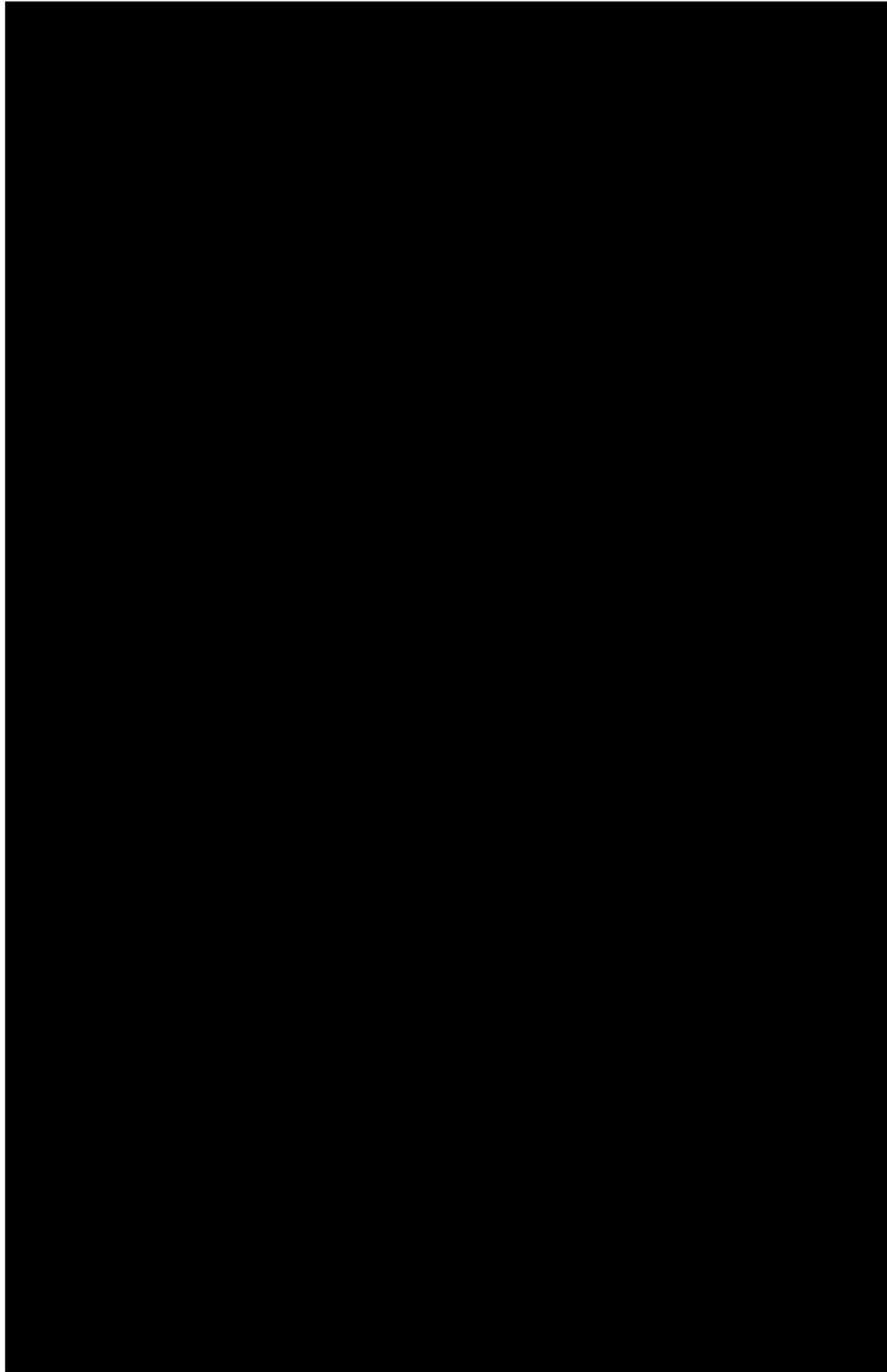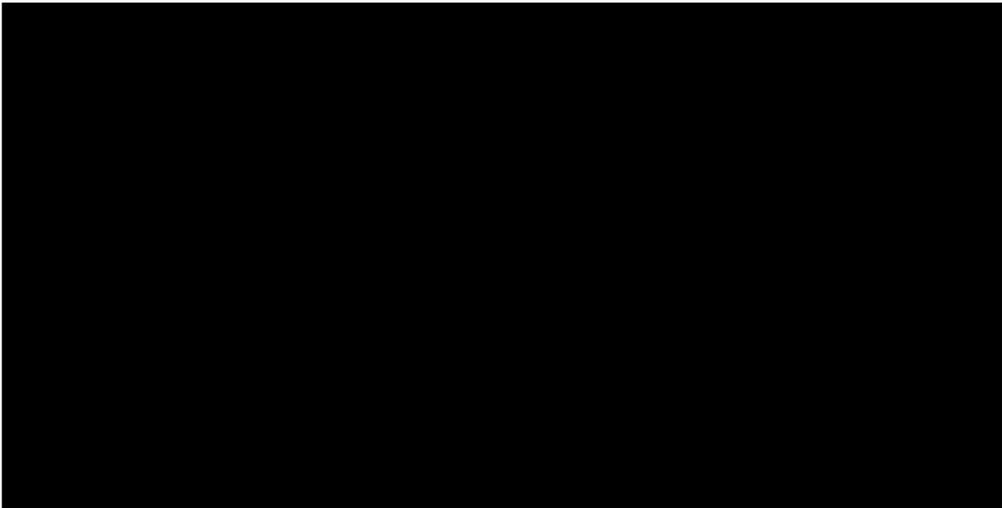
```
 1
 2
 3
 4
 5
 6
 7
 8          Q.    Let's look a document previously
 9    marked PX0882.
10               MR. MACY:  Are you doing all right?
11    Do you want to take a quick break?
12               Sean, can we take just a quick
13    break?
14               MR. HUGHTO:  This will be quick.  Do
15    you want to just talk about this document
16    first, or do you really need to stop?
17               MR. MACY:  Well, I wouldn't mind
18    taking a five-minute break.
19               MR. HUGHTO:  Okay.  Let's do it.
20               MR. MACY:  Okay.  Thank you.
21               THE TECH:  The time is 3:39 p.m.
22               We're going off the record.
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                              Highly Confidential - Under the Protective Order

Page 159

```
 1                    (Recess taken.)

 2                    THE TECH:  The time is 3:47 p.m.

 3               We're back on the record.

 4                    MR. HUGHTO:  I put up a document

 5          marked PX0822 ending in Bates 264.

 6    ████████████████████████████████████████

 7    ████████████████████████████████████████

 8    ████████████████████████████████████████

 9    BY MR. HUGHTO:

10          Q.    Please take a look at it.  Let me

11     know when you're ready to talk about it.

12                    MR. MACY:  The entire document is

13          not loading for us.  Let's try it again.

14                    THE WITNESS:  Should I try

15          downloading it?  Just give me a second.

16          Okay.  Good.

17                    MR. HUGHTO:  Great.

18                    THE WITNESS:  Give me one second

19          with this.

20          A.    Okay.  I'm ready.

21     BY MR. HUGHTO:

22          Q.    Great.
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 165 of 211 * PUBLIC *;

Page 160

1   Do you recognize this document?

2   A.   I do.

3   Q.   What is it?

4

5

6

7

8

9

10   Do you see that?

11   A.   I do.

12

13

14

15

16

17

18

19

20   Q.   Do you know when this document is

21   from?

22   A.   No.

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 161

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 162

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 163

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 169 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 164

 1

 2

 3

 4

 5

 6

 7

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21

22   MR. HUGHTO: Let's look a document

Page 165

```
 1         I've previous marked as PX0823, which is the

 2         same I believe as Meta 32, but once again,

 3         not sure how they prepared their exhibits but

 4         I think it's identical.
```

 5

 6

 7

```
 8   BY MR. HUGHTO:

 9         Q.    Do you need time to look at this one

10   or do you want to --

11               THE TECH:  It's the same as 32.

12     It's the same as Exhibit 32.

13               THE WITNESS:  Yeah, I agree with

14     that, and I'm ready to talk about this one.

15   BY MR. HUGHTO:
```
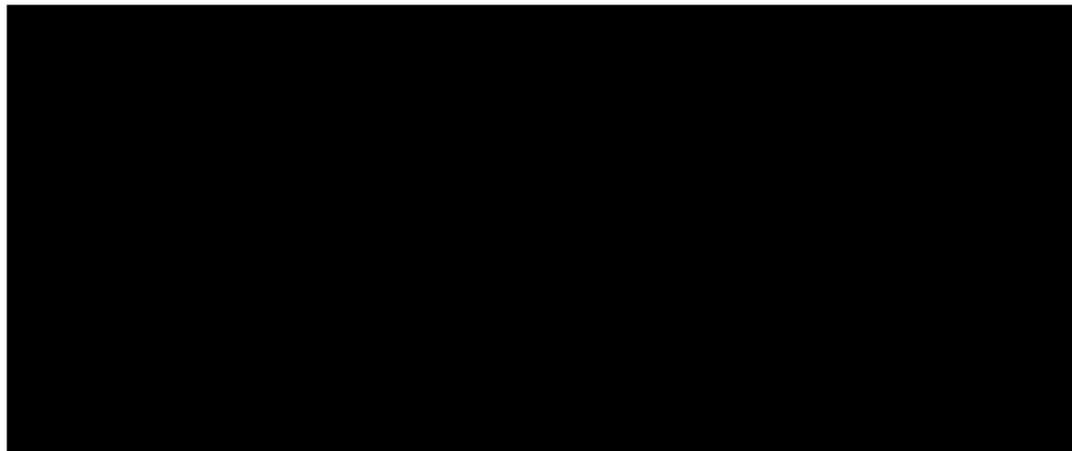
16

17

18

19

20

21

```
22         A.    That is correct.
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 166

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order
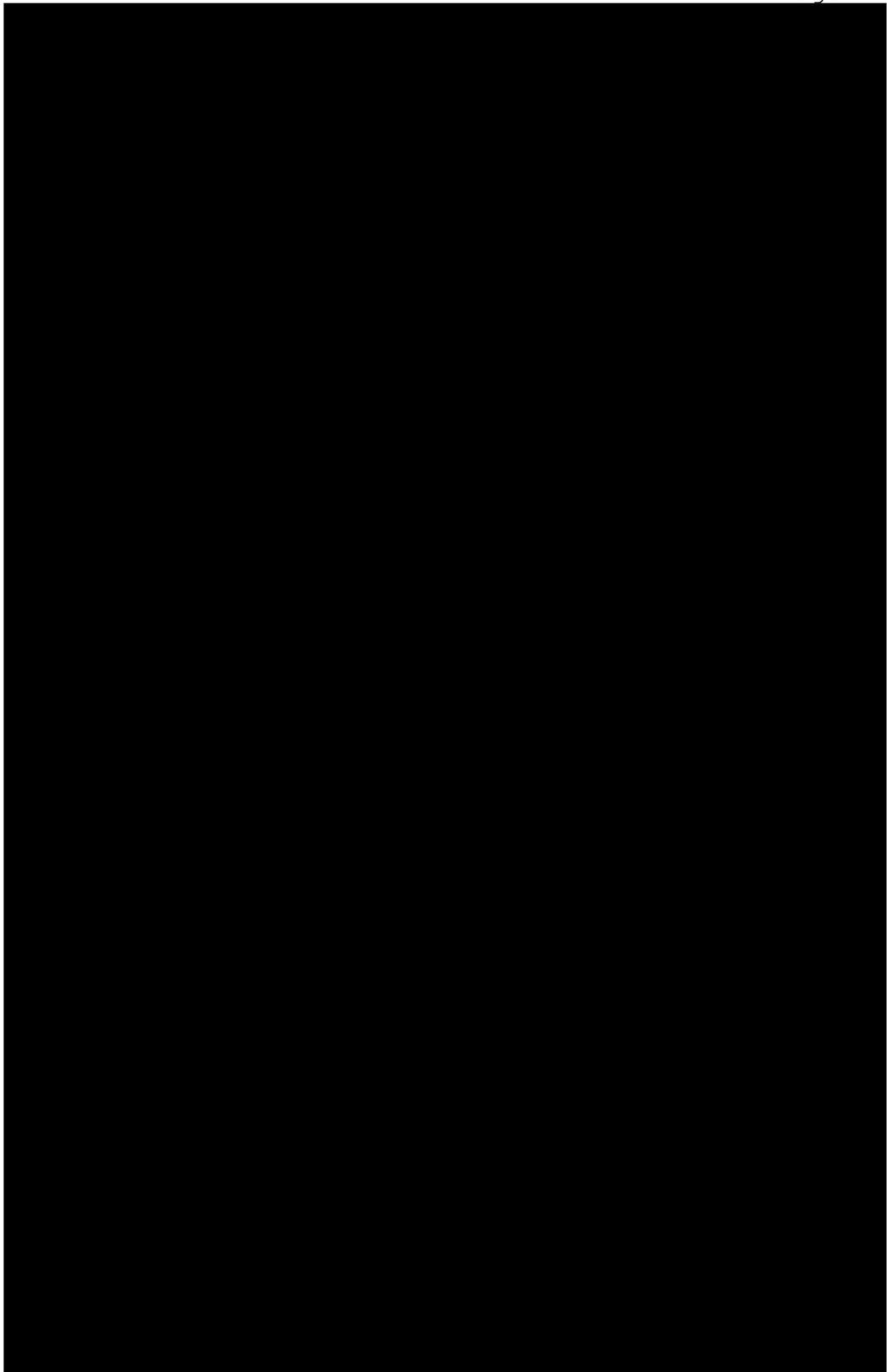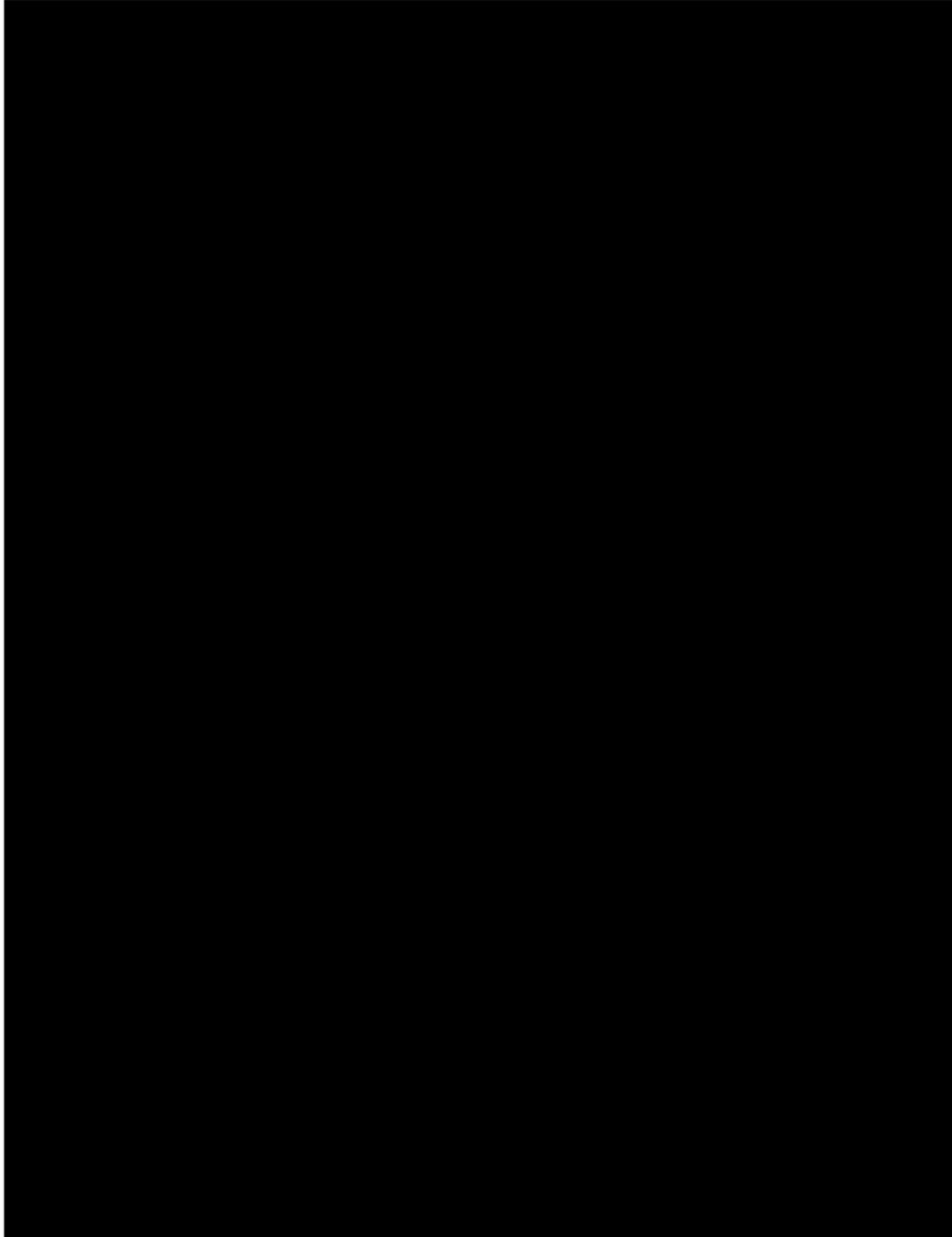
Page 167

20   Do you remember saying that a moment

21   ago?

22   A.   Yes, I said something to that

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 168

1   effect.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 169

```
 1          Q.    Okay.  Let me -- I apologize.  I'd

 2     like to go back to PX0827, which was Meta 30.  I

 3     realize I neglected to ask a question about that

 4     one.

 5          A.    Okay.  I have this open.

 6          Q.    Great.

 7                I wanted to look at -- let's see.

 8     It's page -- the 18th page of this document,

 9     which is Bates -- ends Bates 211.

10          A.    I see it.

11          Q.    Okay.  Do you know why this slide

12     was included with ███████████████████████

13          A.    Yeah.  Give me one moment to review

14     the document.

15                Okay.  I've reviewed it.  I actually

16     do not know the specific purpose of including

17     this in this document.

18                MR. HUGHTO:  Okay.  Okay.  Subject

19          to Mr. Hartman having any more questions that

20          I need to follow up on, I think that's all I

21          have.

22                MR. HARTMAN:  Sorry.  If you don't
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 175 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 170

```
 1      mind, I have a very, very small number of

 2      questions.

 3               If we can go back to -- I apologize.

 4      I don't have the PX number in front of me,

 5      but the ███████████████████████

 6               THE TECH:  I might need a little

 7      assistance on that one, Counsel.

 8               MR. HUGHTO:  PX0824.

 9               MR. HARTMAN:  And if we can just

10      turn to Page 739.

11               (Tech complies.)

12      EXAMINATION

13      BY MR. HARTMAN:

14          Q.    There's a sentence underneath this

15      ████████████████████████████████████████

16      ████████████████████████████████████████

17      ████████████████████████████████████████

18               Can you tell me what that means?

19          A.    Yes, one moment, please.

20          Q.    Sure.

21          A.    Okay.

22          Q.    Would you like me to repeat the
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 171

```
 1    question?

 2          A.    No.   Okay.   Yeah, I'm ready.

 3

 4

 5

 6

 7

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21                MR. HARTMAN:   Okay.   Now if we can

22    just turn one page over -- thank you -- to
```
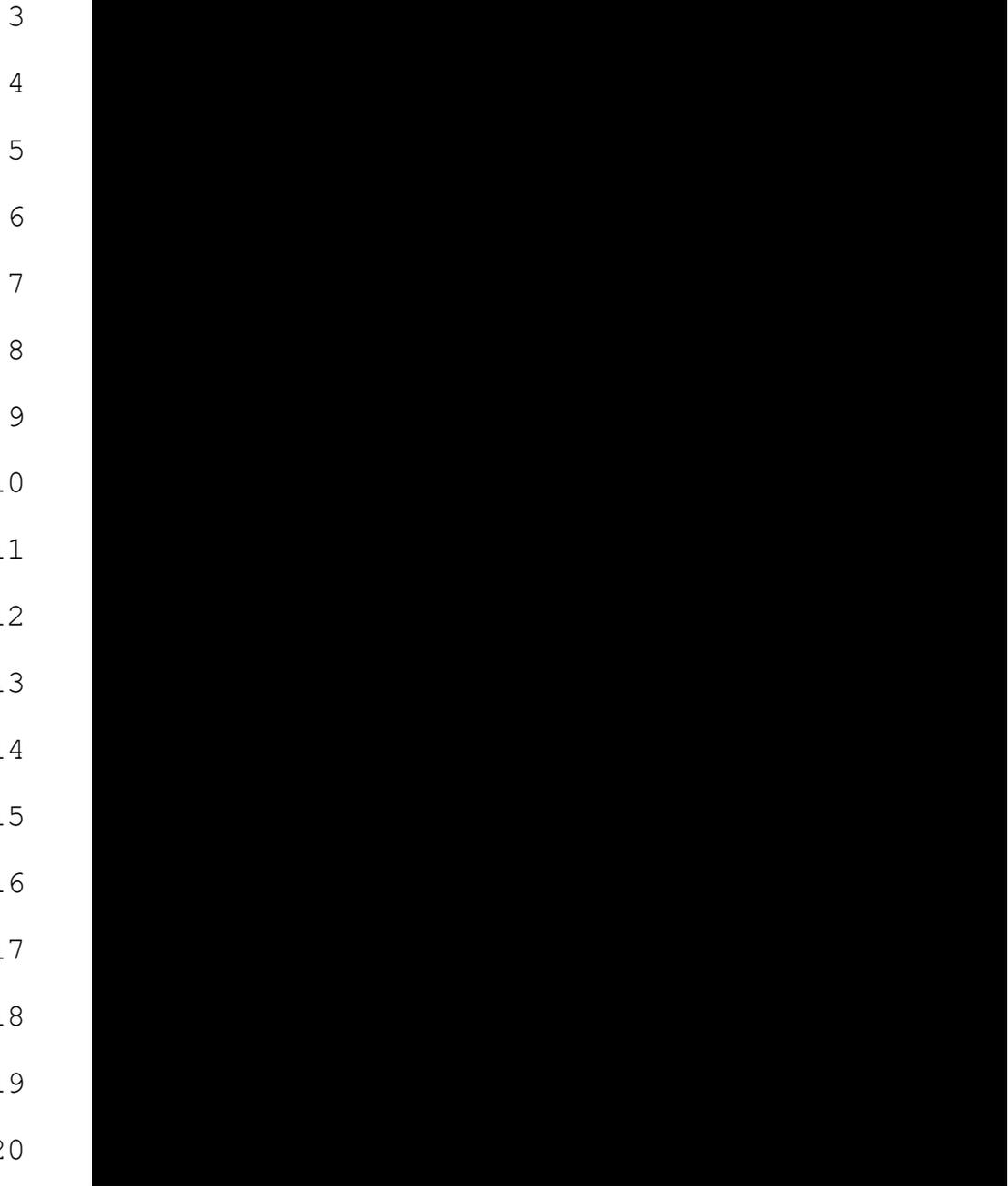
11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 172

```
 1        the Bates ending in 740.

 2                  (Tech complies.)

 3     BY MR. HARTMAN:

 4          Q.    What is this intending to convey,

 5     Mr. Payne?

 6

 7

 8

 9

10

11

12

13

14

15

16

17

18

19

20

21

22
```

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                        Highly Confidential - Under the Protective Order

Page 173

1

2

3

4

5

6

7

8

9

10

11
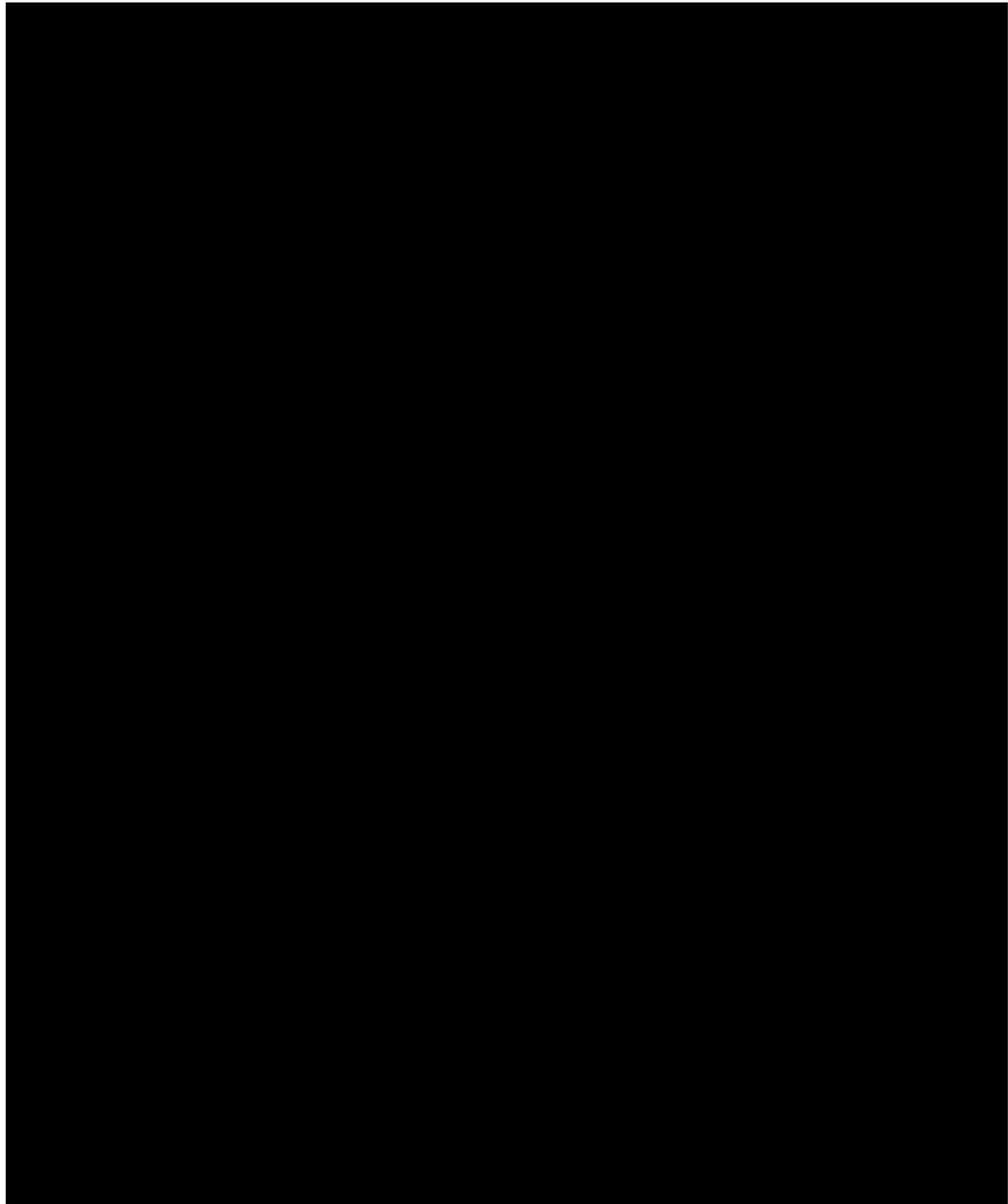
12   MR. HARTMAN: And we can take this

13   document down, Daniel. Thank you.
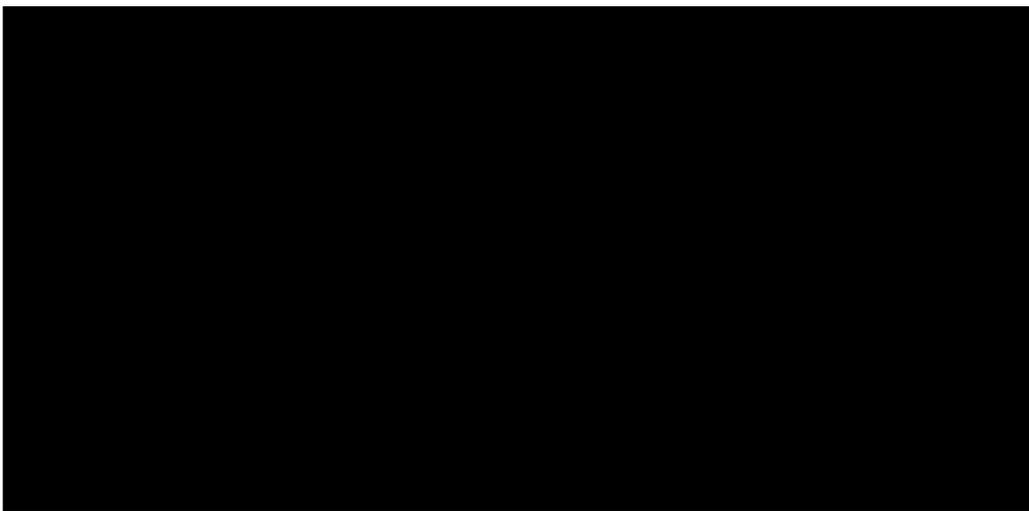
14   (Tech complies.)

15   BY MR. HARTMAN:

16

17

18

19

20

21

22

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 174

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 180 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 175
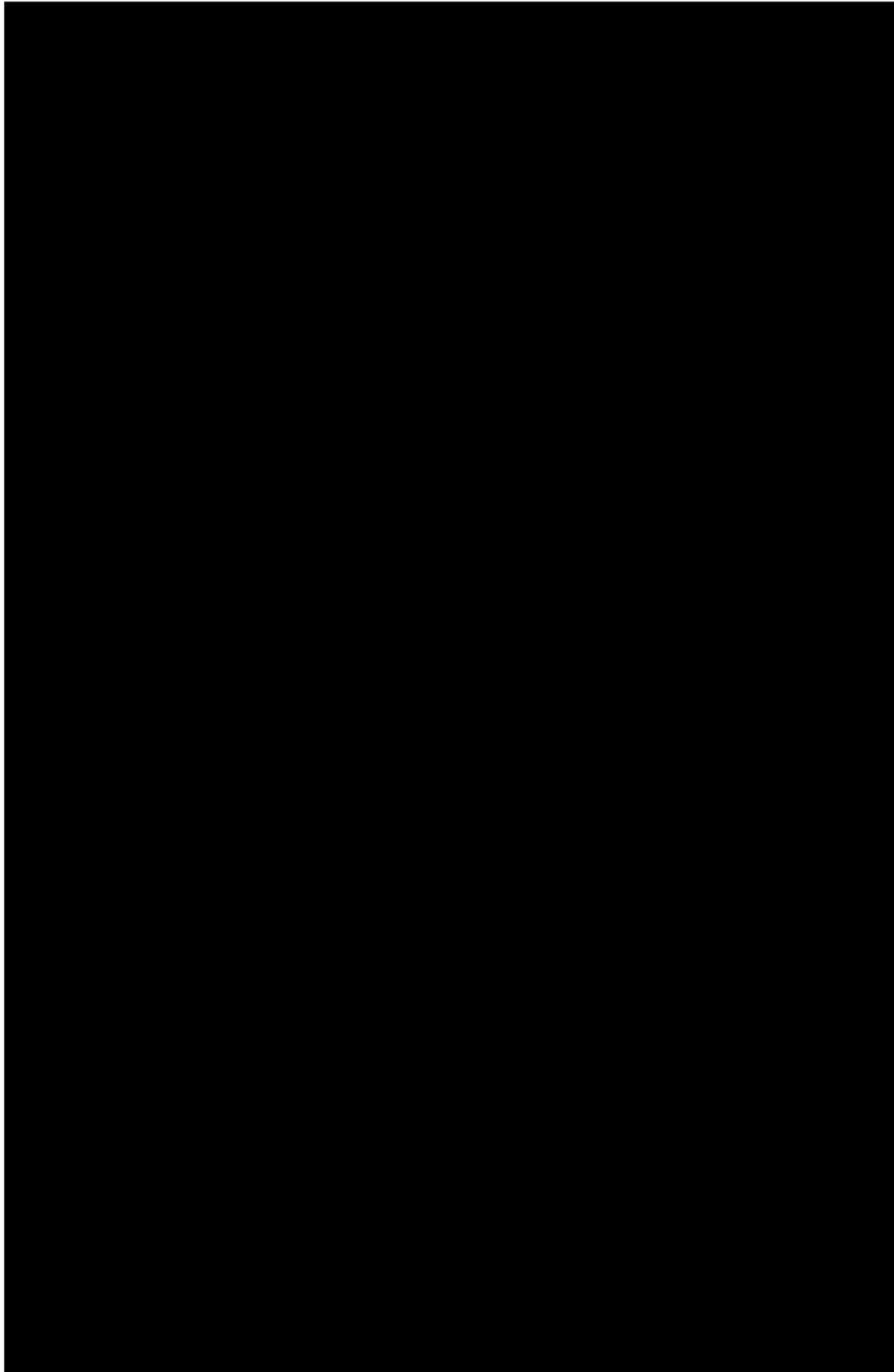
```
 1

 2

 3

 4

 5

 6

 7

 8

 9              MR. HUGHTO:  Objection.

10        A.    Yes.

11              MR. HARTMAN:  I have nothing further

12    for the witness.  Thank you very much.

13              MR. HUGHTO:  I have nothing further.

14              Thank you very much, Mr. Payne.

15              THE TECH:  All right.  Does anybody

16    else have any statements for the record?

17              Okay.  We'll be going off.

18              The time is 4:10 p.m. on

19    November 17, 2022.

20              We are going off the record

21    completing today's video-recorded session.

22              (Discussion off the record.)
```

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 181 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 182

179:9
approximately
62:5 106:8
apps 22:19,22
23:1,6,8,9,12
66:18 67:20
85:7 107:13,15
112:18 113:6
April 5:12 79:2
166:8
AR 11:2,3,6 12:2
12:4 20:21,22
22:12 23:1,4
23:21 26:6,8
27:2,8 29:4
30:7,14,16,22
31:9,14 33:9
34:2 36:19
40:19 41:19
42:21 61:6,11
62:4 63:11
68:4,15 69:20
70:16 75:8,22
77:18,21 79:21
81:15 82:9
83:1,4 84:8,11
85:8 86:1,1
89:14,17 93:20
103:5 114:13
116:13 143:10
145:9 150:13
163:17 168:14
168:15,18
172:10 173:22
174:2

arc 172:14
ARCore 20:3,5
20:6,9,18,20
21:3
arcs 173:3

area 5:10,20
14:21 16:2
39:7,10 57:15
57:16 59:12
64:13 110:17
111:17 116:22
141:3 144:16
149:20 150:9
167:14
areas 29:11
36:21 52:9,12
52:13,16 56:6
57:8,11,14
59:6 107:6
152:16 153:1
168:17
arguably 138:6
articulate 129:4
articulates
128:6 139:20
139:22
articulating
55:20 74:7
128:2 154:16
asked 142:16
145:2
asking 72:15
76:15 92:8
96:12
aspect 21:7
assert 34:7,9
48:6 57:6
60:14,17 67:7
75:1 85:3
assess 103:3
assessing 137:8
assessment
62:13,14,16
114:13
assign 166:2,5
assistance 170:7
Assistant 82:8
82:21 83:3,10
associated 23:16
28:7 58:3
association 7:20

assume 141:22
assuming 100:6
assumption
40:20 85:3
assure 25:18
attached 179:11
attention 59:19
66:13
attorney 96:11
attractive
101:16
Audrey 26:19,20
27:11
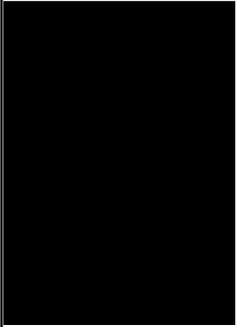
author 79:17
82:18
authored 44:13
44:15
available 12:8
16:17 17:15
19:10,12 24:14
24:18 31:20
39:18 40:4,22
64:3,19 103:6
103:21 105:12
105:13,16,19
125:8 163:8,13
164:10
Avenue 3:7 4:4,9
4:14 178:2
aware 17:22
85:13,21 87:2
94:12 113:14
166:6
axis 92:16

B

B 5:6 6:1
back 33:21

38:17 42:17,19
46:17 47:5
54:8 56:1 60:3
90:5,11,12
96:7 124:13,19
135:9 136:7
159:3 169:2
170:3 176:2
Baker 4:4,8,13
8:14,16,19
178:1
bands 38:8
bars 153:11
based 33:6 46:13
48:21 59:7
62:19,21
108:17 116:18
117:21 149:12
150:22 151:8
151:22 168:20
basically 151:1
157:5
Bates 5:8,11,13
5:14,17,18,21
6:4,5 43:8,11
45:19 64:10,13
79:2 90:14,17
125:1,15 127:7
133:16 138:8
141:8,11 142:4
142:14 144:13
144:13,16
145:14 147:6
148:14 150:12
154:1 159:5,7
165:6 169:9,9
172:1
battery 107:6
152:17
Beat 115:20,21
123:5,7,10
becoming 64:2
beginning 39:14
40:5 51:9
86:13 88:3
90:13

begun 41:15
behalf 3:3,11 4:3
8:7,9,13,16,19
11:10 91:5
belief 63:4 173:2
believe 13:12
15:22 16:1,18
18:19 28:22
29:16 32:10
33:16 35:17
39:21 43:1
50:12 52:10,16
64:20 67:18
68:11,13 70:4
70:13 76:9
77:5 95:1
101:4 103:16
103:20 104:3
104:15 115:18
128:22 137:19
138:3 142:6
144:12 153:15
163:22 165:2
173:5
believed 49:8
believes 47:11
47:13 61:17
77:9 152:21
beneficial 67:11
benefit 22:9,12
29:2 30:5
151:6
benefits 152:8
best 18:15 19:11
46:9 48:2
76:19 137:10
138:3
better 49:22
50:4 116:20
133:7
beyond 74:16,19
85:12 89:18
big 25:22 73:16
110:12
bigger 73:17
74:15

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 182 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

Page 183

158:3

[REDACTED]

bit 9:4 19:22
25:15 42:5
48:13 66:13
102:5 112:4
123:2 132:21
147:19 163:5
bottom 45:20
66:14 142:20
150:8 157:4
171:13
box 93:15
118:17 121:8
140:7,22 141:4
142:19 154:21
179:9
brand-new 27:3
30:8
break 87:16,20
90:2 124:11
158:11,13,18

[REDACTED]
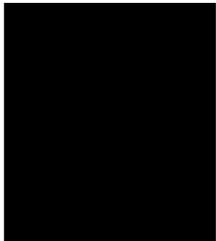
brief 5:16 92:9
125:1,15
briefly 15:1
16:20 37:14
bring 29:12 53:8
54:14 56:1,21
57:1 85:7
128:3
bringing 34:11
broad 111:22
166:20 167:3,4
167:19 168:5
174:12 175:3
broadcast 24:3
broader 137:15
147:3

broadly 57:4
build 39:6 76:18
building 39:3
58:21 60:5
61:2 66:17
156:9
bullet 52:15
59:20 62:1
72:7 73:1
147:13 161:21
bunch 168:3
business 44:11
68:10 94:22
businesses
113:22
button 120:19
120:20 122:14
buy 124:3
buying 37:20

C

C 3:1 4:1
c/o 178:1
California 1:1
7:9
call 27:18 35:3
35:11 58:7
91:15 98:16
101:7 107:13
118:9 119:6
149:7,11
178:15
called 8:20
16:10,15 35:5
35:12,14 45:18
98:11 112:21
115:20 121:14
125:11 165:17
calling 40:1
capabilities
113:10
capability 135:8
capable 46:2
75:8 117:7
119:7,7
capacity 40:4
capture 91:4

captured 82:2
91:11 92:10,15
captures 84:3
92:14 134:9
capturing 82:22
84:7 92:4
cardboard 14:16
14:18 15:2,3
15:13,18,21
16:14 17:3,11
17:15 18:2,14
18:16 118:2,8
118:11,15,17
119:1,8,18
120:8,15,16,22
121:6,8,10,20
136:10
cares 34:11
case 1:4 7:9 27:6
54:22 57:12
93:21 94:14
99:4,16 100:22
120:6 125:18
131:16,19
138:6 149:19
162:20 172:21
177:6 178:3
179:4 180:8
cases 29:6,9 37:1
46:15 56:13
57:10,20 58:4
58:7,21 59:5
60:6 61:2
73:18 74:15,19
114:4 116:16
161:13 162:2
162:21 163:1,3
166:17 168:10
casual 85:12
categories 58:6
58:10 83:7
84:21 93:1,6
103:15 104:9
104:12,13
105:3,5 109:14
109:15,18

117:15 149:15
151:15 152:2
162:12 173:4
categorized
162:12
category 12:22
22:11,22 30:8
30:8 31:18
34:3,5 39:14
46:14 47:22
56:3 57:4
58:12,17 59:1
59:9 63:18
67:6,8,13,16
68:16 69:4
74:20,21 77:10
84:5,11 102:11
103:8 106:9
108:16 117:2
117:16 128:7
134:11,12
137:15,20,20
143:5 152:7,8
156:17 158:2
164:1,14,20
167:4,6,19
168:10,12
172:10 173:3
certain 38:9
92:20 94:2,5
106:1 167:11
CERTIFICATE
177:1
Certified 2:7
certify 177:3
cetera 164:11
173:5
chance 125:5
138:9 141:14
change 152:4
180:11
changed 85:4
changes 179:11
characteristics
123:20
characterize

27:14 51:3,12
52:1 109:13
145:6 157:21
charge 94:5
chart 92:3,10,14
93:2,5 148:17
148:20 150:1,2
150:4
chat 43:15
Check 179:9
choose 109:16
circumstances
101:15
clarification
80:7 140:16
clarified 135:16
clarify 12:3 16:6
18:22 19:1
44:20 61:8,19
71:8 75:11
76:13 78:15
99:1 100:17
111:7 113:22
116:5
clarity 11:5
88:16
clear 17:19 23:3
31:14 49:3
50:15 55:12
71:19 73:7
83:2 99:19
117:18 141:3
150:21 168:2
clicking 122:15
closer 9:13
CLR 1:16,17
177:16,17
co-present
142:21
coach 86:13,16
87:8 88:6
code 26:11 34:20
35:2

[REDACTED]

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 183 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                              Highly Confidential - Under the Protective Order

Page 184

45:9,13 65:16
88:17 89:6,9

colleague 8:8
colloquial 46:11
  55:5
colloquialism
  89:3
color 76:17
  153:10
Columbia 4:5,14
  178:2
column 59:19
  62:1 92:17
  93:3 127:13
  128:13,21
  131:4 140:3
come 56:7 136:7
  178:7
comes 164:19
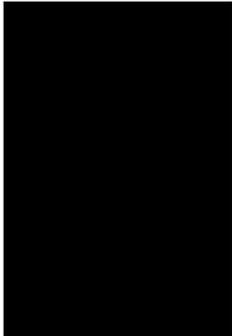
comment 131:15
comments
  109:22 145:15
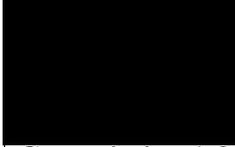
Commission 1:2
  3:3,5,6 7:6
  177:21 178:3
  179:4 180:8

committed
  158:3
common 171:9
communicate
  17:7 146:10
communication
  15:10
communicatio...
  73:9
companies 69:14
  85:11 102:13
  105:7 108:18
  173:8
company 28:20
  29:20 30:1,2,4
  30:10,12 38:6
  43:1 56:17
  57:14 62:22
  63:15,18 100:7
  100:8 110:18
  114:21 115:12
  164:15 172:20
  175:4
company's
  99:11
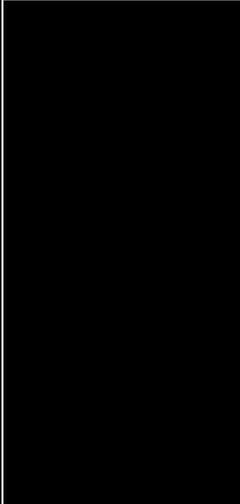
compendium
  74:11
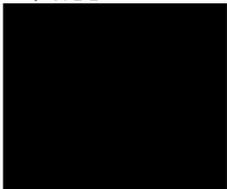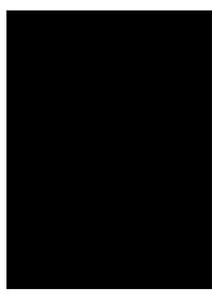
complete 52:20
  74:11 114:10
  178:6 179:10
  179:12
completing
  175:21 176:21
complies 48:16
  50:22 53:4
  66:6 75:5
  81:20 83:17
  86:5 91:22
  94:10 127:10
  133:21 170:11
  172:2 173:14
component 20:7
components
  15:4
compound 75:20
computation
  118:10
computer 51:19
  52:3 107:11
computers 171:7
computing 46:3
  70:12 130:12
  170:16 171:6,9
  171:15,15,17
CON'T 6:1
concentrate
  112:3 128:13
conceptually
  84:5 128:10
  161:3,6
concludes
  144:13
conclusions
  166:16
conclusively

38:20 49:8
conditions 99:13
conducted 7:11
  91:5
confidential 1:9
  6:10 176:7,16
confuse 138:4
Connecticut 4:4
  4:14 178:2
connection
  134:22
consent 178:22
consider 32:22
  36:15 37:19
  41:15
consideration
  83:4
considerations
  11:20 37:7
considered 13:5
  41:5 56:13
  71:6,20 72:19
  80:16 85:6
  131:21 132:13
considering
  110:6 163:2
consistent 31:7
consoles 73:16
constructed 45:4
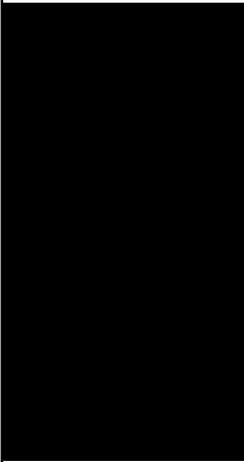
CONT'D 4:1
contain 176:7
contemplated
  78:12,16 81:1

81:4
contender
  136:15,20
content 15:6
  23:17,20,22
  24:4,7,11,14
  24:18 32:18
  33:1,4 81:15
  113:4 121:9
  122:2,6 130:11
  130:19 132:7
  132:12 152:12
context 46:8,12
  48:20 55:14
  67:1 72:5
  82:11 119:13
  119:17 120:4
  129:13,14,20
  130:16 171:3
contextualize
  32:8 136:22
contextualized
  32:13
continue 46:17
  109:20 149:21
  167:17 176:10
continued 38:14
  52:17
continues
  136:14
continuing
  117:14 176:9
contrary 77:13
contrast 33:3
contribute 93:13
contributes
  93:22
contributor
  49:10
controller 18:11
  18:16 122:5,7
  122:11
conventional
  137:21

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 184 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                          Highly Confidential - Under the Protective Order

Page 185

152:5,10,22
153:3,3,8,20
conversation
11:6 36:18
conversations
5:8,18 43:11
85:10,14,15
113:15 141:11
169:12
convey 33:12,17
172:4,7
conveying 49:6
63:4 84:21
copied 82:19
copresence
130:14,16
copy 178:8
Copying 178:21
Copyright
178:20
corner 45:20
corpus 24:7
correct 16:11
36:8 45:5
49:11 69:14,21
70:6 82:13
83:7,8 94:15
115:20 117:9
121:15 123:11
135:3,4 146:7
148:10 165:21
165:22 177:3
179:9,12
correctly 93:4
98:10 118:20
138:2
correspondence
72:9
cost 104:2
107:19
costly 154:9
counsel 8:2
43:17 44:3
94:18,21
133:18 170:7
177:5 178:9,12

count 38:11
166:22
countless 168:17
County 177:20
couple 16:3 53:3
87:18 88:12
153:21
coupled 34:13
course 44:11
94:22 114:10
court 1:1 7:8,19
8:4 9:3
covered 109:9
crate 98:21
create 20:21
29:6 39:22
40:21 50:4
56:2 76:3
91:17 99:12
110:8 114:16
128:10 129:5
129:15 143:14
144:4 160:19
created 19:3,7
44:10,21 45:11
65:13 94:21
111:22 120:18
creates 97:3,9,11
97:12
creating 44:18
73:6 154:19
156:7,15
Creighton 4:3
8:12 89:22
Creighton.ma...
4:6

[redacted]

D

D 5:1
D.C 1:21 3:13,18
179:2 180:3
Daniel 4:19 7:16
173:13
data 48:22 59:8
115:3 136:5
161:12
date 7:13 66:1
163:9 178:4
179:5,17,22
180:10,22
dates 145:19
day 84:2 151:7
167:2 177:8
day-to-day
162:1
Daydream 14:8
14:16 16:4,5,7
16:10,15,16,21
17:1,10,14
18:6,10,17
19:7 119:6
121:15,16,17
121:19,21
122:4 123:8,9
days 173:7
DC 3:8
deal 25:22
dealinated 168:9

[redacted]

decide 103:11
109:11
decided 114:21
decision 100:10
100:12 114:7
deck 45:1 49:6
82:21 87:10
91:11 127:17
127:18 165:20
dedicated
115:16
default 121:11
Defendant 1:6

3:11
define 13:1
19:21 20:5,6
22:21 30:17
37:14 41:7
43:5 44:15
119:11,12,13
123:1 154:18
defined 31:15
defines 12:16
defining 10:11
definitely 28:9
definition 10:13
12:21 13:6,8
13:19 23:4
55:13 131:22
132:3
definitively 24:7
degrees 131:20
135:6,10 136:5

[redacted]
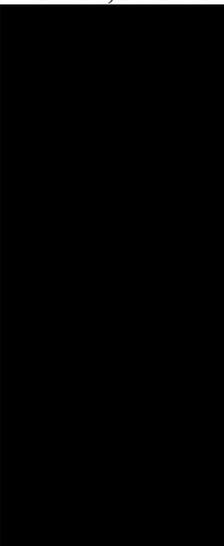
deponent 178:4
178:7,9
deposition 1:11
2:4 7:3,11
25:20 96:14
102:4 172:9
177:2 178:4,12
179:5,7 180:10
Depth 140:4
describe 15:1
16:20 53:6

54:12 58:2
80:3,11 82:4
86:12 91:10
112:9,17 114:7
115:10,11
118:5 122:7
157:12 161:1
described 17:3
80:9 157:11
describes 160:4
description 5:7
6:2,9 126:19
descriptions
161:4
designed 162:5
desire 104:1
desktop 171:7
destination
54:22 55:4
detailed 161:4
details 132:11
161:4
detect 20:18
120:17
detecting 119:5
determine
109:16
determined 41:2

[redacted]

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 186

devoid 108:9
Diana 26:19,20
dichotomy 112:5
Dieken 4:13
   8:18,18
differ 121:19
difference 122:3
differences 18:2
   121:22
different 18:13
   33:7 40:12
   57:19 69:19
   84:18 88:2
   94:3 129:16,18
   132:6,17,22
   143:14,17,18
   151:15 162:12

direct 59:18
   134:22
directed 113:21
direction 100:10
   177:5
directions 163:3
director 10:8,16
discontinued
   13:22 15:21

distant 41:12
District 1:1,1
   4:5,14 7:8,8
   178:2
Division 7:9
doc 142:8
document 43:8
   44:4,8,14,19
   44:22 45:5
   49:10 64:10,18
   65:9,12,19
   66:1 70:22
   73:8 74:2
   78:19,21 79:8
   79:15,17 82:18
   90:13 91:1,4
   94:9 124:7,20
   126:7,16
   138:22 139:4,9
   141:7 142:15
   144:11 145:7,7
   145:14,16
   146:1,9 147:6
   148:14 150:12
   153:22 158:8
   158:15 159:4
   159:12 160:1,4

160:20 161:14
161:15 164:22
169:8,14,17
170:5 173:13
documents
   94:13,17,20
   95:2 176:6,10
   176:11
doing 42:1 53:15
   55:8,10 61:18
   105:7 153:1
   158:10
dollars 110:14
   110:19,21
   111:3 156:13
   157:19
domain 85:22
Dong 3:16 8:8
door 174:15
downloading
   159:15
drafted 74:2
drive 153:16,19
driving 155:17
dud 108:22
   156:22
duly 8:21

            E
E 3:1,1,12 4:1,1
   5:1,6 6:1,8,8
   96:1,1
E-MAIL 3:9,14
   3:19 4:6,16
E-MAIL:kayl...
   4:11
earlier 36:13
   98:8 100:1
   118:1 122:4
   123:11 126:7
   132:20 142:12
   147:19 148:22
   151:3,16
   156:16 163:6
   173:16
Earliest 62:10
early 22:12 34:6

34:9 39:8,15
57:6 67:6,15
100:9 173:7
Earth 35:14
   112:20,22
   175:7
easier 49:17,21
   50:4
easily 168:9
easy 45:17
eat 95:13
ecosystem 21:2
   66:18 67:4,9
   67:12
effect 118:19
   133:6 168:1
effective 104:2
   107:19
effort 98:11
   110:3,13
   111:19
efforts 112:9,12
   123:21
eight 124:14
either 46:17
   58:8 127:4
electronically
   178:21
ellipse 122:13
embark 114:8
emerging 172:11
emphasize 50:8
employed 177:6
employees
   110:19,21
enable 98:3
   146:12
enabled 119:6
enables 136:6
   156:8
end-users 129:3
endeavor 76:18
   146:16
endedness
   168:14
ends 148:14

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 186 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 187

150:12 169:9
engaging 99:6
146:17
enjoy 37:2
entail 10:10
entails 10:11
enter 61:6,11
77:1 154:20
entered 104:7
131:1
entering 62:4
63:22 67:3,8
67:16 155:22
enterprise 13:17
13:19
enterprises
113:21

errata 178:11
179:11 180:6
error 153:11
especially 153:1
Esquire 3:4,12

3:16 4:3,8,13

established
46:10 55:12
68:18 69:12
83:6
estimation
105:15
et 1:5 7:6 164:11
173:5 178:3
179:4 180:8
event 63:12
171:17
eventual 56:14
eventually 42:3
everybody 25:17
evidence 1:20
4:20 7:18,21
104:21 178:19
178:20 179:1
180:1

exact 100:5
172:20
exactly 13:12
14:20 76:14
111:1
EXAMINATI...
5:2 10:1 96:8
170:12
examined 8:22
179:7
example 20:17
37:22 38:4,5,8
64:1 77:4
85:12 99:17
100:20 108:14
112:22 140:21
152:9,10,14

examples 112:19
166:21

Excuse 87:9
exercises 121:7
exhibit 4:19 5:7
5:9,11,13,15
5:16,18,20 6:2
6:3,5 7:17
43:10,18 64:12
79:1 90:15,16
124:22 141:10
144:15 159:6
165:5,12
exhibits 165:3
exist 36:1 129:1
144:6 149:15
existence 69:7
existing 30:21
31:22 57:19
58:20 59:8
60:4 61:1 85:6
120:11 151:2
exists 30:4 76:20
76:22 78:4
85:21 108:15
113:9

expect 28:2
30:15,20 31:16
31:21 61:5,10
63:10 75:17
77:17,20 78:6
108:17 113:10
167:14,15

expert 68:8 86:1
122:11
Expires 177:22
explain 145:9
146:14,19
147:2 148:17
171:4
explaining 146:5

express 178:22
extended 47:16
extent 48:6 73:5
103:7 105:3

F
F 96:1
face 15:6 18:4,8
118:12 121:8
122:2 123:8
Facebook 73:18
fact 56:6 102:3

facts 56:7
factual 75:1

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 187 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

                                                                    Page 188

fair 21:20 27:13
   51:3,12 52:1
   54:12 60:4,22
   63:2,3 70:3
   74:14 80:2
   81:3 86:15
   175:6
fall 150:3
false 112:5
familiar 12:11
   20:2 23:11
   24:6 29:20
   79:7,14 82:1
   85:19 91:1
far 46:1 59:8
   100:19 108:7
   110:13 116:18
   117:19 155:9
   163:13 167:9

Federal 1:2 3:3
   3:5,6 7:5 178:3
   179:4 180:8
feed 105:16
   133:1

feel 69:14
   143:16
feeling 144:4
feels 129:16
   133:4
field 12:18,20
   32:18 33:2,5
   56:21 112:16

113:3 148:1,4
   148:9 149:2
   151:5,10
   152:11 167:13
fifth 4:9 145:13
Figel 3:12,17
figure 53:22
files 43:13
filled 29:5
final 39:9 100:10
   100:10 130:13
financial 177:6
find 53:14 72:12
   84:10 103:8
   138:11 167:11
   174:19
finding 57:10
fine 25:5 95:9
   141:20
finger 109:10
finish 87:18
first 8:21 15:5
   44:7 45:7 72:7
   73:1 80:14
   103:16 104:14
   104:19,21
   119:11,12
   127:16 134:13
   136:14 137:2
   138:11 140:3
   140:11 154:21
   158:16 160:8
   161:21
first-party
   173:19 174:8
firstly 164:6
   166:19

Fitbit 38:5,8,12
   85:17 86:13,16
   87:8 88:6,14
   89:10,18
Fitbit's 85:19
   86:2

five 42:7 77:22
   90:5 92:15,18
   114:19 124:14
   154:17 157:7
   158:5
five-minute
   124:11 158:18

fold 161:20
follow 45:18
   169:20 172:17
   173:3
followed 8:4
follows 9:1 22:4
   53:7 54:12
forbidden

178:21
foregoing 177:2
   177:3 179:7
forgive 163:7

four 52:15 104:9
   154:17
fourth 108:4
   109:7 130:2

frankly 13:4
   28:13 39:13
   151:22
Frederick 3:12
   3:17
freedom 135:7
   136:6

front 170:4
fronts 109:22
FTC 8:11 94:18
   96:11
FTC's 124:7

full 122:11
   135:22
fuller 138:22
fully 99:13

fuzzy 106:15
FYI 9:5

G

gather 20:15
gears 24:22 42:4

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 188 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 189

42:9
general 27:16
  46:2 50:6
  67:18 128:8
  173:2 174:4
generally 10:9
  10:11,20 46:18
  129:14 162:8,9
generate 20:10
  21:4,17,22
generating 21:6
genuine 55:11
  56:22 70:12
geographic
  63:22
getting 25:14
  53:12 114:15
  172:13
give 37:22 40:14
  71:1 83:18
  86:7 88:4
  90:19 92:5,9
  110:12 125:22
  134:2 139:14
  140:12 145:4
  153:10 155:11
  159:15,18
  161:4 166:20
  169:13
given 109:2
  177:4 179:10
  179:13
gives 131:17,18
Glass 12:12,14
  12:19 13:2,3
  13:10,15,16

glossing 132:10
go 43:7 44:1
  53:21 65:1
  74:19 95:16
  96:15 103:11
  112:11 126:12
  133:15,22
  138:7 142:14
  143:8 147:5
  150:11 151:7
  153:21 169:2
  170:3

goes 43:17
  150:15 157:5
  164:2

going 25:16,20

32:9 42:8,14
45:18 52:22
54:5 60:3
63:15 66:7
68:5 87:15
90:4,8 95:19
102:2 110:16
124:16 138:12
142:2 147:2,3
158:22 161:15
164:8 175:17
175:20 176:20
golf 84:17
Golish 4:8 8:15
  8:16
good 9:17 10:2
  44:16 76:22
  96:10 127:8
  159:16
Google 1:12 2:6
  3:2 4:2 7:12
  10:6,7,20,21
  11:2 12:1,7,12
  12:14,16,19
  13:1,3,10,14
  13:14,16 14:2
  14:16,18 15:1
  15:3,13,17,17
  15:20 16:4,5,9
  16:10,14,14
  17:3,11,15
  18:2,13,16,17
  18:20 19:3,3,6
  19:7,18 20:21
  26:5,9 27:2
  28:2,16,20
  30:3,6,7,15,20
  31:7,21 32:3
  33:8,11,16,22
  34:11,15 36:6
  36:10,17 38:6
  38:6,21 39:3
  39:17 40:9,13
  41:2,5,10,15
  41:22 42:20
  43:1 44:8 47:7

47:11,13,18
48:3,9 49:4,21
52:13 56:13
57:1,5,19
58:11,15,19
61:5,10,16
63:10,14 65:9
67:10 68:19
69:8,13,19
70:3,11 71:5
71:20 72:18
73:4 75:7,17
75:21 76:9,11
77:5,7,9,17,20
78:2,12 79:19
80:12,16,20
81:3,7,13 82:8
82:21 83:3
85:5,17 91:5
93:19 98:11
99:4 101:22
103:4,10 105:8
110:4 112:22
117:6 118:8,11
118:13,22
121:14,17
137:5 143:4
146:5 152:20
154:18 155:20
156:1,5,6
157:22 158:3
160:15 161:9
163:1 164:1
165:20 167:15
171:4,16,18
173:17,19
174:1 175:3,6
175:7
Google's 11:13
  11:16,20 14:6
  20:3 25:1 26:8
  27:8 40:2
  41:18 44:11
  46:13 48:21
  50:2 51:4,13
  52:2 53:7

54:13 55:21
60:4,22 62:12
63:4 93:14
98:16 112:14
114:13 135:14
137:5 160:17
160:18 174:6,8
174:18
Gorrono 1:16
  2:7 7:20 177:2
  177:16
governing
  178:13
great 53:15
  70:14 87:20,21
  88:13,17 89:8
  137:6,11
  159:17,22
  169:6
greater 155:11
Group 1:20 4:20
  7:18,21 178:19
  178:20 179:1
  180:1
grouping 92:19
growing 63:16
growth 115:4
guess 100:18
  113:8 121:13
  145:15 153:9
  154:14 157:7
  166:9
guessing 89:19

H

H 5:6 6:1
habitually 55:7
  55:10
hand 18:3,9
  121:4,12 177:8
Hansen 3:12,17
  8:7,9
happen 39:11
  62:11 74:10
  102:13,16
  106:11,13,19
  107:19 152:14

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 189 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                    Highly Confidential - Under the Protective Order

Page 190

152:16,19
164:14,15,21
173:6
happened
102:14 113:15
happening 106:2
115:4
happy 19:17
26:2 42:10
53:21 72:4
hard 53:18
102:1 106:3
110:15 153:16
harder 53:16,16
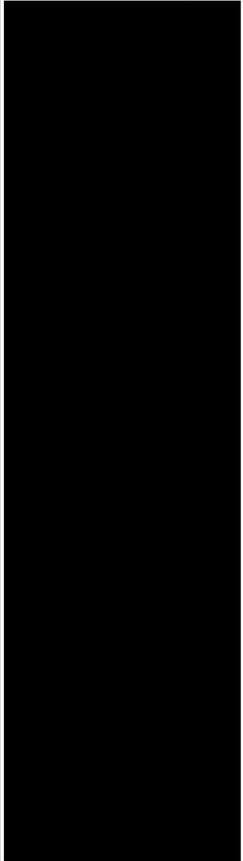
Hartman 3:12
5:3 8:6,6 10:1
21:13 25:4
26:2,4 31:3
32:11 42:10,18
43:6 44:2 48:8
48:14,17 49:19
50:20 51:2,10

51:11 53:2,5
54:1,9,10 58:1
58:18 60:2,10
62:8 63:20
64:9,17 65:5
66:4,9 68:1
69:2,17 70:2,9
71:17 72:4,14
75:4,6,13 76:8
77:16 78:20
79:4,6,16 80:6
81:18,21 82:16
83:15 86:3,10
86:20 87:17,22
88:10 89:1,21
90:12,22 91:20
92:1 93:10,12
94:8,11 95:10
98:9 101:9,20
115:17 116:4
116:11 122:22
128:20 133:10
142:16 145:2
163:7 169:19
169:22 170:9
170:13 171:21
172:3 173:12
173:15 175:11
hate 125:19
HCI 51:20 52:11
107:16
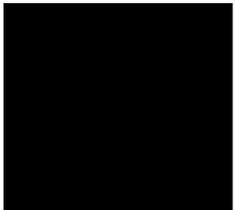
headline 46:13
83:9 140:22

160:9
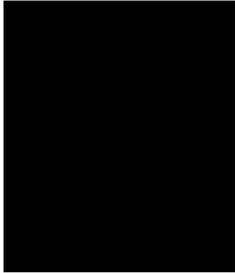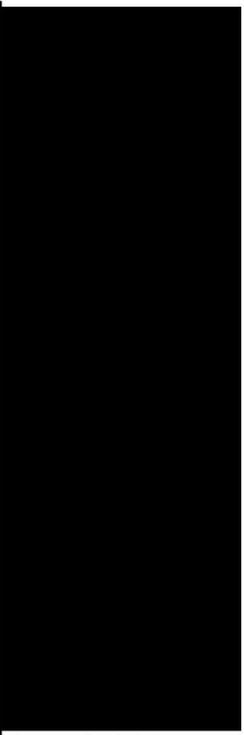
hear 9:6,11
53:19 98:10
heard 35:17
126:10
hearing 9:5 85:9
hearsay 108:18
heart 38:11
153:15
heavily 116:19
heavy 151:9
held 2:5 54:6
help 38:9 74:19
108:2 109:6,16
111:22 145:12
162:11
helpful 22:14
38:16 55:15
helps 139:8
hereunto 177:7
hesitate 178:15
Hey 9:4 25:3
42:6 124:9
Hi 8:12 176:4
high 6:3 103:5
115:9 141:1
149:5,18 159:7

highest 66:17
highly 1:9 6:10
176:7,16
historically
171:5 172:14
hit 164:8
hold 18:3 86:6
118:11 121:1,3
121:12 139:7
holding 18:8
121:8 122:2
Holmstock 4:19
7:16
HoloLens 32:1
home 151:13
honest 99:21
hop 54:2
hope 29:19 57:9
73:18 106:5
164:18 173:10
hopefully 37:21
102:21
hoping 57:9
149:21
horizontal 93:2
housekeeping
87:19
Hughto 3:4 5:4
8:10,10 9:6,10
9:15 21:9 22:2
25:18 31:1
32:6 33:19
41:13 43:4,21
47:17 49:14
53:10 57:13,21
58:14 60:8
62:6 63:13
67:21 68:22
69:15,22 70:7
71:22 75:10,20
76:12 77:8
78:1 80:4
82:14 86:18
88:7,19 89:12
93:17 95:13

96:9,11 101:11
103:1 115:22
116:7 123:3
124:6,12,20
125:3,14 126:8
126:14 127:6
127:11 129:7
133:15,19,22
134:4,6 139:1
139:8,13,17
141:6,13,20
142:10 144:10
144:19 158:14
158:19 159:4,9
159:17,21
164:22 165:8
165:15 169:18
170:8 175:9,13
human 51:19
52:3 107:11
humble 153:17

hyperlink 83:12
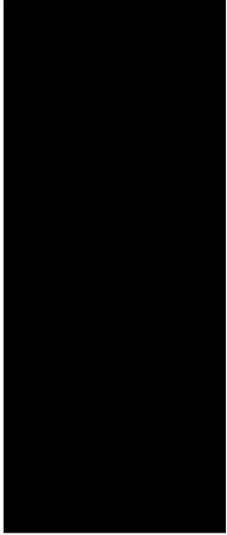
I
icon 84:17 85:2
icons 57:18 58:2
58:8 84:12,21
85:4

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 190 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 191

illusion 133:6,12
images 119:2,19
immature 77:10
immaturity
  67:14

impact 67:9
implies 151:11
imply 162:22,22

in-house 30:11
  161:9

inches 119:3
  122:13
inclined 46:17
include 18:10,16
  80:21 117:16
  166:21
included 63:1
  91:9 169:12
includes 106:20
including 98:20
  121:10 131:11
  154:9 169:16
  178:21
incorporate
  78:13
incorporated
  80:17
increase 155:20
increasing 117:3
indicating
  118:13 121:12
indication
  123:13
indications
  103:7
individual 44:17
  45:8,12
individuals
  44:18 45:10,13
  45:14
industry 55:13
  63:17 103:6
  134:10 139:22

infer 136:1
  167:2
inform 56:8
  82:11
information
  20:16 28:1
  33:12,17 38:10
  103:6 114:10
  117:4 176:8
initial 161:22
input 52:8
  107:10
inserted 119:5
inside 71:10
  118:10,12
  120:17
insight 88:4
insights 91:14
  161:12 162:18
insofar 36:19
intend 27:22
  39:17 40:3
  78:17
intended 21:3
  29:2 30:5
  37:18,19 38:9
  38:15 80:8
  146:12
intending 172:4
intends 41:10,16
intent 67:2 85:1
  91:12 172:6
interact 120:10
  120:14 130:10
  130:19
interacting
  122:5 162:17
interaction
  120:21 130:3,5
interactions
  107:11
interacts 51:20
interchangeably
  100:3
interest 91:18
  92:15,22 167:8

  177:6
interested 68:5
  81:8,14 142:17
  142:19 171:18
interesting
  128:7

internal 62:12
  62:20 73:8
  85:16 99:17
  111:18 135:14
  145:8
internally 23:1
  35:7 99:22
  153:9
internet 171:8
interpret 89:5
introduce 8:3
introduced 85:2
intuition 161:12

iterations 26:21

J

Jacob 3:12
Jake 8:6 25:3
  42:6 51:7
  87:14

jargon 55:6

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 191 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                         Highly Confidential - Under the Protective Order

Page 192

Jhartman@ke...
 3:14
job 53:15
joined 8:7
Jose 7:9
judgment 48:21
jump 66:12
Juston 1:12 2:5
 5:3 7:4 8:20
 10:4,5 72:10
 178:1,4 179:5
 180:9

K
Kayleigh 4:8
 8:15
keep 25:16
 168:19
Kellogg 3:12,17
 8:7,9

key 122:3

kind 27:17 43:19
 110:13 151:20
know 13:21 14:1
 15:20,22 16:4
 17:9 21:1
 24:13 25:12,17
 25:20 29:17
 30:9 34:4
 37:12 40:4,16
 44:5,13 45:8
 45:11 46:5
 48:5 50:8,9
 53:18 56:5
 61:13 65:6,21
 66:3 74:10
 84:8 95:5,8
 96:18 98:3
 101:6,10,12,14
 102:5,14
 106:14 108:10
 108:12,20
 109:5 111:1,8

 111:8,8,12
 112:4 113:7,11
 114:9,12 115:7
 117:2 122:16
 122:17 125:5
 134:15 135:21
 145:1 150:3
 153:12,18
 156:19 158:6,7
 159:11 160:20
 166:1,11
 169:11,16
 173:8,9,11
knowledge
 17:20 18:15
 19:11 46:10
known 26:12
knowns 52:22
knows 43:16

L
L 3:16
L.L.C 179:1
label 78:21
labeled 93:3
landscape 11:17
language 155:10
laptop 132:9,14
 133:2,7 171:7
laptops 131:11
large 33:3
 149:18 151:9
 153:2,11
largely 14:7
 108:9 151:12
 162:21
larger 27:12
 148:5 149:6
lately 25:20

laws 131:2

leave 143:21
left 101:17
 134:14
left-hand 61:22
 92:2,3,11
legal 7:17

let's 9:10 42:4
 45:16 54:1,2
 61:22 106:16
 107:13 119:11
 119:11 123:4
 124:6 127:6,8
 128:12,12
 132:14 133:2
 133:15 138:7
 141:7 142:14
 144:10 147:5
 148:13 150:11
 152:13 153:21
 155:12 158:8
 158:19 159:13
 163:5 164:22
 169:7
level 6:3 66:17
 103:5 115:9
 136:11 149:5,9
 149:18 150:10
 155:12,17
 159:7 160:9
 167:3
lied 89:22
light 9:19 32:22
 56:7 167:1

lighter 173:5
lightweight
 151:4,6
limited 33:1
line 13:9 33:14
 33:17 88:13
 97:1,2 137:16
 138:5 157:4
 180:11
linear 27:5
lines 88:12
link 43:19
LinkedIn 80:10
list 52:20 128:22
 168:3
listed 37:13
 85:12 93:1
 131:3 150:2
listening 53:18
listing 128:18
literal 157:16
literally 157:18
little 9:19 25:15
 42:4 45:19
 48:13 66:12
 102:5 112:4
 153:10 163:5
 166:9 170:6
Live 2:7
lives 55:11 57:6
living 84:2
LLC 180:1
LLP 4:4,8,13
 178:1
load 142:2
loaded 139:12
loading 138:13
 141:16,19
 142:7 159:13
located 9:14
long 10:19 11:1
 73:17 95:14
 98:4 122:13
longer 19:12
 30:4 80:12
 165:19

look 45:16 50:20
 57:4 59:16
 65:4 68:14
 72:5 81:18
 83:15 86:3
 87:12 90:13
 91:21 108:20
 118:18 124:6
 125:4 131:20
 138:9 141:7,15
 144:10 158:8
 159:10 164:22
 165:9 169:7
looked 65:19,20
 84:22 115:4
 142:12
looking 36:1
 57:3 59:5 71:9
 84:14 93:3
 97:20 116:15
 131:12 138:21
 139:9 145:9
 155:21 174:5
looks 27:20
 106:22
loose 31:15
 99:22
lot 22:5,7 28:13
 29:5 39:10
 48:1 55:7
 59:10,11 80:20
 107:16 117:1
 149:13 156:14
 163:3 164:21
 167:8 168:10
 168:21 173:6
louder 53:20
low 111:16
 114:17 150:10
lower 149:9
lunch 95:14,20

M
M 1:21 35:18
 179:1 180:2
M1 6:3 159:7
 160:9,12,13,14

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 192 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 193

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 193 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 194

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 194 of 211 * PUBLIC *;

11/17/2022 Federal Trade Commission v. Meta Platforms, Inc., et al Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 195

142:8,11,14
144:20 145:1,6
145:11,19
146:4 147:9
154:6,7,13,21
158:19,20
159:16,20
161:5 163:5
165:16,19
166:1,3,7,8,15
167:5 168:2
169:1,5,11,15
169:18,18
170:21 171:2
171:21 175:17
176:18
older 65:20
once 43:17 165:2
one's 141:7
ones 84:13 156:4
ongoing 39:8
113:1 117:17
167:14
online 117:8
open 117:3
167:13 168:14
169:5
opened 142:8
opening 79:9
operate 134:22
opinion 48:22
134:9

opposed 72:12
101:13 110:5
113:20 133:14
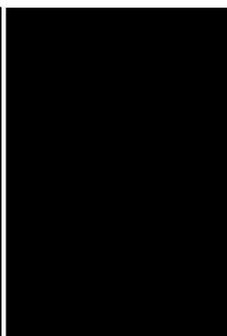
order 1:10 18:4
21:15 37:11
47:8,13,21
101:18 103:11
148:3 149:5,7
151:10 152:14
176:17
ordinary 44:11
94:21
organization
147:4
original 178:11
outcome 177:7
outside 12:20
94:18,21
overlay 168:13
overstatement
78:5
overview 5:16
92:10 125:1,15

P

P 3:1,1 4:1,1
P.L.L.C 3:12,17
p.m 54:4,7 90:7
90:10 95:18,21
96:2,6 124:15
124:18 158:21
159:2 175:18
176:1,19,22
Pacific 7:15
pad 122:14
page 5:2,7 6:2,9
45:16 46:19
48:15,20 50:21
51:13 53:3
56:9 57:18
59:17 62:1

66:5 70:22
81:19 83:16
84:14,22 86:4
91:21 126:5
138:16 139:3
142:15 145:13
147:5 148:13
150:11 153:22
169:8,8 170:10
171:22 178:12
179:4 180:11
pages 47:4 53:3
138:7 139:10
153:22 179:7
pair 27:18,20
162:16
paragraph
86:13 134:13
136:14
parallel 36:13
36:15 100:1
pardon 22:16
parens 136:16
155:4
parlance 98:16
part 19:6 27:12
38:6 41:18,22
65:15 102:19
120:19 123:15
137:5 153:2
particular 48:9
57:20 60:5
61:1 74:17
78:6 103:3,4
108:13 114:4
115:5 116:20
128:3,7 134:10
149:4 166:17
particularly
25:6,15

parts 50:10
92:20
Pass 95:12
passed 119:19
passes 167:16
path 155:4,16
156:14 164:5
167:10
pausing 166:3
pay 41:20 92:22
93:7 94:2
123:19
Payne 1:12 2:5
5:3 7:4 8:20
10:4 11:9 12:1
12:11 20:2
24:22 26:5
27:16 28:19
34:15 35:20
41:2 42:20
44:3,7 49:9
51:3 54:11
59:18 64:18
65:10 75:7
79:7 88:1 91:2
94:12 96:10
172:5 175:14
178:1,4 179:5
180:9
pending 7:7
Pennsylvania
3:7
people 34:12
37:18 42:2
55:7,9 56:1
92:21 111:3,4
111:9 143:21
144:4 145:15
167:11
perception
131:13
perfectly 27:5

period 47:16
178:13
person 74:4,5
120:20 165:19
personally 17:21
101:3
personas 92:15
92:18 94:3
perspective
137:3,18
phase 93:19
phone 3:8,14,18
4:5,10,15
14:12 15:10
17:7 118:10,12
118:15,18
119:3,5,6,9,18
120:17 131:13
131:19 132:9
phone-based
15:7
phones 131:11
171:8,11
phonetic 85:20
phrase 48:18
70:8,10 134:19
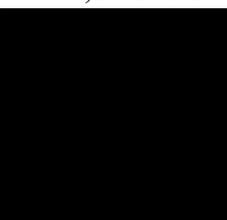
piece 55:5 145:4
pillar 80:3
place 129:16,18
129:19
placed 12:20
93:6 118:10
Plaintiff 1:3 3:3

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 195 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 196

porting 175:7

plausibly 168:11
play 66:18 102:8
  123:7
played 123:5
PlayStation
  108:15 136:11
pleasant 114:17
please 8:2 10:2
  26:17 34:22
  38:3 55:2,19
  64:10 65:2,6
  66:10 71:1
  84:16 86:8
  92:13 112:11
  122:9 125:4
  143:3 148:19
  159:10 163:15
  170:19 178:6
  178:10,11,14
plots 92:21
plural 111:17
PMF 73:12
point 16:9 27:11
  41:3,6,11 43:3
  46:12 52:9,16
  66:13 72:1
  73:1 85:5
  114:15 115:3
  146:4 168:8
  173:1
pointing 122:17
  172:18
points 52:15
  91:13
port 113:9 156:5
  173:18

PowerPoint 45:1
precision 155:12

prefer 67:19
premise 171:12
premium 85:20
  93:4,8,16

probably 112:4
  122:12
problem 26:3
  42:10 138:14
problems 153:16
  153:19
Procedure
  178:14

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 196 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 197

properly 15:11
properties 56:20
property 130:6
proposal 87:2
propose 86:22
proposed 86:16
proposing 87:3
Protective 1:10
  176:17
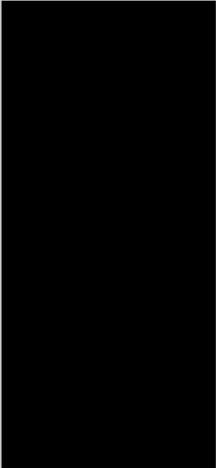
prove 69:8
provide 33:14
  38:22 58:9
  60:5 61:1
  70:15 72:4
  76:16 103:7
  105:9,9 112:14
  161:11 162:18
  162:19
provided 23:21
  94:17,20
provides 102:9
  113:2 138:3
providing 28:10
  32:4 70:11
  112:13
PST 1:14 2:2
  95:21 96:2
  176:22
public 2:8 8:21

41:17 177:1,19
publicly 61:15
  103:6
pull 43:7 64:9
  78:20
pulse 109:11
pump 66:18
  67:4

pure 137:18
  152:19
purpose 38:14
  106:13 146:8
  169:16
purposes 21:4
  23:5
push 67:16
  106:6 109:11
  109:19
put 12:18 15:5
  17:5 89:7
  93:10,18 94:8
  103:15 110:1
  116:21 117:10
  118:18 124:20
  143:6 155:8
  159:4
puts 12:20 33:13
putting 110:18
  162:14,16
PX 170:4
PX0822 6:4
  159:5,6
PX0823 6:6
  165:1,5
PX0824 5:17
  124:8,21,22
  125:13 170:8
PX0824-007
  127:7
PX0824-009
  133:16,19
PX0824-011
  138:8
PX0827 5:19

141:8,10 169:2
PX0828 5:21
  144:11,15
PX0882 158:9

Q

quadrant 150:8
qualifier 156:11
Quality 141:1
quarter 110:15
Quest 134:11
  136:16 137:9
  140:8,18,21
  141:5
question 16:6
  19:1,15,16
  22:17 24:1
  32:7 33:22
  44:16 45:7
  48:13,18 51:9
  53:16,19 60:4
  64:5,8 68:3
  69:18 72:15
  73:21 74:1
  76:14 80:15
  81:11 88:2
  92:8 100:17
  102:15 104:20
  105:21 114:2
  169:3 171:1
  174:12 175:2
questions 16:4
  25:1,6 26:3
  29:5,8,12
  36:20 53:13
  77:14 78:18
  80:9 87:18
  90:1 95:11
  96:12 169:19
  170:2 178:14
  179:10,13

quite 12:22 13:8
  28:13 59:3

94:6 122:18
  132:4 151:9
  175:4

R

R 3:1 4:1 6:8
  96:1
ran 118:14
range 110:13
  113:12 123:22
  154:8
ranges 111:15
rate 38:11 106:6
Raxium 28:19
  28:20 29:14
reach 29:10
reached 166:15
reaching 10:14
read 44:6 52:20
  63:3 71:2
  83:19 86:7,8
  134:3 135:19
  145:4 179:6

real 102:18
  107:13 130:8
  161:22
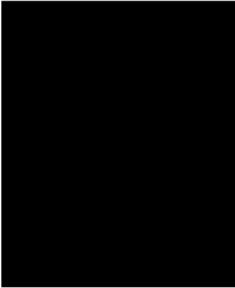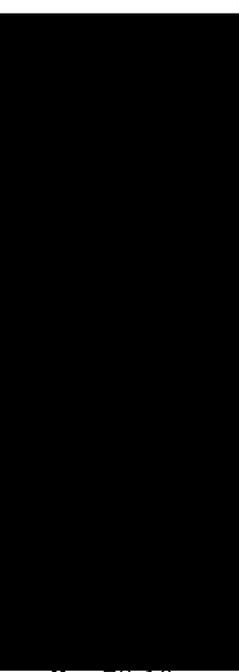
realize 78:10
  169:3
really 53:18 55:4
  59:13 77:13
  86:1 88:22
  89:2 136:20
  137:15 143:5
  146:12 158:16
  174:15
reason 33:5
  146:18 150:20
reasoning 136:1
reasons 28:14
recall 13:12
  14:20 85:9,13
  173:20
receipt 101:5
received 94:14
  101:1
recess 42:15
  90:9 95:20
  124:17 159:1
recipient 87:1
recognize 84:12
  126:15 160:1
recollection
  14:21
recommend

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 197 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 198

102:21
recommending
37:21 46:18
record 7:1 10:3
42:14,17 53:21
54:2,5,6,8
71:19 90:8,11
95:6,16,19
96:7 124:16,19
158:22 159:3
175:16,20,22
176:2,20 177:3
recorded 1:12
179:10,14
records 95:3,3
rectangles 58:5

redo 51:9
reduced 177:5
reengaging
146:6
refer 23:1 26:10
35:7 51:19
110:10 152:5,9
160:12,14
referenced
176:6 178:6
referred 31:9
36:10 131:9
referring 22:22
59:2 73:4 83:9
83:12 130:17
143:22 153:20
160:13
refers 37:17
130:5 134:21
135:7,17
reflected 84:22
reflective 45:9
refresh 43:19
65:2 125:10,21
166:3
regard 33:7
regarding 11:21
regularly 56:1

relate 91:14 94:2
related 91:16
106:19 161:13
177:5
relates 51:18
107:5
relations 68:9
relative 50:10,17
92:14,22 104:6
149:1 150:22
relatively 32:22
150:10 151:21

reload 138:12
rely 15:13
remember 118:3
122:18 167:20
reminder 163:17
REMOTE 1:11
2:4
remotely 8:1
rename 43:18
repeat 26:2
133:17 170:22
rephrase 24:1
76:1 110:7
report 79:22
REPORTED
1:16
reporter 2:7
7:19 8:4 9:3
REPORTER-...
177:1
reports 103:7
represent 8:3
58:8 140:13
representation
148:21
representative

27:8
represented 7:4
represents 58:6
73:9
request 176:15
required 29:9
53:1 164:10

respect 17:13
28:9 50:5 91:8
94:1 172:19
173:18
respects 17:2
respondents
92:19 93:6
responding
109:19
response 94:14
responsible
44:18
rest 155:19
restart 125:17
restarted 125:20
restricted 141:4
restroom 124:11
results 37:20
retention 136:12
return 68:12

review 59:21
66:8 87:9
88:21 90:19
92:5 125:5
126:1 139:15
154:3 169:13
178:8
reviewed 92:7
169:15
reviewing 44:4
revisit 164:17
rhetorical
157:15
right 9:10 24:15
31:18 32:16
35:11 36:4,7
36:20 40:7
45:2 48:10
54:3 56:14
57:12,20 58:13
59:16 69:5
70:19 73:20
76:5 78:3,5,7,8
84:2 87:8
88:18 90:2
97:20,22 98:4
99:11,12,12
101:22 105:5
105:15 107:18
108:10,11
109:2 116:12
116:20,22
117:9,11 123:5
123:14 126:4
136:21 137:8
141:6 144:21
147:20 148:3
150:8 151:9
158:10 161:1
163:20 164:2
165:17 166:19
168:20 175:15
right-hand
45:20 59:19
71:11 72:5
road 30:14

roaring 108:21
role 10:9,11
79:19 80:9
room 49:2 52:13
roughly 13:13
16:1 28:12
Rules 178:14
rumors 108:18
run 17:9 23:1,6
40:1 103:19
107:14,15
110:9 112:7
113:9 114:18
116:9
running 31:11
runs 128:5

S

S 3:1 4:1 5:6 6:1
6:8,8 96:1,1,1
Saber 115:20,21
123:5,7,10
sale 110:1
sales 73:16
91:13 137:18
137:18

San 7:9
satisfy 13:8 34:8
104:9
saw 47:4 98:4
saying 119:13
135:14 138:2,4
141:3 151:3
153:14 167:20
168:3 171:13
173:1
says 47:6 66:16
73:15,22 83:10
117:4 129:8
130:2,13 133:3
134:14 135:13
140:11,18
147:14 154:21

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 198 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
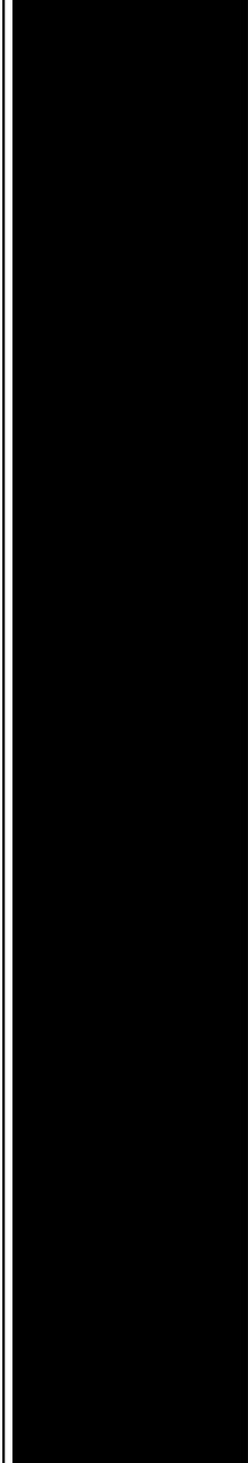   Highly Confidential - Under the Protective Order

Page 199
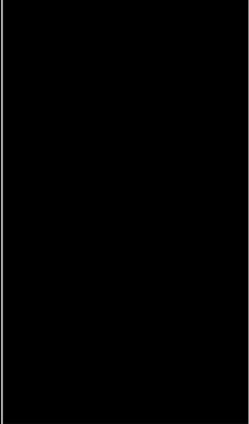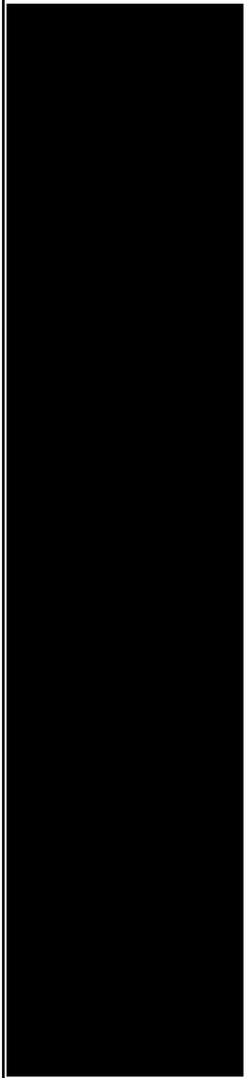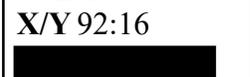
161:19,21
170:15

scroll 72:22
  131:19
scrolling 122:15
Sean 3:4 8:10
  9:4 25:9,10
  96:11 124:9
  126:6 158:12
sec 66:8
second 15:7
  59:19 79:12
  86:12 105:11
  107:21 126:1
  129:8 134:3
  136:8 144:21
  145:4 147:13
  150:16 152:17
  159:15,18
Secondly 37:3
section 93:2
  102:4

see 9:10 15:6
  18:4 32:18
  45:22 46:22
  55:7 56:18
  60:21 66:16
  71:12,16 87:5
  88:12,15 89:5
  102:17 103:11
  107:8,12
  119:15,21

122:1 123:4,17
125:21,22
127:14 128:15
129:10 134:2
134:17 136:5
136:17 137:4
138:17 140:5
140:14 142:6
144:18 145:21
147:7,11,12,16
148:15 150:17
154:2,11 155:1
155:5 156:14
156:17,18
157:8 160:10
161:17 162:3
169:7,10 174:9
seeing 59:9
  105:2,5 120:5
  125:18 130:8,8
  136:11,12
  139:21 167:8
  167:10 168:20
  168:21
seeking 89:2
seen 59:7 101:3
  104:8,21
  116:18 117:19
  144:21 167:2
sees 87:13 88:4

selected 178:10

send 68:19

sentence 53:6

54:11 55:17,20
62:10 63:3
66:20,22 73:3
73:22 74:4,5
74:17 87:13
88:3 170:14

separate 110:3
  150:14,19,20
series 108:12
  154:13
serious 98:19
seriously 114:22

set 9:20 47:7
  90:1 99:13
  168:6 177:8
setup 25:19
shape 87:20
share 114:9
shared 61:15
sheet 178:11
  179:11 180:6
shift 42:4,8
Shifting 38:17

38:13
short 122:12
  150:22 151:21
shorthand 36:6
  177:1
show 33:1,4
  119:22 152:11
showing 59:9
  72:10,11
shown 46:1 58:3
shows 148:20,22
  149:4
Shughto@ftc....
  3:9
shut 174:15
side 39:11 71:11
  72:6 92:3,3,11
  107:7 125:18
  134:14

simple 166:20
  166:22

Sincerely 178:18
single 44:17 45:8
  45:12
singularly 46:15
sir 9:9,14 110:3
sits 163:17
sitting 96:13
sixth 148:13
size 32:16 71:6
  71:21 72:19
  106:20 147:22
  147:22 149:1
skip 78:18
Skipping 145:13
  147:13
slide 45:1,22
  46:22 47:6
  49:6 52:7,16
  71:11 72:2,6
  73:1,6 82:21
  83:22 84:3,13
  84:22 86:12
  92:6,7,11
  127:21 128:2
  134:7,8 136:2
  137:11 138:10
  138:12 139:19
  139:20 142:17
  147:9 150:13
  150:22 154:2,7
  154:15,16
  155:10 157:17
  157:22 169:11
  170:15 171:4
  171:13 172:6
  172:12 173:1
slides 84:18
  138:13,15
  141:17,19
slightly 69:18
  88:2 157:12
small 32:22 90:1
  137:20,22

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 199 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                           Highly Confidential - Under the Protective Order

Page 200

somebody 86:22
  100:13 120:8
  143:19
somewhat 31:15
  99:22 100:2
  155:11

sorry 19:15
  35:16 36:3
  51:7 60:16
  64:4 66:14
  71:10,18 73:21
  75:16 77:18
  79:10 88:1
  89:15,22 90:15
  92:8 93:11
  97:4,6 104:19
  110:7 124:15
  125:7,12
  131:18 134:1
  138:15,18

160:5 169:22
sort 15:9 35:8
  42:1 87:3
  92:18,18
  109:10 111:15
  113:2 114:4
  122:13,14
  123:21 128:18
  130:1,12
  134:11 135:15
  136:2 144:7
  153:19 157:5
  163:12 168:6,9
  174:2
sorts 112:18
sound 132:4
sounds 9:8,17
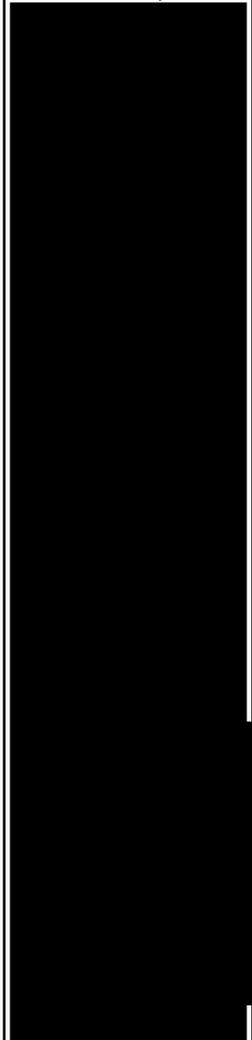
speak 21:1 67:1
  74:3 85:1
  88:21 136:1
SPEAKER
  43:14
special 144:6
specific 23:20
  67:2 83:22
  106:10 158:6
  169:16
specifically 17:3
  20:8 34:1
  36:22 39:4
  50:5 62:19
  67:14 68:3
  91:7 97:1
  105:3 107:10
  108:14 109:18
  109:21 145:8
  146:21 148:2
specify 17:12

spell 35:16

spelled 35:18
spent 157:19
spirit 29:15
  153:14
split 111:9
square 3:13,17
  132:2
squeaking 53:19

stand 42:12 54:3
  90:6 100:16
  125:19 176:18

standard 7:15
  137:21
standardizing
  132:18,21
stands 73:12
  135:6
start 22:17 46:5
  47:12 61:22
  63:2 77:19
  143:8 151:17
  152:7,11
  153:19
started 171:7,9
starting 42:1
  87:13 103:8
starts 144:13
state 2:8 8:21
  10:2 22:12
  29:10 52:7
  56:15 69:5
  74:22 82:15
  117:22 147:20
  149:12 152:1
  177:19
statement 49:13
  51:13 62:12,18
  62:19 63:21
  74:12 128:8
  136:20 137:1
  176:3

statements
  175:16
states 1:1 7:7
  64:2,3 88:13
stating 104:13
stays 102:12
stenographica...
  177:4
step 30:16,18
  38:11 89:3
  166:22
stereoscopic
  118:19 119:19
stiff 102:9
Stippit 85:20
stipulated 7:22
stop 150:15
  158:16

streams 131:9
Street 1:21
  179:1 180:2

stress 167:2
strict 13:17
strictly 31:15
  132:12
study 83:13
sub 83:9 140:22
subheading
  161:16
subject 60:6
  169:18
subpoenas 94:14

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 200 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                    Highly Confidential - Under the Protective Order

Page 201

subset 107:21
subsidiaries
  95:4,7

Suffolk 177:20
suggest 93:5
  138:19 146:1
suggests 63:5
  88:16

sum 163:1
Sumner 3:13,17

Supernatural
  115:8,11,16,19
  116:2
support 28:17
  29:6 84:1
  113:5,8 123:10
suppose 83:1
sure 12:6 13:20
  16:8 24:2 25:8
  27:10 30:19

31:5 36:3 41:9
43:6 51:10
56:16 61:9,21
64:4,6 69:10
71:3,18 72:17
76:14,16 78:17
87:10 104:11
107:17 108:4
110:2 124:12
126:4 129:3
134:4 137:15
138:13 140:17
154:5 157:14
164:6,7,9,12
164:13,18
165:3 170:20
surrounded
  129:22 131:22
survey 91:5
  92:19
switch 24:22
  70:21
sworn 8:1,21
synonyms 99:20

T

T 5:6 6:1,8 96:1
table 20:19
tail 25:7,16
tailored 174:6
  174:10
take 42:7 43:22
  44:4 45:16
  47:1 50:20
  59:16,21 66:7
  75:4 79:11,12
  81:18 83:15
  86:3 87:12,16
  89:2,13 90:2
  90:13 91:20
  124:10 125:4
  126:2,12 138:9
  141:18 154:19
  158:11,12
  159:10 173:12
taken 7:5 42:15
  90:9 95:20

101:5 124:17
159:1 177:3,4
takes 33:21
talk 22:3 106:16
  125:6 127:12
  153:10 155:12
  158:15 159:11
  163:5 165:14
talked 31:10
  39:20 102:4
  122:3 126:7
  132:20 163:7
  165:16
talking 23:5
  34:3 71:14
  72:1,11 98:9
  99:9,15 111:15
  111:16 140:8
  168:15 174:3
talks 128:9
targeting 113:13
  114:4
teach 162:14

technician 7:18
Technician/Vi...
  4:20

tell 17:17 21:11
  23:14 26:14
  34:19 35:2,20
  36:12 38:18
  41:8 54:21
  55:16 65:18
  66:20 71:2
  92:2 114:12
  124:1 138:18

141:14 143:1
154:14 161:5
163:15 170:18
temporally
  65:18
ten 10:22
ten-second
  43:20
tend 136:7
term 11:6 19:21
  31:14 37:10,17
  41:7 46:10,11
  47:3 48:19
  54:17 73:17
  81:2 106:15
  111:21 119:13
  133:3 144:1
  150:22 151:21
terminology
  36:4
terms 22:21
  27:16 31:6
  72:12 88:5
  99:22 123:2
  132:19,19,21
  132:22
terribly 41:12

testified 8:22
  49:9
testifying 11:10
  11:13
testimony 176:6
  176:11 177:4,4

text 86:11
thank 9:3,21
  22:14 24:21
  38:16 43:21
  54:9 55:15
  61:4 63:9 72:8
  79:4 83:14
  127:8 144:9

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 201 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 202

148:12 158:20
171:22 173:13
175:12,14
176:4,13
Thanks 96:17
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮
thereabouts
14:22 16:19
thermals 107:5
thing 55:8 80:19
85:4 119:21
136:8 137:13
140:11 144:7
149:11
things 31:13
38:10 49:4
109:10 120:15
131:3 136:2
151:7 153:11
153:13 167:1
172:13 173:6
think 25:7 33:21
47:8 48:12
49:15 62:10
72:9 75:7,14
104:14 107:18
118:1 122:16
123:4,11 125:7
132:18 138:6
141:21 142:1
142:16 144:20
165:4,16,17
167:18 169:20
thinking 87:11
88:5 93:14
100:8 151:20
thinks 52:13
third 15:9 37:6
62:1 107:17,20
108:4,5 147:5
152:17
third-party
39:18 40:8,21
thirdly 107:12

128:9 164:13
thought 126:9
131:12
thoughts 49:7
▮▮▮▮
▮▮▮
three 9:16 11:4
15:4 37:13
84:12 109:10
109:14,15
152:16
▮▮▮▮▮
▮▮▮▮
▮▮▮
throw 43:18
Tier 140:4 141:4
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
title 126:5 160:8

titled 45:22
46:22 147:9
154:8
today 7:3,19
11:10 12:21
32:9 33:6
50:18 51:6,15
52:4,14 76:10
77:6 96:14
98:8 105:17
118:1 144:21
149:13,15,17
151:15,22
172:9
today's 7:13
32:20 33:6
152:1 175:21
176:5,11
Todd 3:12,17
told 132:3
172:14
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
top 93:2
topics 37:13
total 111:12,14
163:1
touched 147:19
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
Trade 1:2 3:3,5
3:6 7:5 178:3
179:4 180:8
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮

transcript 6:10
176:16 177:3
178:6,7 179:7
transcription
179:10,12
trick 78:18 80:8
tried 102:13
115:15,21
121:6
trouble 9:5
true 47:8 48:6,7
63:21 108:11
132:12 149:17
177:3 179:9,11
truly 173:7,7
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
turn 46:19 48:14
53:2 56:9 66:4
66:13 109:4
123:18 127:6
170:10 171:22
TV 73:16
two 9:15 15:11
28:13 37:11
61:12 62:5
63:6 71:12
84:18 88:18
89:10 97:18
98:14 101:19
106:8 116:3,10

120:18 133:14
136:2 138:7
139:10 149:15
161:20 164:3
164:20 172:13
▮▮▮▮▮▮
type 28:21
types 91:17
139:21 168:4
typewriting
177:5

U

U 6:8
Uh-huh 59:22
83:20 86:14
ultimately 56:2
76:4 98:6
148:7 154:19
▮▮▮▮▮▮
umbrella 14:16
89:11
unavailable 64:2
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
▮▮▮▮▮▮
underlying
144:2
underneath
170:14
understand 11:7
11:9,12 27:10
28:6 39:12,13
42:1 44:7 46:7
52:11 57:5,9
60:19 64:4
70:19 76:1,2,6
78:3,9 82:19

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 202 of 211 * PUBLIC *;

PUBLIC

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 203

84:20 91:13
93:20 98:1
99:13 100:19
110:3 112:1
115:1 116:14
123:16,18
127:20 128:17
139:18 144:8
153:2 154:15
173:22 174:17
understanding
20:11,13,14
21:4,6,17,22
22:10,13 24:10
24:12 41:19
46:14 62:20,22
85:22 93:22
100:21 115:13
115:18 117:11
118:20 135:22
137:17 157:3
158:1 161:8
166:18 167:16
171:18
understood
73:11 80:13
83:14 114:1

United 1:1 7:7
64:2,3

UXR 83:11

V

v 7:6 178:3
179:4 180:8
vague 144:1

Vdong@kello...
3:19
vehicle 137:10
147:14

video-recorded
1:11 2:4
175:21 176:21
Videoconfere...
1:12
Videoconfere...
2:6 3:2 4:2
videographer
7:17

Vivian 3:16 8:8

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 204

volume 137:18	**waiting** 125:7 156:17	**ways** 99:2 106:1 143:4 155:19 173:21 174:5		
	waive 178:9		**weird** 9:14	
	wall 20:18		**Welcome** 42:19 90:12	
	want 16:3 17:21 23:3 25:16 31:13 78:19 95:13 104:11 127:12 131:22 141:22 148:8 154:18 158:11 158:15 165:10		**wellness** 85:7	
			went 168:3	
			WHEREOF 177:7	
			whichever 70:12	
	wanted 121:5 169:7 176:5			
	warrant 68:15			
	Washington 1:21 3:8,13,18 4:5,14 178:2 179:2 180:3			
	wasn't 109:8			
	watch 23:17 24:10 121:5 136:11			
	watching 23:18 133:1		**witness** 5:2 8:1 8:20 9:2 25:9 59:22 65:3 71:13 79:12 95:12 125:11 125:22 126:3 126:13 134:1,5 139:5,11,14 141:16 142:1,5 144:18 159:14 159:18 165:13 175:12 177:7 178:8 179:5,17 180:9	
	water 9:9			
	way 12:16 17:2,7 20:15 22:3 27:1 29:18 31:7 32:4 33:17 35:11 39:20 40:12 47:4 51:20 54:18 69:19 76:17 80:21 81:2 82:22 87:3 88:2 99:11 101:21 104:2 107:19 109:13 116:20 117:10 121:11 135:11,19 137:3,7 143:6 143:7 148:2 149:14 155:14 157:21			**wouldn't** 70:8 77:1 158:17
				write 49:4 66:22 80:20 88:20
				writing 80:22
				written 137:11 171:12 178:22
			wonder 143:22 144:5	**wrong** 123:12
			wondering 53:13 66:2	**wrote** 74:3,4 84:7 87:6,11 105:11 108:2
			word 55:4 106:14 152:6 167:18	
				X
			words 54:21 55:16 119:7 135:9 142:21 155:12	**X** 5:1,6 6:1 92:16
W				**X/Y** 92:16
Wait 139:5				

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 204 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
                        Highly Confidential - Under the Protective Order

Page 205

Y

yeah 9:12 35:15
  38:4 48:12
  53:11 54:1
  62:14,14 64:16
  64:16 71:13,15
  75:16 83:18
  87:17 90:4
  92:5,9 95:8,10
  95:15,17 98:15
  109:13 114:1
  118:21 119:11
  122:18 123:1
  126:13 127:8
  139:11 140:20
  142:6 146:8
  150:18 154:3
  165:13 169:13
  171:2

yellow 84:18
Yep 105:14
  134:2

York 2:8 4:9,9
  8:22 177:19
you-all 9:18

YouTube 5:16

Z

0

0 157:5
0000258 5:11
  64:14
0000323 5:13
  79:3
0000737 125:16
009 133:20
01 177:17
01/07/2023
  177:22
01G06041701
  177:21
052005 177:17
052005-01 1:17

1

1 4:5,10,15 7:2
  17:4 93:6
  103:19 136:15
  140:4 141:4
  168:12
1:06 90:7
1:17 90:10
1:24 95:18,21
10 5:3 153:12
  157:6 158:4
10018 4:9
11/17/2022 1:13
  2:1

11:02 1:14 2:2
  7:14
11:45 42:13
11:54 42:16
11th 139:3
12:10 54:4
12:12 54:7
124 5:16
141 5:18
144 5:20
15 153:13
159 6:3
165 6:5
16th 150:11
17 175:19
  176:19 178:4
  179:5 180:10
170 5:3
1730 1:21 179:1
  180:2
176 6:10
17th 7:13 177:8
18th 153:22
  169:8
194 141:9
195 45:17
198 46:20
199 48:15

2

2 17:5 62:11
  103:20 168:13
2:04 96:2,6
2:45 124:15
2:52 124:18
20 153:12
200 50:21
20006 4:5,14
  178:2
20036 1:21 3:13
  3:18 179:2
  180:3

202 1:22 4:5,15
  53:3 142:14
  179:2
202-326-3375
  3:8
202)-232-0646
  178:15
202)232-0646
  180:4
202.326.7989
  3:14
202.326.7997
  3:18

203 56:10

204 59:17
20580 3:8
211 169:9
212 4:10
232-0646 1:22
  179:2
240 64:10
  144:13
242 147:6
244 145:14
245 148:14
246 66:5
249 70:22
255 150:12
257 154:1
258 144:14
264 159:5
267 78:21
271 81:19 84:22
275 83:16

3

3 17:7 53:7
  54:12 66:14
3.0 27:11
3:22-CV-04325
  7:10
3:39 158:21
3:47 159:2
30 5:9 43:9,10
  141:22 142:4
  142:12 169:2
30(b)(6) 1:11 2:4
  7:2 178:1,4
  179:5 180:9
307 86:4
31 5:11 64:11,12
  144:12
32 5:13 78:22
  79:1 165:2,11
  165:12
33 5:15 90:15,16
360 131:9,13,20
3979 4:15

4

4 93:6 122:13
  162:1
4:10 175:18
  176:1
4:11 176:19,22
4215 4:10
43 5:8
45 42:8
452 4:5,9

5

5 153:12 157:6
  158:3
5:22-cv-04325...
  1:4
50 87:15
510 4:15

6

6 134:15 135:6
  135:10 136:5
600 3:7
626 4:10

PUBLIC

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 205 of 211 * PUBLIC *;

11/17/2022   Federal Trade Commission v. Meta Platforms, Inc., et al   Juston Payne 30(b)(6)
Highly Confidential - Under the Protective Order

Page 206

64 5:10

███████████

7

7098 4:5
725 91:21
734 127:8
739 170:10
740 172:1
745 133:16
747 138:8 139:5
760 139:6
79 5:12

8

812 1:21 179:1
     180:2
815 4:4,14 178:2

9

90 5:14
96 5:4

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 206 of 211 * PUBLIC *;

PUBLIC

Appendix 6

Declaration of Mark H. Hamer

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of
 	
Meta Platforms, Inc.,
     a corporation,
 	
Mark Zuckerberg,
     a natural person,
 	
     and
 	
Within Unlimited Inc.,
     a corporation,
 	
     *Respondents***.**
	DOCKET NO. 9411

**DECLARATION OF MARK H. HAMER IN SUPPORT OF
NON-PARTY ALPHABET INC.'S MOTION FOR *IN CAMERA* TREATMENT
OF CERTAIN MATERIALS PURSUANT TO 16 C.F.R. § 3.45**

I, Mark H. Hamer, hereby declare as follows:

1.   I am an attorney licensed to practice law in all the courts of the State of California. I am a partner at the law firm of Baker & McKenzie LLP ("Baker McKenzie"), counsel of record for Non-Party Alphabet Inc. ("Alphabet") in this matter. This declaration is submitted in support of Non-Party Alphabet's Motion for In Camera Treatment of Certain Materials Pursuant to 16 C.F.R. § 3.45. The facts set forth in this declaration are within my personal knowledge. If called as a witness, I could and would competently testify as follows.

2.   On December 19, 2022, counsel for the Complainant Federal Trade Commission ("FTC") and Respondent Meta Platforms, Inc. ("Meta") were notified via email that Alphabet would be seeking *in camera* treatment of certain Confidential Documents.

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 208 of 211 * PUBLIC *;

PUBLIC

3.   On December 19, 2022, counsel for FTC indicated via email that they have no objections to Alphabet's motion for *in camera* treatment of its Confidential Documents.

4.   On December 19, 2022, counsel for Meta indicated via email that Meta does not oppose Alphabet's motion for *in camera* treatment of its Confidential Documents.

5.   On December 21, 2022, counsel for Meta indicated via email that Respondent Within Unlimited, Inc. does not oppose Alphabet's motion for *in camera* treatment of its Confidential Documents.

6.   On December 22, 2022, counsel for Meta indicated via email that Respondent Mark Zuckerberg does not oppose Alphabet's motion for *in camera* treatment of its Confidential Documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on: December 23, 2022

/s/ *Mark H. Hamer*
Mark H. Hamer

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of
 	
Meta Platforms, Inc.,
        a corporation,
 	
Mark Zuckerberg,
        a natural person,
 	
        and
 	
Within Unlimited Inc.,
        a corporation,
 	
        *Respondents***.**
	DOCKET NO. 9411

[PROPOSED] ORDER

Upon due consideration of non-party Alphabet Inc.'s Administrative Motion for *In Camera* Treatment, the Court finds that *in camera* treatment is justified because Alphabet's highly confidential documents contain trade secrets and/or competitively sensitive, highly confidential business records that will remain sensitive over time. Accordingly, the Administrative Motion is **GRANTED**.

It is HEREBY **ORDERED** that the following exhibits are to be provided *in camera* treatment in their entirety from the date of this Order for the specified periods:

Exhibit No.	Document Title/Description	Date	Beginning Bates No.	Ending Bates No.	Length of *In Camera* Treatment
DX1245, PX0827	Product Strategy Presentation	10/2022	ALPH-0000194	ALPH-0000214	Indefinite
DX1246, PX0828	Product Exploration Presentation	01/2022	ALPH-0000240	ALPH-0000258	Indefinite

FEDERAL TRADE COMMISSION | OFFICE OF THE SECRETARY | FILED 1/3/2023 | Document No. 606575 | PAGE Page 210 of 211 * PUBLIC *;

PUBLIC

DX1247, PX0823	Use Case Analysis and Product Strategy	4/1/2021	ALPH-0000267	ALPH-0000323	Indefinite
DX1248	Product Presentation and Financial Analysis	8/11/2021	ALPH-0000709	ALPH-0000736	Indefinite
DX1249, PX0824	Product Overview	1/1/2022	ALPH-0000737	ALPH-0000765	Indefinite
PX0822	Product Requirements	05/2022	ALPH-0000264	ALPH-0000266	Indefinite

It is HEREBY FURTHER **ORDERED** that the following portions of exhibits are to be provided *in camera* treatment from the date of this Order for the specified periods:

Exhibit No.	Document Title/ Description	Portions to be Given *In Camera* Treatment	Length of *In Camera* Treatment
DX1226, PX0083	November 17, 2022 Deposition transcript of Juston Payne	5:8-21; 6:2-6; 11:13-14, 16-18, 20-21; 12:16-18, 21-22; 13:6-9; 23:1, 3-4; 25:1-2; 26:5-27:13; 27:16-28:18; 28:22-29:19; 30:7-22; 31:5-32:5; 32:7-33:18; 33:20-37:13; 38:17-41:12; 41:14-42:5; 43:1-3, 5, 10-12; 45:22-46:18; 47:1, 3-16; 47:18-48:11; 48:18-49:8; 49:15-50:18; 51:3-6, 51:12-53:1; 53:6-9; 54:11-22); 55:3-15; 55:20-56:8; 56:12-14; 56:17-57:12; 57:14-20; 58:2-10; 58:19-59:15; 60:3-7, 12-20; 60:22-61:2; 61:16-62:1; 62:3-5; 62:10-63:12; 63:14-19; 64:12-15; 66:16-18; 67:3-20; 68:3-21; 69:4-14, 17-21; 70:1-6, 11-22; 71:5-7, 18-21; 72:6-7, 18-20; 73:1-13, 15-19; 74:1-75:3; 75:7-9, 11-15, 17-19; 75:21-76:7; 76:9-11; 76:18-77:7; 77:9-22; 78:2-16; 79:1-3; 79:18-80:3; 80:7:18; 80:19-81:5; 81:7-16; 82:1-13; 82:18-83:13; 83:22-84:15; 84:17-18; 84:20-85:18; 86:13, 15-17; 86:22-87:13; 88:3-6, 13-18; 88:20-89:11; 89:13-20; 90:16-18; 91:7-8, 12-19; 92:14-93:8; 93:13-16; 93:18-94:7; 97:17-101:8; 101:10-19; 101:21-22; 102:2-107:20; 108:1-8; 109:1-112:9; 112:12-115:6; 116:1-3, 5-10; 116:12-118:22; 123:11-124:5; 124:22-125:2; 125:14-16; 126:19-20; 127:6-13; 128:2-19; 128:21-129:9; 129:12-131:5; 134:8-138:8; 139:20-141:5; 141:10-12; 142:17-22; 143:4-144:8; 144:15-17; 145:6-10; 145:13-147:4; 147:9-10, 13-15; 147:19-148:11; 148:17-150:10; 150:13-16; 150:19-153:20; 154:8-10, 16-22; 155:3-158:7; 159:6-8; 160:4-9, 12-19; 161:1-164:21; 165:5-7, 16-21; 166:1-167:19; 168:2-22; 169:12; 170:5, 15-17; 171:3-20; 172:6-173:11; 173:16-175:8; 181-206 (in part).	Indefinite

SO ORDERED:

Dated: _____, 2023

_____

D. Michael Chappell

Chief Administrative Law Judge