

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

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

**NON-PARTY APPLE INC.’S MOTION FOR *IN CAMERA* TREATMENT**

Pursuant to Rule 3.45 of the Federal Trade Commission’s Rules of Practice, 16 C.F.R. § 3.45(b), Non-Party Apple Inc. (“Apple”) respectfully moves this Court for *in camera* treatment of ten exhibits which contain Apple’s competitively-sensitive information (together, the “Exhibits”). Apple produced the Exhibits (nine internal presentations and a deposition transcript) in response to third-party discovery in the matter captioned *Federal Trade Comm’n. v. Meta Platforms, Inc.*, Case No. 5:22-CV-04235-EJD (N.D. Cal. 2022). Pursuant to the Protective Order entered therein (Dkt. No. 80), nine of the ten Exhibits were designated as “Highly Confidential – Outside Counsel Only” (and the tenth exhibit was designated as “Highly Confidential”).<sup>1</sup> Now, the Complaint Counsel and/or Respondents have notified Apple that they intend to introduce the Exhibits into evidence at the administrative trial in this matter. *See* Letter from Complaint Counsel, dated Dec. 12, 2022 (attached as Exhibit A); Letter from Respondents, dated Dec. 12, 2022 (attached as Exhibit B).

Apple requests *in camera* treatment of the Exhibits, either indefinitely or for the next five years, depending on the content of each exhibit. The Exhibits contain both highly confidential trade secrets and business records that, if publicly disclosed, will result in significant injury to Apple’s

\_\_\_\_\_  
<sup>1</sup> On October 28, 2022, Apple and the Respondents entered into a letter agreement permitting Apple, in addition to the “Confidential” and “Highly Confidential” designations in the Protective Order, to designate certain materials as “Highly Confidential - Outside Counsel Only” to restrict access to produced documents to only the outside counsel representing the Respondents.

competitive standing with respect to its Fitness+ product (a video on demand guided workout and mindfulness streaming service) or any secret future product. In support of the instant Motion, Apple submits the Declaration of Brendan McNamara (“McNamara Declaration”), attached as Exhibit C, which provides additional details regarding the competitively-sensitive information contained in the Exhibits for which Apple is seeking *in camera* treatment.

**I. The Exhibits For Which *In Camera* Treatment Is Sought**

Apple seeks *in camera* treatment for the following Exhibits, attached hereto as Exhibit D.

Exhibit No.	Portions to be Sealed	Date	Beginning Bates No.	Ending Bates No.	Period
DX1219; PX74	Tr. 5:17-20 Tr. 10:11-11:10 Tr. 12:4-7 Tr. 18:13-23:16 Tr. 27:4-15 Tr. 28:6-22 Tr. 29:1-37:14 Tr. 39:3-45:2 Tr. 45:18-100:17 Tr. 101:10-108:6 Tr. 111:16-112:18 Tr. 113:1-119:5 Tr. 121:10-127:2 Tr. 127:19-140:6	Nov. 14, 2022			Indefinite
DX1250	Entire Document	Oct. 31, 2022	APL-META FTC_00000484	APL-META FTC_00000487	Indefinite
DX1252	Entire Document	Sept. 23, 2022	APL-META FTC_00000689	APL-META FTC_00000756	Five years
DX1255	Entire Document	Apr. 27, 2021	APL-META FTC_00001226	APL-META FTC_00001232	Indefinite
DX1256; PX806	Entire Document	Aug. 20, 2020	APL-META FTC_00001403	APL-META FTC_00001465	Five years
DX1257	Entire Document	N/A	APL-META FTC_00001471	APL-META FTC_00001501	Indefinite
DX1258	Entire Document	Jan. 23, 2019	APL-META FTC_00001587	APL-META FTC_00001653	Indefinite

Exhibit No.	Portions to be Sealed	Date	Beginning Bates No.	Ending Bates No.	Period
DX1259	Entire Document	June 2022	APL-METAFTC_00000647	APL-METAFTC_00000688	Indefinite
DX1260	Entire Document	June 2020	APL-METAFTC_00000996	APL-METAFTC_0000001043	Five years
DX1261	Entire Document	Aug. 2022	APL-METAFTC_00000608	APL-METAFTC_00000646	Five years

**II. The Exhibits Are Both Secret And Material And Will Result In Significant Injury To Apple’s Competitive Standing If Publicly Disclosed**

Documents may be placed *in camera* where “public disclosure will likely result in a clearly defined, serious injury to the . . . corporation requesting *in camera* treatment.” 16 C.F.R. § 3.45(b). The applicant must “make a clear showing that the information concerned is sufficiently secret and sufficiently material to their business that disclosure would result in serious competitive injury.” *In re Gen. Foods Corp.*, 95 F.T.C. 352, 355 (1980). In considering both secrecy and materiality, the Court may consider: (1) the extent to which the information is known outside of 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 the 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. *See In re Bristol-Myers Co.*, 90 F.T.C. 455, 456-457 (1977).

Here, as discussed in detail in the McNamara Declaration, the Exhibits are both secret and material to Apple’s business. Specifically, the Exhibits contain information of competitive significance to Apple, such as commercially sensitive product, financial, and marketing information, competitive analyses, as well as information that could disclose the presence, absence, and/or contours of any plans Apple may have related to its Fitness+ product or any secret future product plans. (McNamara Decl. ¶¶ 6-8, 9, 13.) Public disclosure of this information would significantly harm Apple’s competitive standing by empowering its competitors to adjust their own strategies in light of Apple’s work product. (*Id.* ¶¶ 6-18, 12, 16.) Indeed, “[t]he likely loss of business advantages is a good example of a ‘clearly defined, serious injury.’” *In re Dura Lube Corp.*, 1999 FTC LEXIS 255, at \*7 (Dec. 23, 1999) (quoting *In re Gen. Foods Corp.*, 95 F.T.C. at 355).

Apple has limited any public disclosure—and even disclosure within Apple—of its future

product plans. (*Id.* ¶¶ 14-15.) Indeed, when Apple produced the information contained in the Exhibits, it took steps to maintain confidentiality by designating the documents as “Highly Confidential – Outside Counsel Only” or “Highly Confidential.” For well over a decade, Apple has closely guarded any plans it has, or does not have, to release new products. Apple has kept these plans top-secret in order to, among other reasons, avoid informing competitors or potential competitors—including Respondent Meta Platforms, Inc.—about Apple’s future product plans. (*Id.* ¶ 14.)

Disclosure of Apple’s financial information and subscriber base for Fitness+ would harm Apple’s competitive standing by providing competitors with insight into the growth of Apple’s Fitness+ offering and its detailed pricing analyses, which would allow them to alter their own strategic plans in an attempt to gain an advantage over Apple. (*Id.* ¶¶ 6-7.) Disclosure of Apple’s assessment of Fitness+ competitors likewise risks competitively disadvantaging Apple by providing competitors with insight into Apple’s assessment of the marketplace for fitness services that could be used to gain an unfair advantage over Apple. (*Id.* ¶ 8.) For these reasons, Apple has limited any public disclosure of its subscriber numbers and its assessment of the competitive landscape for its Fitness+ product, which would have remained confidential but for Apple’s compliance with the third-party subpoenas issued by Respondents in this action. (*Id.* ¶¶ 7-8.)

The public and Apple’s potential competitors have been keenly interested in details about Apple’s products, including any secret future product plans: public speculation around Apple’s plans has been rampant and unconfirmed for years. *See* Shara Tibken, *Apple’s working on a powerful, wireless headset for both AR, VR*, CNET (Apr. 27, 2018) (claiming release slated for 2020), <https://www.cnet.com/tech/mobile/apple-is-working-on-an-ar-augmented-reality-vr-virtual-reality-headset-powered-by-a-wireless-wigig-hub/?ftag=COS-05-10aaa0b&linkId=51043864>. Disclosure of the information Apple seeks to seal thus would dampen the effect of any potential announcement by Apple related to future product plans, empower Apple’s potential competitors to adjust their own strategies, and significantly harm Apple’s competitive standing that it has zealously protected by keeping its future product plans top-secret. (McNamara Decl. ¶¶ 12, 16.)

Finally, Apple’s status as a non-party to the administrative trial provides further support for *in camera* treatment. “There can be no question that the confidential records of business involved in Commission proceedings should be protected insofar as possible.” *In re H.P. Hood & Sons, Inc.*, 58 F.T.C. 1184, 1186 (1961). Requests for *in camera* treatment by “third party bystanders,” like Apple, warrant “special solicitude” because, as a policy matter, they “encourage[ ] cooperation with future adjudicative discovery requests.” *In re Kaiser Aluminum & Chem. Corp.*, 103 F.T.C. 500, 500 (1984).

### **III. Six Exhibits Contain Trade Secrets And Should Be Held *In Camera* Indefinitely**

Information may be held *in camera* indefinitely when “the need for confidentiality of the material is not likely to decrease over time” and “the circumstances which presently give rise to this injury are likely to be forever present.” *In re E.I. DuPont de Nemours & Co.*, 1990 FTC LEXIS 134, at \*2-3 (Apr. 25, 1990). Examples of information meriting indefinite *in camera* treatment include trade secrets—specifically, “secret formulas, processes, [or] other secret technical information.” *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55, at \*5 (Apr. 4, 2017). Additionally, information which “possess[es] a uniqueness that has extended [its] competitive sensitivity far in excess” of the “period normally considered adequate . . . to lose most, if not all, of its competitive utility,” is entitled to long-term *in camera* treatment. *In re E.I. DuPont de Nemours & Co.*, 1990 FTC LEXIS, at \*5.

Here, and as explained in greater detail in the McNamara Declaration, six exhibits containing Apple’s trade secrets warrant indefinite *in camera* treatment.<sup>2</sup> Some of these exhibits contain technical information about forward-looking Apple products; others contain forward-looking information regarding the presence, absence, and/or contours of Apple’s future product plans which have remained confidential and would remain confidential in the future but for the administrative trial in this action. The need for confidentiality of this forward-looking information is unlikely to decrease over time, and certainly not within the next three to five years.

Consequently, Apple respectfully requests that *in camera* treatment of the six exhibits be extended indefinitely. Alternatively, Apple requests that the Court grant *in camera* treatment for the

---

<sup>2</sup> The six exhibits are as follows: (1) DX1219; PX74; (2) DX1250; (3) DX1255; (4) DX1257; (5) DX1258; and (6) DX1259.

next ten years. *See id.* at \*6 (granting *in camera* treatment for ten-year period so as “to re-evaluate the continued competitive significance of this type of data”).

**IV. The Remaining Four Exhibits Contain Ordinary Business Records And Should Be Held In Camera For A Period of Five Years**

Apple respectfully requests that the remaining four exhibits, which contain ordinary business records, be held *in camera* for a period of five years.<sup>3</sup> Examples of business records include information such as “customer names, pricing to customers, business costs and profits, as well as business plans, marketing plans, or sales documents.” *See In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS at \*5-6. Here, the four exhibits at issue are Apple’s business plans related to Fitness+ or secret future products . *See id.* at \*9 (granting *in camera* treatment for five years of business records containing “evaluation of market factors, market risks, company advantages, company disadvantages, and company risks,” as well as “financial metrics”).

---

<sup>3</sup> The four exhibits are as follows: (1) DX1252; (2) DX1256; PX806 ; (3) DX1260; and (4) DX1261.

**V. Conclusion**

For the reasons set forth above and in the accompanying McNamara Declaration, Apple respectfully requests that the Court hold the Exhibits *in camera* for the time periods set forth above.

Dated: December 23, 2022

Respectfully submitted,

/s/ Steven C. Sunshine

Steven C. Sunshine

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 New York Avenue, NW

Washington, DC 20005

Telephone: (202) 371-7860

steve.sunshine@skadden.com

Caroline Van Ness

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

525 University Avenue

Palo Alto, CA 94301

Telephone: (650) 470-4686

caroline.vanness@skadden.com

Evan R. Kreiner

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

One Manhattan West

New York, NY 10001

Telephone: (212) 735-2491

evan.kreiner@skadden.com

*Counsel for Non-Party Apple Inc.*

### **STATEMENT REGARDING MEET AND CONFER**

The undersigned certifies that counsel for Non-Party Apple Inc. (“Apple”) notified counsel for the parties via email on or about December 22, 2022 that it would be seeking *in camera* treatment of the Exhibits. Complaint Counsel and Counsel for Respondents indicated that they would not object to Apple’s motion.

Dated: December 23, 2022

/s/ Steven C. Sunshine  
Steven C. Sunshine  
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
1440 New York Avenue, NW  
Washington, DC 20005  
Telephone: (202) 371-7860  
steve.sunshine@skadden.com

*Counsel for Non-Party Apple Inc.*

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

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

**PROPOSED ORDER**

Upon due consideration of Non-Party Apple Inc.’s (“Apple”) Motion for *In Camera* Treatment, it is HEREBY ORDERED that the following exhibits or portions of exhibits are to be provided *in camera* treatment for the specified period from the date of this Order:

Exhibit No.	Portions to be Sealed	Date	Beginning Bates No.	Ending Bates No.	Period
DX1219; PX74	Tr. 5:17-20 Tr. 10:11-11:10 Tr. 12:4-7 Tr. 18:13-23:16 Tr. 27:4-15 Tr. 28:6-22 Tr. 29:1-37:14 Tr. 39:3-45:2 Tr. 45:18-100:17 Tr. 101:10-108:6 Tr. 111:16-112:18 Tr. 113:1-119:5 Tr. 121:10-127:2	Nov. 14, 2022			Indefinite

<b>Exhibit No.</b>	<b>Portions to be Sealed</b>	<b>Date</b>	<b>Beginning Bates No.</b>	<b>Ending Bates No.</b>	<b>Period</b>
	Tr. 127:19-140:6				
DX1250	Entire Document	Oct. 31, 2022	APL-META FTC_00000484	APL-META FTC_00000487	Indefinite
DX1252	Entire Document	Sept. 23, 2022	APL- METAFTC_00000689	APL- METAFTC_00000756	Five years
DX1255	Entire Document	Apr. 27, 2021	APL-META FTC_00001226	APL-META FTC_00001232	Indefinite
DX1256; PX806	Entire Document	Aug. 20, 2020	APL-META FTC_00001403	APL-META FTC_00001465	Five years
DX1257	Entire Document	N/A	APL- METAFTC_00001471	APL- METAFTC_00001501	Indefinite
DX1258	Entire Document	Jan. 23, 2019	APL- METAFTC_00001587	APL- METAFTC_00001653	Indefinite
DX1259	Entire Document	June 2022	APL- METAFTC_00000647	APL- METAFTC_00000688	Indefinite
DX1260	Entire Document	June 2020	APL- METAFTC_00000996	APL- METAFTC_0000001043	Five years
DX1261	Entire Document	Aug. 2022	APL- METAFTC_00000608	APL- METAFTC_00000646	Five years

Dated: \_\_\_\_\_

D. Michael Chappell  
 Chief Administrative Law Judge

# Exhibit A



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

PUBLIC

Bureau of Competition  
Mergers II Division

December 12, 2022

**VIA EMAIL TRANSMISSION**

Apple, Inc.  
c/o Evan Kreiner, Esq.  
Skadden, Arps, Slate, Meagher & Flom LLP  
One Manhattan West  
New York, NY 10001  
Evan.Kreiner@skadden.com

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

Dear Evan:

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 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) 326-3210.

Sincerely,

/s/ Kristian Rogers  
Kristian Rogers  
Counsel Supporting the Complaint

Attachment

PX No.	BegBates	EndBates	Description	Date	Sponsoring Witness
PX0074	PX0074		Deposition Transcript of Frank Casanova (Apple, Inc.) (November 14, 2022)	11/14/2022	Frank Casanova; Apple Inc.
PX0806	APL-METAFTC_00001403	APL-METAFTC_00001465	Presentation: Price Committee - Seymour	8/20/2020	Apple Inc.; Frank Cassanova

# Exhibit B

**From:** Hamlett, Kimberly V. <khamlett@kellogghansen.com>  
**Sent:** Monday, December 12, 2022 9:16 AM  
**To:** Kreiner, Evan R (NYC); Sunshine, Steven C (WAS); Travers, Ryan J (WAS); Van Ness, Caroline (PAL); Granger, R. Jannell (WAS)  
**Cc:** Webster, James M.; Hartman, Jacob E.  
**Subject:** [Ext] 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.
DX1219
DX1250
DX1251
DX1252
DX1253
DX1254
DX1255
DX1256
DX1257
DX1258
DX1259
DX1260
DX1261

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

NOTICE: This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination,



# Exhibit C

Redacted  
Publicly Filed

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

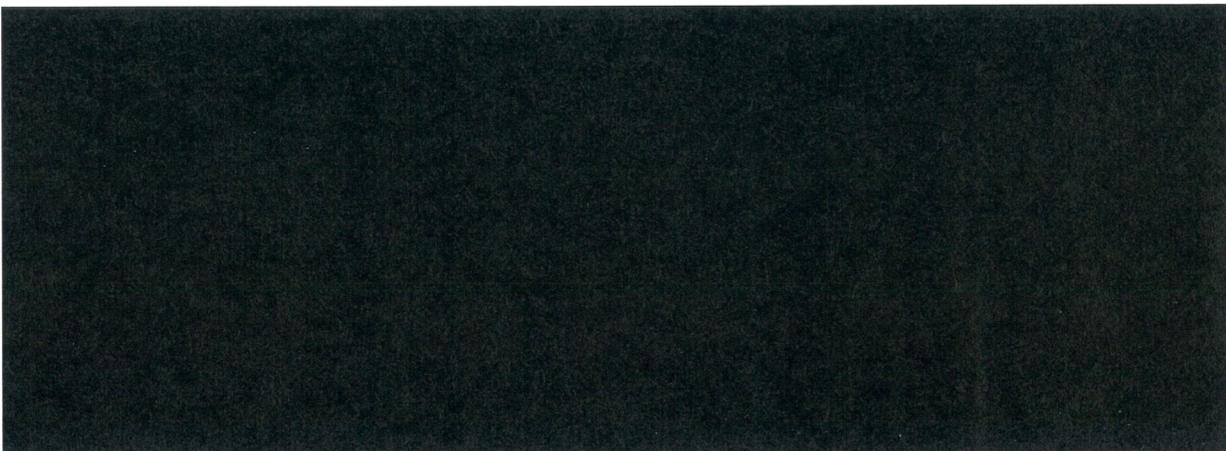
In the Matter of	}	
Meta Platforms, Inc., a corporation,	}	
Mark Zuckerberg, a natural person,	}	
and	}	
Within Unlimited, Inc., a corporation,	}	DOCKET NO. 9411

**DECLARATION OF BRENDAN MCNAMARA IN SUPPORT OF NON-PARTY APPLE, INC.’S MOTION FOR *IN CAMERA* TREATMENT**

I, Brendan McNamara, pursuant to 28 U.S.C. §1746, make the following statement:

1. I am a Director of Competition Law & Litigation at Apple Inc. (“Apple”). I submit this declaration in support of Apple’s Motion For *In Camera* Treatment, with respect to certain exhibits designated by Apple as “Highly Confidential – Outside Counsel Only” or “Highly Confidential” which the Commission and/or Respondents intend to introduce into evidence at the administrative trial in this matter. In my role, I have personal knowledge of Apple’s use and protection of non-public, highly sensitive, and confidential business information, including the information which Apple seeks to seal here. I have personal knowledge of the facts set forth below, and I can and would competently testify to such facts if called to do so.

2. The below-identified exhibits contain information that could disclose confidential, competitively and commercially sensitive information, including: (1) non-public and commercially sensitive user base, financial and pricing information for Apple’s Fitness+ product (a video on demand guided workout and mindfulness streaming service); (2) Apple’s analysis of the competitive landscape for Fitness+; (3) Apple’s forward-looking product and marketing plans for Fitness+; as well as (4) [REDACTED]



3. The Motion is limited to the information that could disclose Apple’s commercially sensitive internal product and financial information, as well as   


**Commercially and Competitively Sensitive Fitness+ Information**

4. The below-identified exhibits contain information that may disclose Apple’s potential marketing plans for its Fitness+ product, including financial information, as well as user base figures and competitive analyses.

5. Apple strives to keep information about its Fitness+ offering highly confidential. For that reason, Apple’s internal financial and pricing information, as well as its view of the competitive landscape for Fitness+ and its total subscriber base have, to date, been carefully guarded against public disclosure.

6. Apple’s internal marketing plans and financial information are highly commercially sensitive information that is not shared publicly and can be used by rivals to gain an advantage against Apple. If rivals had access to Apple’s confidential marketing plans and financial data, including pricing and cost information, they would be able to alter their strategic plans or offerings, which would allow them to gain an unfair competitive advantage.

7. Apple’s subscriber base figure is commercially sensitive information that is not shared publicly and that can be used by rivals to gain an advantage against Apple. Rivals, unaware

of Apple’s subscriber base, may alter their strategic plans or offerings if they know the precise number of Fitness+ subscribers. Apple will suffer economic harm if these rivals gain access to this information, which may enable rivals to gain an unfair competitive advantage over Apple’s Fitness+ service.

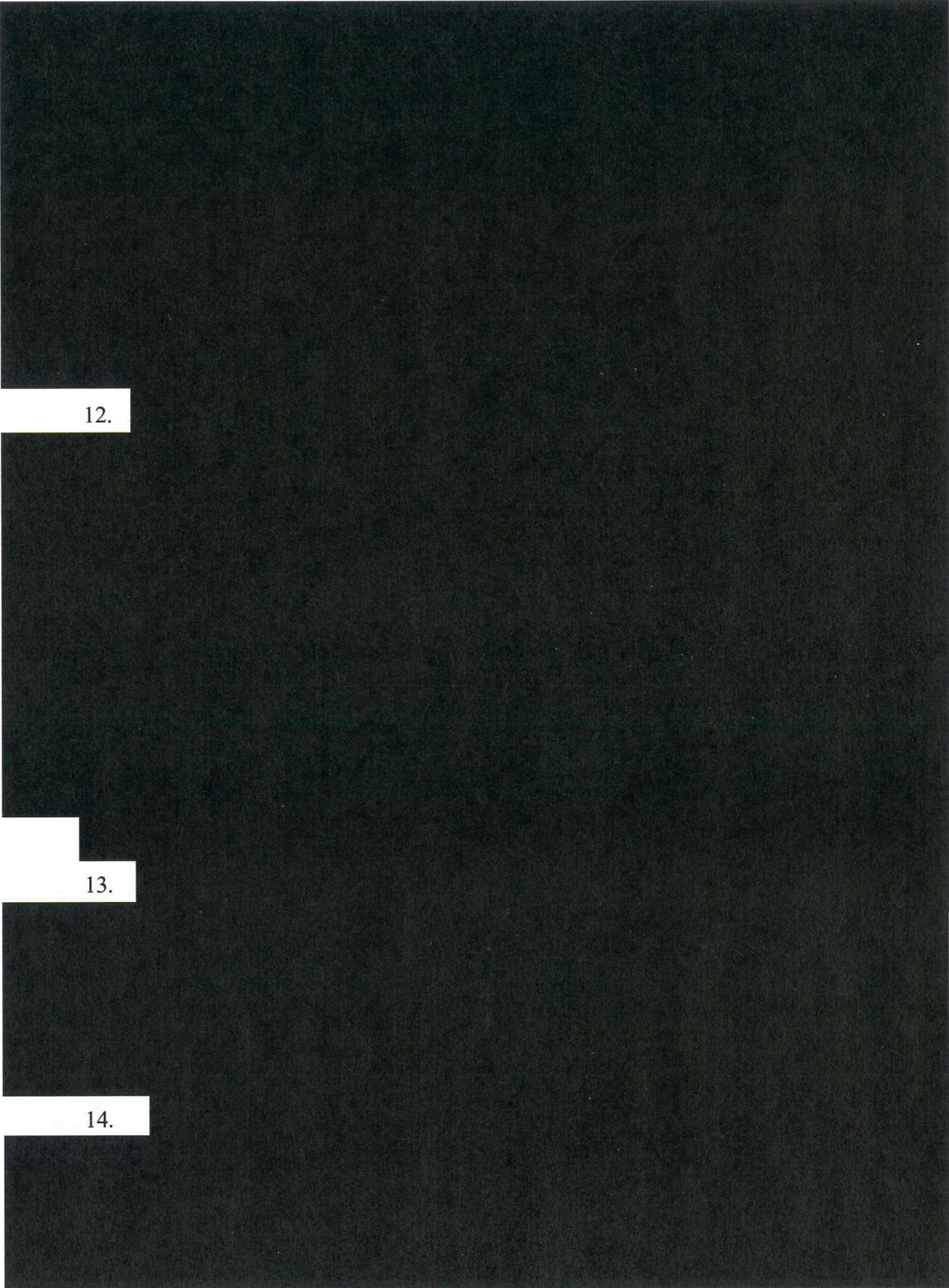
8. Apple’s view of the competitive landscape for Fitness+ is highly commercially sensitive, disclosure of which would harm Apple’s competitive position. Disclosure of Apple’s assessment of its competitors will provide all potential competitors with insight into Apple’s assessment of the competitive landscape for its Fitness+ product and the companies it potentially benchmarks its product against. Disclosure of the types of products that Apple lists among in assessing potential competitors risks exposing Apple’s competitive assessment for its new and growing Fitness+ product. Apple will suffer economic harm if this information is disclosed because potential competitors may use this information to alter their strategic plans and gain an unfair competitive advantage over Apple.

**Forward-Looking Fitness+ Information**

9.

10.

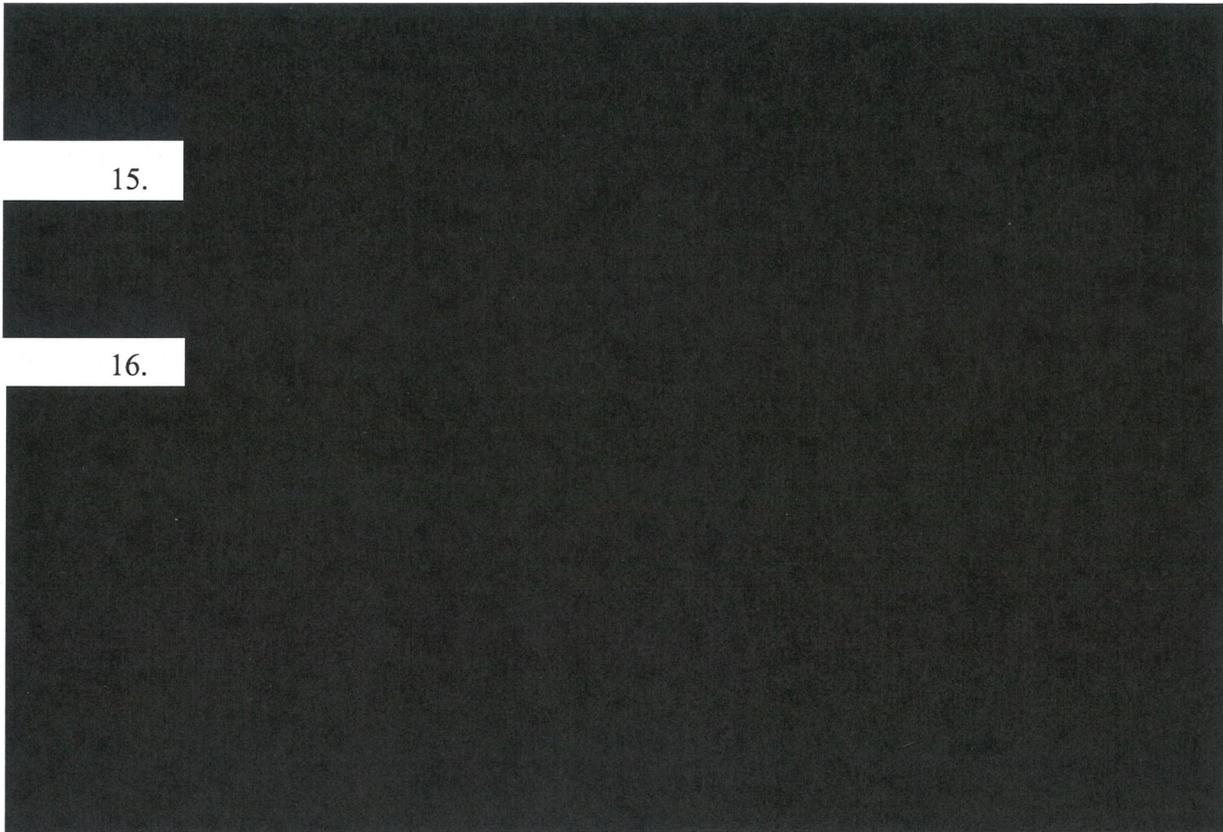
11.



12.

13.

14.



15.

16.

17. For these reasons, Apple respectfully requests the Court grant *in camera* treatment to the below-identified exhibits contained in the parties' Exhibit Lists.

Exhibit No.	Text to be Sealed	Basis for Granting <i>In Camera</i> Treatment
DX1219; PX74	Tr. 5:17-20 Tr. 10:11-11:10 Tr. 12:4-7 Tr. 18:13-23:16 Tr. 27:4-15 Tr. 28:6-22 Tr. 29:1-37:14 Tr. 39:3-45:2 Tr. 45:18-100:17 Tr. 101:10-108:6 Tr. 111:16-112:18 Tr. 113:1-119:5 Tr. 121:10-127:2 Tr. 127:19-140:6	
DX1250	Entire Document	This document contains confidential and proprietary information that Apple does not share publicly with respect to Apple's

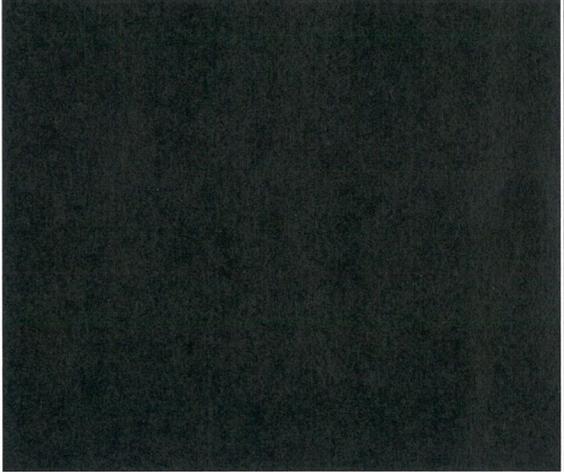
Exhibit No.	Text to be Sealed	Basis for Granting <i>In Camera</i> Treatment
		monthly Fitness+ users and revenues. ( <i>See supra</i> ¶¶ 6-7.) If such information were publicly disclosed, Apple will suffer economic harm because other potential fitness competitors would be able to gain an unfair advantage. ( <i>See id.</i> )
DX1252	Entire Document	This document contains confidential and proprietary information that Apple does not share publicly with respect to Apple’s monthly Fitness+ subscribers, revenues and other financial information, as well as Apple’s forward-looking product and marketing plans for Fitness+, and internal competitive analyses. ( <i>See supra</i> ¶¶ 6-8.) If such information were publicly disclosed, Apple will suffer economic harm because other potential fitness competitors would be able to gain an unfair advantage. ( <i>See id.</i> )
DX1255	Entire Document	
DX1256; PX806	Entire Document	This text contains confidential and proprietary information that Apple does not share publicly with respect to Apple’s pricing strategy, including detailed financial information related to Fitness+. ( <i>See supra</i> ¶¶ 6.) If such information were publicly disclosed, Apple will suffer economic harm because other potential fitness competitors would be able to gain an unfair advantage. ( <i>See supra</i> ¶ 6.)
DX1257	Entire Document	

Exhibit No.	Text to be Sealed	Basis for Granting <i>In Camera</i> Treatment
DX1258	Entire Document	
DX1259	Entire Document	<p>This document contains confidential and proprietary information that Apple does not share publicly with respect to the presence, absence, and/or contours of any plans Apple may have related to its future Fitness+ product plans, including potential future features (<i>see supra</i> ¶¶ 10-11). If such information were publicly disclosed, Apple will suffer economic harm because other fitness competitors would be able to gain an unfair advantage (<i>see supra</i> ¶ 12).</p>
DX1260	Entire Document	<p>This document contains a proprietary third-party competitive analysis that Apple has produced pursuant to the Protective Order in the Northern District of California. Apple has also alerted the relevant third party in order to enable them to seek an order preventing public disclosure.</p>
DX1261	Entire Document	<p>This document contains confidential and proprietary information that Apple does not share publicly with respect to the presence, absence, and/or contours of any plans Apple may have related to its future Fitness+ product plans (<i>see supra</i> ¶¶ 10-11). If such information were publicly disclosed, Apple</p>

Exhibit No.	Text to be Sealed	Basis for Granting <i>In Camera</i> Treatment
		will suffer economic harm because other fitness competitors would be able to gain an unfair advantage ( <i>see supra</i> ¶ 12).

Pursuant to 28 U.S.C. § 1746, I declare, under the penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on: December 22, 2022

  
Brendan McNamara

# Exhibit DX123; ; PX96

T gf cevgf "  
Rwdnkn{ "Hknf

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6) Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION</p> <p>FEDERAL TRADE COMMISSION, ) Plaintiff, ) ) CASE NO. -against- ) 5:22-cv-04325-cjd META PLATFORMS, INC., et al., ) ) Defendants. )</p> <hr/> <p style="text-align: center;">HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY VIDEO-RECORDED REMOTE 30(b)(6) DEPOSITION OF APPLE INC. BY: FRANK CASANOVA Zoom Recorded Videoconference 11/14/2022 9:01 a.m. (PST)</p> <p>REPORTED BY: AMANDA GORRONO, CLR CLR NO. 052005-01</p> <hr/> <p style="text-align: center;">DIGITAL EVIDENCE GROUP 1730 M Street, NW, Suite 812 Washington, D.C. 20036 (202) 232-0646</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES 2 (Via Zoom Videoconferencing): 3 ON BEHALF OF FTC: 4 Kristian "Kit" Rogers, Esquire 5 The Federal Trade Commission 6 600 Pennsylvania Avenue, NW 7 Washington, DC 20580 8 PHONE: 202-326-3375 9 E-MAIL: Krogers@ftc.gov</p> <p>10 ON BEHALF OF META: 11 James M. Webster, III, Esquire 12 Kellogg, Hansen, Todd, Figel &amp; Frederick, P.L.L.C. 13 Sumner Square 14 Washington, D.C. 20036 15 PHONE: 202.326.7915 16 E-MAIL: Jwebster@kellogghansen.com</p> <p>17 ON BEHALF OF APPLE AND THE WITNESS: 18 Evan R. Kreiner, Esquire 19 Skadden, Arps, Slate, Meagher &amp; Flom LLP 20 One Manhattan West, 395 9th Ave 21 New York, New York 10001-8602 22 PHONE: +1 (212) 735-2491 E-MAIL: Evan.kreiner@skadden.com</p> <p>-AND- Steven C. Sunshine, Esquire Skadden, Arps, Slate, Meagher &amp; Flom LLP 1440 New York Ave, NW Washington, D.C. 20005 PHONE: +1 (202) 371-7860 E-MAIL: Steve.sunshine@skadden.com</p>
<p style="text-align: right;">Page 2</p> <p>1 11/14/2022 2 9:01 a.m. (PST) 3 4 VIDEO-RECORDED REMOTE 30(b)(6) DEPOSITION OF 5 APPLE INC. BY FRANK CASANOVA, held virtually via 6 Zoom Videoconferencing, before Amanda Gorrone, 7 Certified Live Note Reporter, and Notary Public 8 of the State of New York. 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES, CONT'D 2 (Via Zoom Videoconferencing): 3 ON BEHALF OF APPLE AND THE WITNESS: 4 Caroline Van Ness, Esquire 5 Skadden, Arps, Slate, Meagher &amp; Flom LLP 6 525 University Avenue 7 Palo Alto, California 94301 8 PHONE: +1 (650) 470-4686 9 E-MAIL: Caroline.vanness@skadden.com</p> <p>10 11 ALSO PRESENT: 12 Billy Fahnert, Video Technician - Digital 13 Evidence Group 14 Mike Barnett, Esquire 15 Amy Dobrzynski, Esquire - FTC 16 Chris Caputo, Esquire - FTC 17 18 19 20 21 22</p>

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 5

1 INDEX

2 WITNESS DIRECT PAGE

3 FRANK CASANOVA MR. WEBSTER 9, 127

4 MR. ROGERS 111

5

6 EXHIBITS

7 EXHIBIT DESCRIPTION PAGE

8 Exhibit 6 Fitness+ Reviewer's Guide Bates No.

9 APL-METAFTC\_0000572 -

10 APL-METAFTC\_0000581..... 14

11 Exhibit 7 APPLE INC. USA\_APPLEFITNESS+ BILLINGS

12 FY21Q1 (LAUNCH) - FY22Q3 Bates No.

13 APL\_METAFTC\_0000484 -

14 APL-METAFTC\_0000487..... 28

15 Exhibit 8 Price Committee Seymour Bates No.

16 APL-METAFTC\_00001403 -

17 APL-METAFTC\_00001465..... 38

18 

19

20

21 No. APL-METAFTC\_00001226 -

22 APL-METAFTC\_00001232..... 132

Page 7

1 AUTOMATED MESSAGE: Recording in

2 progress.

3 THE TECH: We are on the record.

4 This is the remote video deposition of Apple

5 Inc., represented by Frank Casanova in the

6 matter of the Federal Trade Commission versus

7 Meta Platforms, Inc., et al., in the United

8 States District Court for the Northern

9 District of California, San Jose Division.

10 My name is Billy Fahnert. I am the

11 video technician today.

12 The court reporter is Amanda

13 Gorrono.

14 We are here on behalf of Digital

15 Evidence Group.

16 Today's date is November 14th, 2022.

17 The time is 9:01 a.m. Pacific Standard Time.

18 All parties have stipulated to the

19 witness being sworn in remotely.

20 Will counsel please identify

21 yourselves for the record and then the

22 witness will be sworn in.

Page 6

1 EXHIBITS, CONT

2 EXHIBIT DESCRIPTION PAGE

3 Exhibit Online article printout from ..... 119

4 PX907 techgameworld.com, dated July 1, 2022

5

6 REQUESTS

7 DESCRIPTION PAGE

8 Highly Confidential Outside Counsel Eyes Only..... 141

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Page 8

1 MR. WEBSTER: Jim Webster from

2 Kellogg Hansen for Meta.

3 MR. ROGERS: Kit Rogers for

4 plaintiff, FTC.

5 MR. SUNSHINE: And that's everybody

6 from the parties, just one representative of

7 each just so I understand?

8 MR. ROGERS: Yes.

9 MR. WEBSTER: That's correct.

10 MR. SUNSHINE: Steve Sunshine from

11 Skadden Arps Apple and the witness.

12 MR. KREINER: Evan Kreiner from

13 Skadden Arps for Apple and the witness.

14 MR. SUNSHINE: Before we get

15 started, just for the record, just wanted to

16 note that we have an agreement that this is

17 outside counsel only.

18 We also have an agreement in terms

19 of the topics that are to be covered in this

20 deposition. They are captured in

21 correspondence between Mr. Kreiner and

22 Mr. Hartman [phonetic].

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 9

1 I'm asking just for housekeeping  
2 matters.  
3 I understand that both parties  
4 expect to take about 1.5 hours each with the  
5 witness. And we appreciate that. And we  
6 appreciate the parties being concise and  
7 efficient with their questions.  
8 MR. WEBSTER: Okay. Can we swear  
9 the witness in now?  
10 FRANK CASANOVA, called as a witness, having been  
11 first duly sworn by a Notary Public of the State  
12 of New York, was examined and testified as  
13 follows:  
14 THE WITNESS: I do.  
15 THE COURT REPORTER: Thank you.  
16 EXAMINATION  
17 BY MR. WEBSTER:  
18 Q. Good morning. Could you state your  
19 full name for the record, please.  
20 A. Yes, sir. My name is Frank  
21 Casanova.  
22 Q. Mr. Casanova, where do you work?

Page 10

1 A. I work at Apple.  
2 Q. What is your current role at Apple?  
3 A. I am senior director of augmented  
4 reality product marketing.  
5 Q. How long have you had that position?  
6 A. Oh, probably going on four years,  
7 not quite four years.  
8 Q. You understand you're testifying as  
9 a corporate representative for Apple today?  
10 A. Yes, I do.  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]

Page 11

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 Q. Are you also prepared to testify on  
12 behalf of Apple on, No. 1, Apple's view of the  
13 competitive landscape facing Apple's Fitness+  
14 product?  
15 A. Yes, I am.  
16 Q. Two, the product features,  
17 capabilities, pricing, functionality and use of  
18 Fitness+?  
19 A. Yes.  
20 Q. Number 3, user data kept in the  
21 ordinary course sufficient to show, one, number  
22 of monthly active users; two, users' time spent

Page 12

1 using Fitness+; and three, monthly revenue from  
2 Fitness+?  
3 A. Yes.  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 Q. Okay. And do you have a number of  
9 hard copy documents in front of you that we have  
10 provided to you?  
11 A. No, sir, I do not.  
12 Q. Okay. Do you have a screen in front  
13 of you which has a blank window that says  
14 "exhibit window" on it?  
15 A. I have a blank -- let's see. Yes,  
16 I'm sorry. I was looking at the wrong screen.  
17 "Exhibit window" directly in front of me.  
18 Thanks.  
19 Q. Okay. Do you know -- did you review  
20 any documents in preparation for your testimony  
21 today?  
22 A. Yes, I did.

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6) Highly Confidential - Outside Counsel Eyes Only

Page 13

1 Q. Do you know if those documents were  
2 produced to Meta and the FTC in the course of  
3 this litigation?  
4 A. I believe some were, but I'm not  
5 sure. I don't know the entire collection of  
6 documents, but I'm pretty sure were.  
7 Q. Have you ever testified as a  
8 corporate witness for Apple before?  
9 A. Yes, I have.  
10 Q. Do you know what Bates numbers are?  
11 A. Bates numbers, yes, the numbers on  
12 the document themselves.  
13 Q. Yes. Did all the documents that you  
14 review in preparation for your testimony today  
15 have Bates numbers on the bottom?  
16 A. I honestly don't know if they all  
17 did.  
18 Q. Okay. What is Apple Fitness+?  
19 A. Fitness+ is a fitness service  
20 offered by Apple on a subscription basis.  
21 Q. Could you turn -- well, let's pull  
22 up Tab 5, which is --

Page 14

1 A. Okay.  
2 Q. -- which is Bates numbered  
3 APL-METAFTC\_572 through 581.  
4 A. Okay. I have the 572 document on my  
5 screen.  
6 MR. WEBSTER: Okay. We'll mark this  
7 as Meta Exhibit 6.  
8 (Whereupon, Exhibit 6, Fitness+  
9 Reviewer's Guide Bates No.  
10 APL-METAFTC\_0000572 - APL-METAFTC\_0000581,  
11 was marked for identification.)  
12 BY MR. WEBSTER:  
13 Q. If you could turn to the second page  
14 of the document there, does this page contain an  
15 overview of what the Fitness+ product is?  
16 MR. SUNSHINE: Before you go through  
17 this document, can Mr. Casanova have just a  
18 minute or two to just familiarize himself  
19 with, with this document? All we're really  
20 seeing is one page at a time. I don't think  
21 that's really fair.  
22 MR. WEBSTER: Yes.

Page 15

1 BY MR. WEBSTER:  
2 Q. Am I correct, Mr. Casanova, you do  
3 not have a hard copy of this document?  
4 A. That's correct. I do not.  
5 Q. Okay. Well, let's -- let's allow  
6 Mr. Casanova to go through the document quickly.  
7 I think I am only going to be asking questions  
8 about the first page of the document.  
9 MR. SUNSHINE: James, if you are  
10 okay with this, we do have a hard copy of the  
11 document if you think that would make it  
12 easier, but up to you.  
13 MR. WEBSTER: Are you in -- are you  
14 in the same room with Mr. Casanova?  
15 MR. SUNSHINE: I am.  
16 MR. WEBSTER: Yeah. I think that  
17 would be -- I think that would be very  
18 helpful if you could give him a hard copy.  
19 MR. SUNSHINE: Let me look. We may  
20 not have this document, though, as I made  
21 that offer. We better do it on -- on the  
22 screen. We'll see what we can do with the

Page 16

1 hard copy.  
2 MR. WEBSTER: Okay.  
3 BY MR. WEBSTER:  
4 Q. Mr. Casanova, if you could look at  
5 the very first paragraph on the top left corner  
6 under "Overview."  
7 Do you see that?  
8 A. Yes, I do.  
9 Q. Where it says "Apple Fitness+ is the  
10 fitness -- the first fitness service built around  
11 Apple Watch and encourages you to get fit and  
12 stay healthy with a huge selection of  
13 studio-style workouts -- created by the world's  
14 best trainers -- that you can do anywhere, any  
15 time."  
16 Do you agree that that's an accurate  
17 description of the Apple Fitness+ product?  
18 A. Yes, I do.  
19 Q. And are all the trainers that are  
20 referenced there in that paragraph, the trainers  
21 who create the workouts, are they employed by  
22 Apple?

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 17	Page 19
<p>1 A. I'm not sure if they are Apple</p> <p>2 employees or contractors, but we, we do pay them</p> <p>3 for their service.</p> <p>4 Q. Okay. And it says that the -- there</p> <p>5 is "a huge selection of studio-style workouts."</p> <p>6 Does Apple have its own studios</p> <p>7 where these workouts are filmed?</p> <p>8 A. Yes, we do, which is down in LA.</p> <p>9 Q. Okay. And it says "a huge</p> <p>10 selection."</p> <p>11 Is it fair to say there are</p> <p>12 thousands of Fitness+ workouts that have been</p> <p>13 recorded in the Apple studios?</p> <p>14 A. Actually there are 4,000 and growing</p> <p>15 collection in the -- in the library of workouts.</p> <p>16 Q. Okay. And does Apple produce all of</p> <p>17 these workouts videos itself?</p> <p>18 A. Yes, we do.</p> <p>19 Q. Okay. And if you go to the -- the</p> <p>20 second page -- I mean -- I'm sorry. If we go</p> <p>21 back, the right-hand column.</p> <p>22 There is a header there on the</p>	<p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>
Page 18	Page 20
<p>1 right-hand side that starts with "An interactive</p> <p>2 fitness experience."</p> <p>3 Do you see that?</p> <p>4 A. I do.</p> <p>5 Q. And the first sentence says "An</p> <p>6 immersive, interactive experience powered by your</p> <p>7 Apple Watch symmetrics like heart rate and</p> <p>8 calories burned along with your activity rings</p> <p>9 are displayed on screen in realtime for your</p> <p>10 motivation."</p> <p>11 Do you see that?</p> <p>12 A. I do.</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>	<p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>

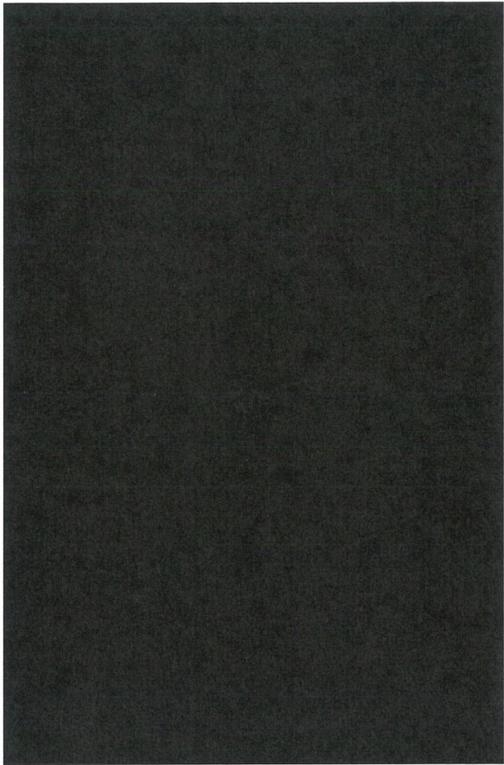
5 (Pages 17 to 20)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

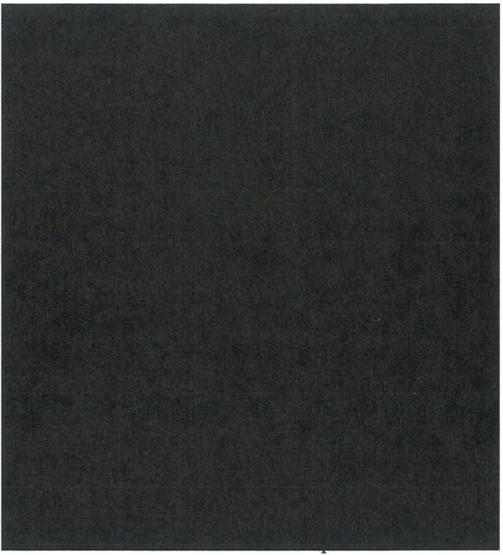
Page 21

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



Page 23

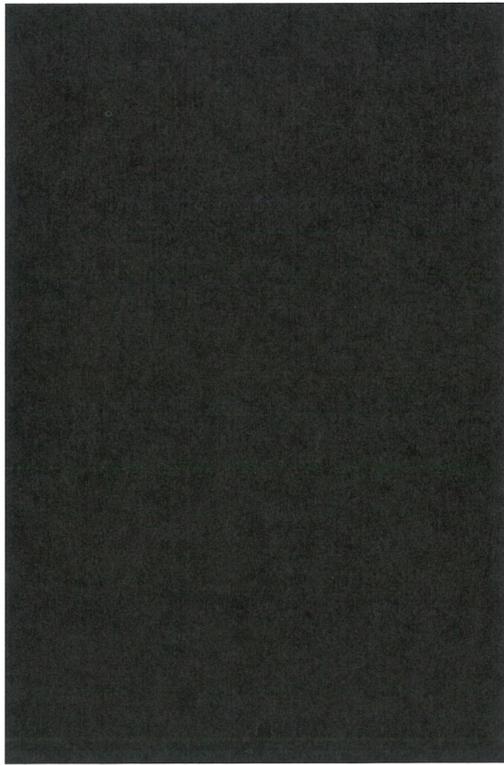
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22



BY MR. WEBSTER:  
Q. Let's go back to the same document.  
And let's go back to the left-hand column.  
And second heading from the bottom  
says "Fitness+ Group Workouts Powered by  
SharePlay."

Page 22

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



Page 24

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

Do you see that?  
A. I do see that.  
Q. What is SharePlay?  
MR. SUNSHINE: James, before --  
sorry, James -- before you go on, we do have  
a copy of the hard copy documents. And if  
it's okay with you, we're going to give  
Mr. Casanova this document in hard copy now.  
MR. WEBSTER: Okay. Let's go off  
the record for just a second.  
THE TECH: Okay. Going off the  
record.  
The time is 9:16.  
AUTOMATED MESSAGE: Recording  
stopped.  
(Discussion held off the record.)  
AUTOMATED MESSAGE: Recording in  
progress.  
THE TECH: We are back on the  
record.  
The time is 9:18.  
MR. WEBSTER: Okay.

6 (Pages 21 to 24)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6) Highly Confidential - Outside Counsel Eyes Only

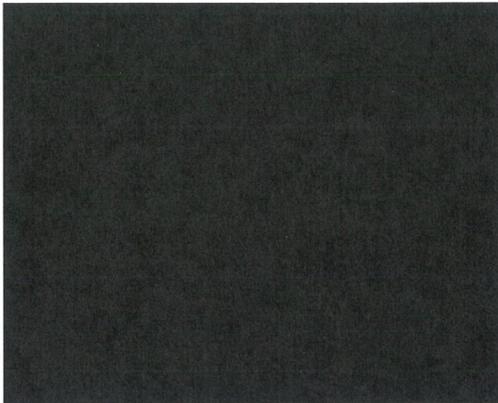
Page 25

1 BY MR. WEBSTER:  
 2 Q. Mr. Casanova, what is SharePlay?  
 3 A. SharePlay is a technology that Apple  
 4 introduced that allows our -- our users to  
 5 include other people in certain experiences.  
 6 Q. Okay. And when it comes to  
 7 Fitness+, what does SharePlay enable users to do?  
 8 A. It would allow two people in  
 9 different locations to enjoy a workout together.  
 10 Q. And does Apple find that that is  
 11 popular with its Fitness+ users?  
 12 A. I'm not sure how popular it is. I  
 13 didn't get any information about the popularity  
 14 of SharePlay in regards to Fitness+.  
 15 Q. Okay. When did Apple release  
 16 Fitness+?  
 17 A. The first installment of Fitness+  
 18 came in December of 2020, and it ran on Apple  
 19 Watch.  
 20 Q. Is live fitness content important  
 21 for Apple's fitness product?  
 22 MR. ROGERS: Object to form.

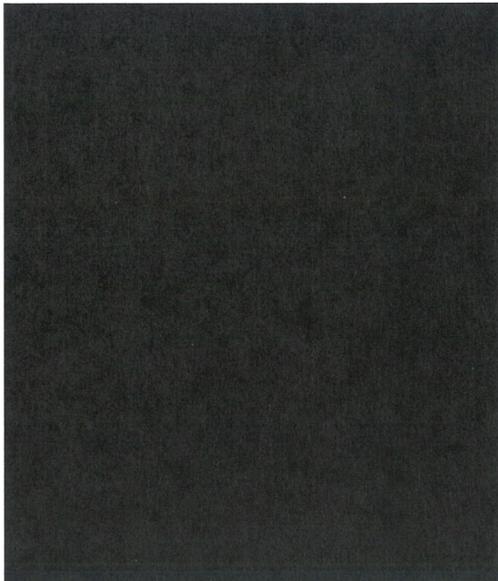
Page 26

1 A. So the first installment on Fitness+  
 2 on Apple Watch was really more about tracking  
 3 your fitness as you engage in various  
 4 activities -- running, hiking, biking -- and  
 5 other things that the watch could track you on  
 6 and record your progress on the watch.  
 7 There was a second installment, an  
 8 update to Fitness+, that followed probably six or  
 9 eight months later -- maybe six, seven months  
 10 later, where we moved Fitness+, in addition to  
 11 Apple Watch, onto some of our other products.  
 12 That's where things became more interactive.  
 13 Because you then had a screen you could use to  
 14 follow trainers and engage with trainers in  
 15 workouts that we produced in our studio, down in  
 16 LA, that we mentioned earlier.  
 17 Q. Why did Apple introduce that feature  
 18 to Fitness+?  
 19 A. I think that we realized that our  
 20 customers, our users, while they loved having  
 21 self-guided workouts, enjoyed also being guided  
 22 in their workouts by professionals across a wide

Page 27

1 range of workout activities.  
 2 So we expanded the Fitness+ feature  
 3 on Apple Watch to include guided workouts.  
 4   
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16 MR. WEBSTER: If we can look at Tab  
 17 2, which is Bates numbered 484 through 486.  
 18 A. Okay. Give me a second here. They  
 19 are all wrapped up. So I have to unwrap them.  
 20 Tab 2. Okay. And which -- which  
 21 number?  
 22 Q. This is a document Bates numbered

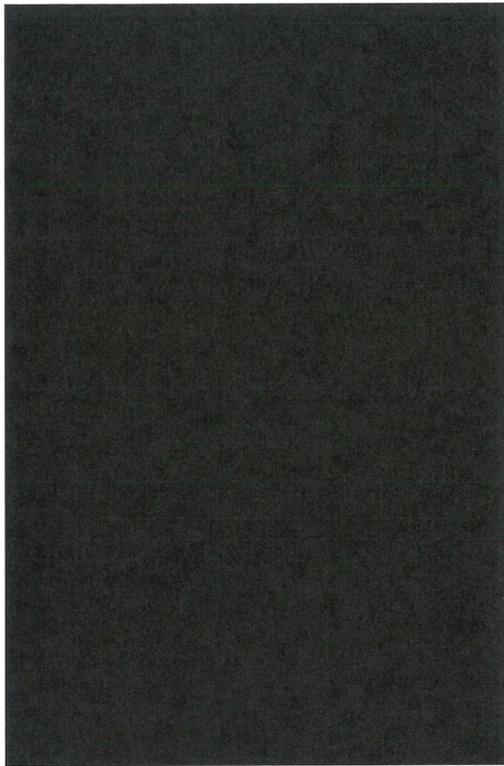
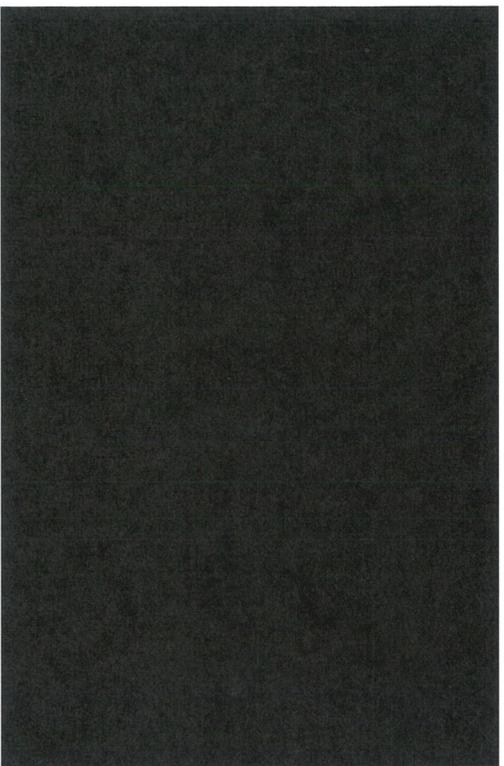
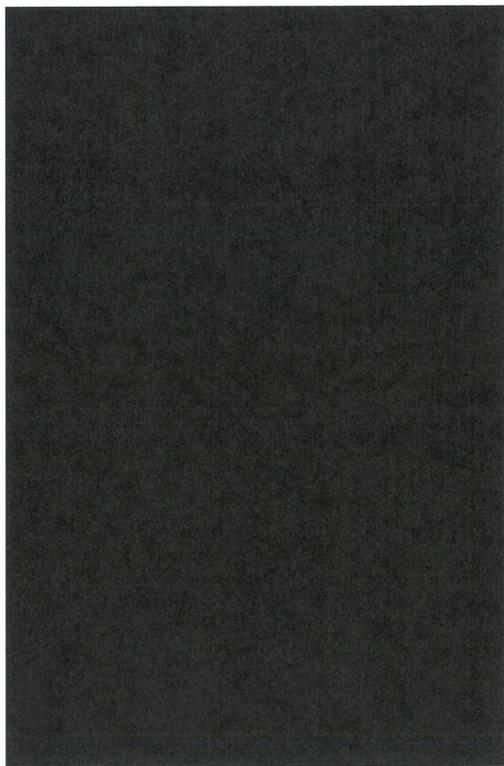
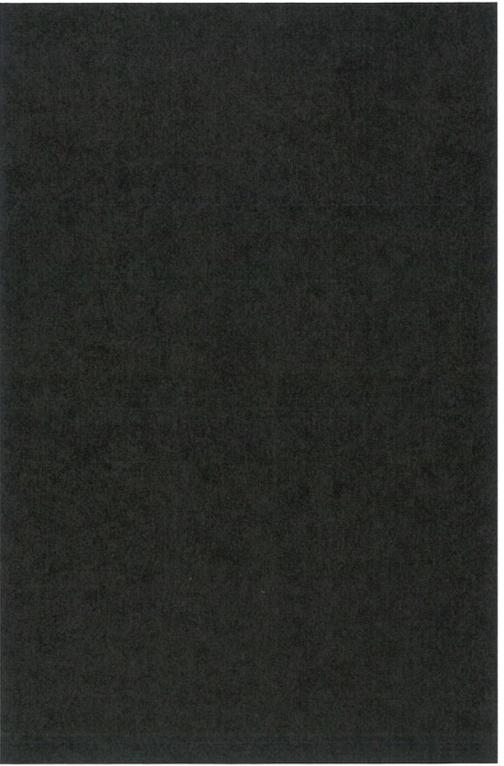
Page 28

1 484 through 486.  
 2 MR. WEBSTER: And we're --  
 3 THE WITNESS: Yes, I have this.  
 4 MR. WEBSTER: Going to mark this as  
 5 Meta Exhibit 7.  
 6   
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22

7 (Pages 25 to 28)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 29</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 31</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 30</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 32</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

8 (Pages 29 to 32)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 33</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 35</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>
<p style="text-align: right;">Page 34</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 36</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>

9 (Pages 33 to 36)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 37

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 MR. WEBSTER: Okay. Let's pull

16 Tab 18, which is Bates No. 1403 through 1465.

17 THE WITNESS: Okay. Give me a

18 second. I've got to open it.

19 MR. SUNSHINE: Take your time

20 looking through it so you understand the

21 document.

22 THE WITNESS: I will. Yep.

Page 39

1 Q. Okay. If you turn to Page 1406.

2 A. Okay. I'm there.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

Page 38

1 BY MR. WEBSTER:

2 Q. Do you have the hard copy of the

3 document in front of you now?

4 A. Yes, I do.

5 MR. WEBSTER: We'll mark this as

6 Meta Exhibit 8.

7 (Whereupon, Meta Exhibit 8, Price

8 Committee Seymour Bates No.

9 APL-METAFTC\_00001403 - APL-METAFTC\_00001465,

10 was marked for identification.)

11 BY MR. WEBSTER:

12 Q. And did you review this document in

13 preparation for your deposition?

14 A. Yes, sir, I did.

15 Q. Okay. The first page says "Price

16 Committee, Seymour."

17 Was "Seymour" a code name for Apple

18 Fitness+?

19 A. You are correct.

20 Q. And this document is dated

21 August 20, 2020?

22 A. That's right.

Page 40

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 41	Page 43
<p>1 [Redacted]</p> <p>2 [Redacted]</p> <p>3 [Redacted]</p> <p>4 [Redacted]</p> <p>5 [Redacted]</p> <p>6 [Redacted]</p> <p>7 [Redacted]</p> <p>8 [Redacted]</p> <p>9 [Redacted]</p> <p>10 [Redacted]</p> <p>11 [Redacted]</p> <p>12 [Redacted]</p> <p>13 [Redacted]</p> <p>14 [Redacted]</p> <p>15 [Redacted]</p> <p>16 [Redacted]</p> <p>17 [Redacted]</p> <p>18 [Redacted]</p> <p>19 [Redacted]</p> <p>20 [Redacted]</p> <p>21 [Redacted]</p> <p>22 [Redacted]</p>	<p>1 [Redacted]</p> <p>2 [Redacted]</p> <p>3 [Redacted]</p> <p>4 [Redacted]</p> <p>5 [Redacted]</p> <p>6 [Redacted]</p> <p>7 [Redacted]</p> <p>8 [Redacted]</p> <p>9 [Redacted]</p> <p>10 [Redacted]</p> <p>11 [Redacted]</p> <p>12 [Redacted]</p> <p>13 [Redacted]</p> <p>14 [Redacted]</p> <p>15 [Redacted]</p> <p>16 [Redacted]</p> <p>17 [Redacted]</p> <p>18 [Redacted]</p> <p>19 [Redacted]</p> <p>20 [Redacted]</p> <p>21 [Redacted]</p> <p>22 [Redacted]</p>
Page 42	Page 44
<p>1 [Redacted]</p> <p>2 [Redacted]</p> <p>3 [Redacted]</p> <p>4 [Redacted]</p> <p>5 [Redacted]</p> <p>6 [Redacted]</p> <p>7 [Redacted]</p> <p>8 [Redacted]</p> <p>9 [Redacted]</p> <p>10 [Redacted]</p> <p>11 [Redacted]</p> <p>12 [Redacted]</p> <p>13 [Redacted]</p> <p>14 [Redacted]</p> <p>15 [Redacted]</p> <p>16 [Redacted]</p> <p>17 [Redacted]</p> <p>18 [Redacted]</p> <p>19 [Redacted]</p> <p>20 [Redacted]</p> <p>21 [Redacted]</p> <p>22 [Redacted]</p>	<p>1 [Redacted]</p> <p>2 [Redacted]</p> <p>3 [Redacted]</p> <p>4 [Redacted]</p> <p>5 [Redacted]</p> <p>6 [Redacted]</p> <p>7 [Redacted]</p> <p>8 [Redacted]</p> <p>9 [Redacted]</p> <p>10 [Redacted]</p> <p>11 [Redacted]</p> <p>12 [Redacted]</p> <p>13 [Redacted]</p> <p>14 [Redacted]</p> <p>15 [Redacted]</p> <p>16 [Redacted]</p> <p>17 [Redacted]</p> <p>18 [Redacted]</p> <p>19 [Redacted]</p> <p>20 [Redacted]</p> <p>21 [Redacted]</p> <p>22 [Redacted]</p>

11 (Pages 41 to 44)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 45

1 [REDACTED]

2 [REDACTED]

3 MR. SUNSHINE: Let's go off the

4 record for a minute.

5 James, we'll be right back.

6 THE TECH: Okay. Going off the

7 record.

8 The time is 9:40.

9 AUTOMATED MESSAGE: Recording

10 stopped.

11 (Recess taken.)

12 (Discussion held off the record.)

13 AUTOMATED MESSAGE: Recording in

14 progress.

15 THE TECH: We are back on the

16 record.

17 The time is 9:44.

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

Page 47

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

Page 46

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

Page 48

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

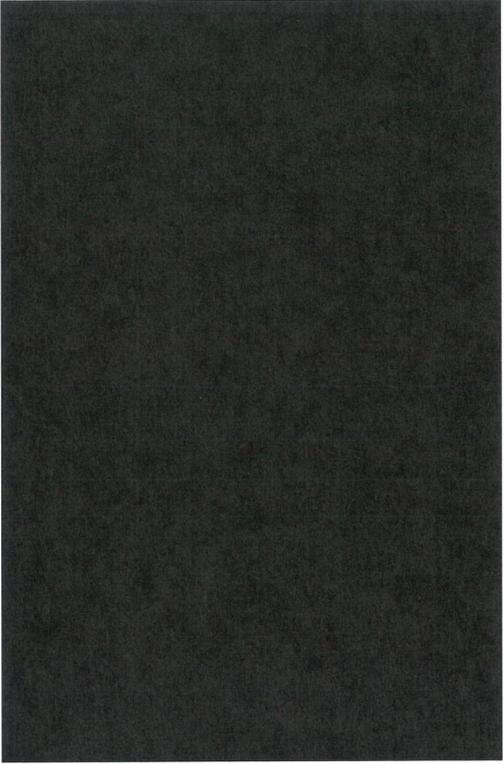
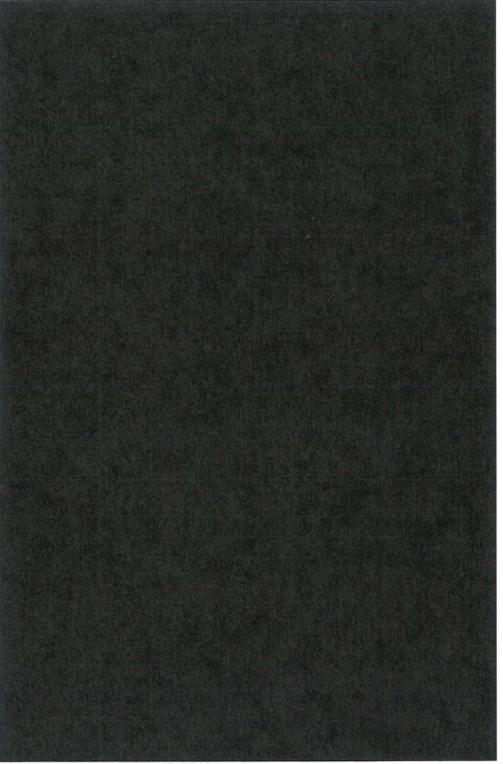
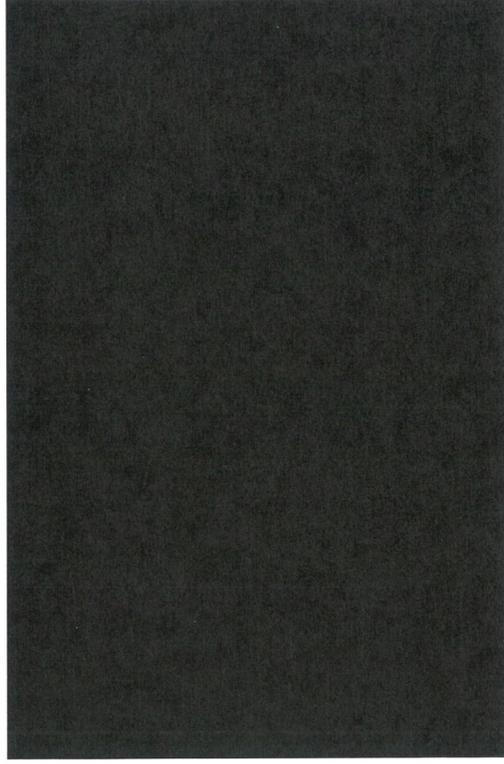
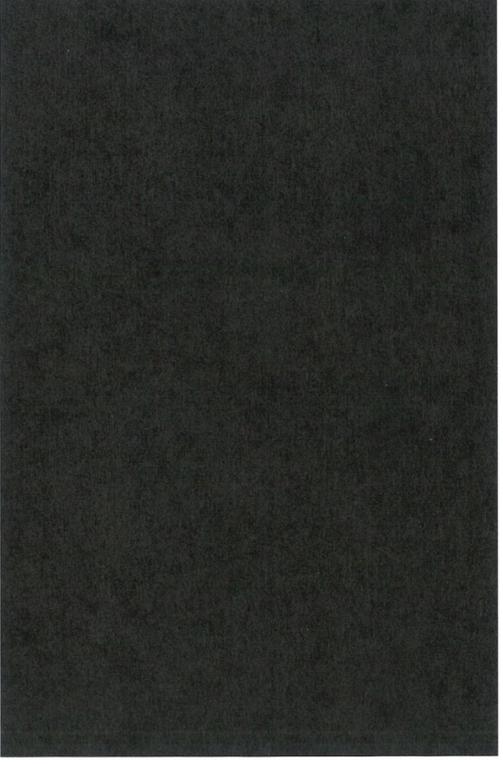
21 [REDACTED]

22 [REDACTED]

12 (Pages 45 to 48)

11/14/2022

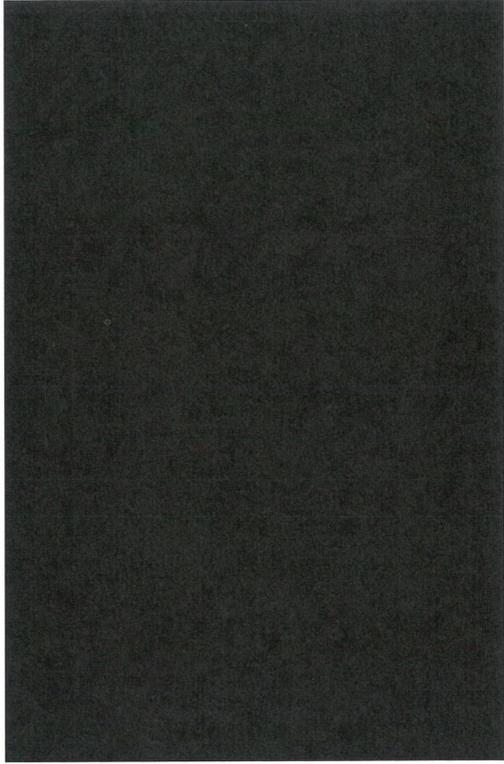
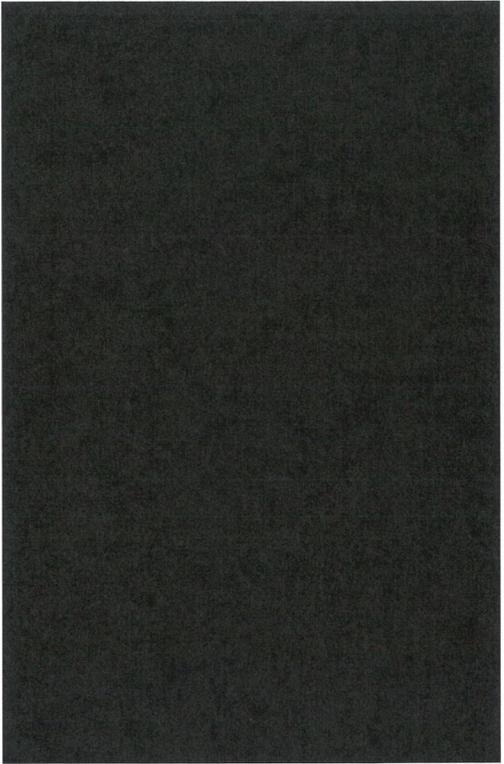
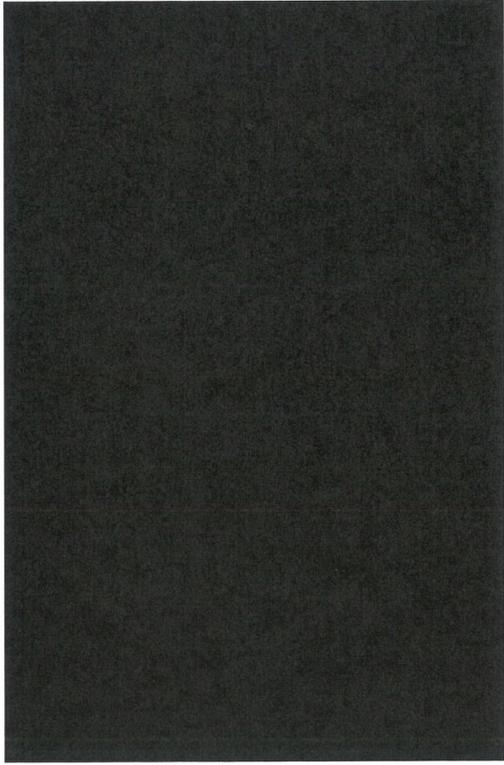
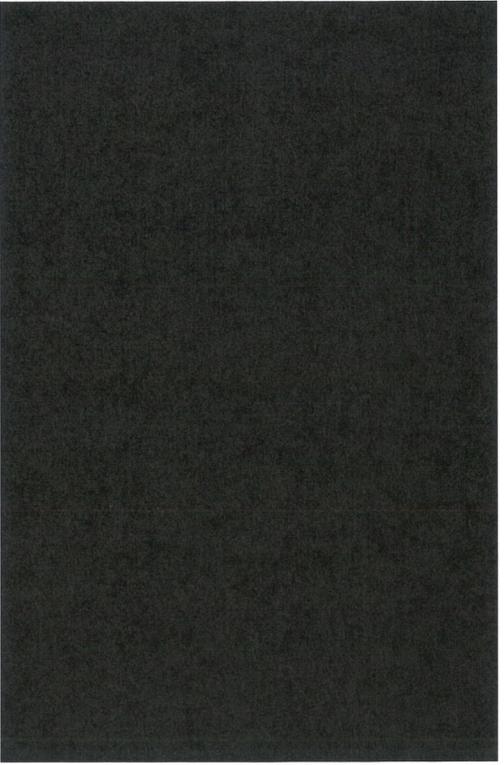
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 49</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 51</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 50</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 52</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

13 (Pages 49 to 52)

11/14/2022

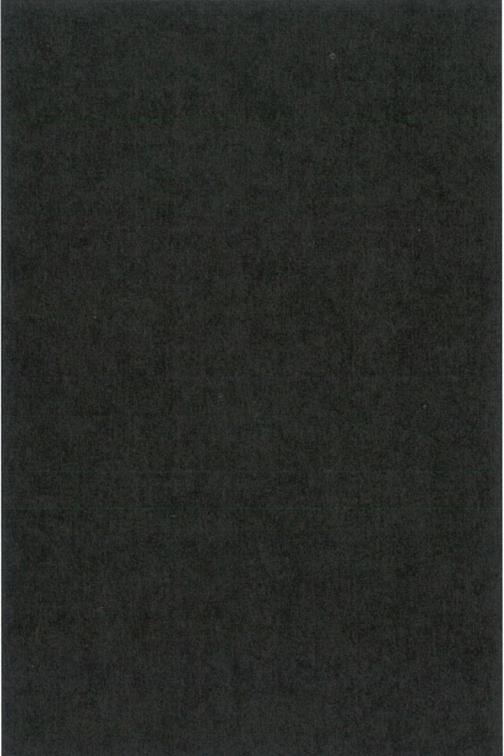
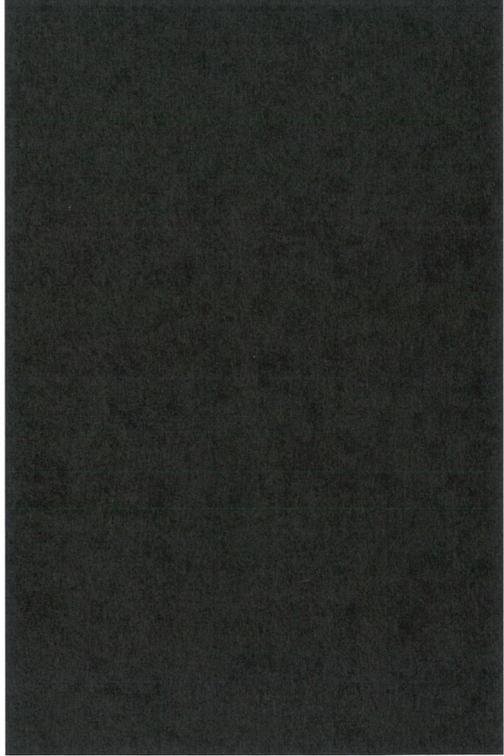
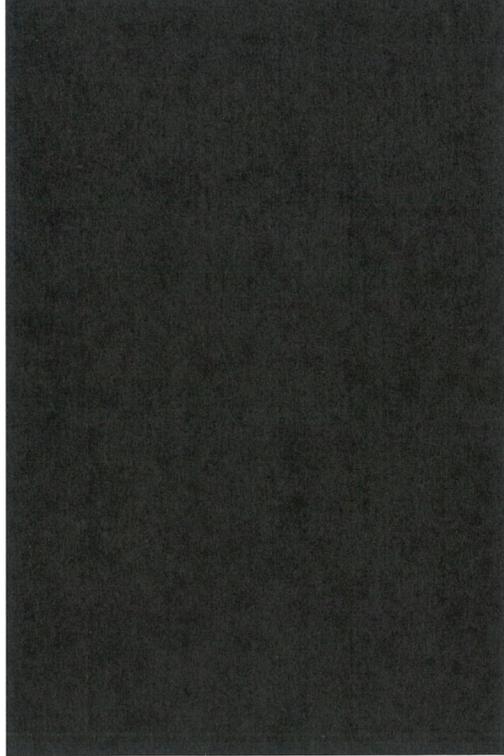
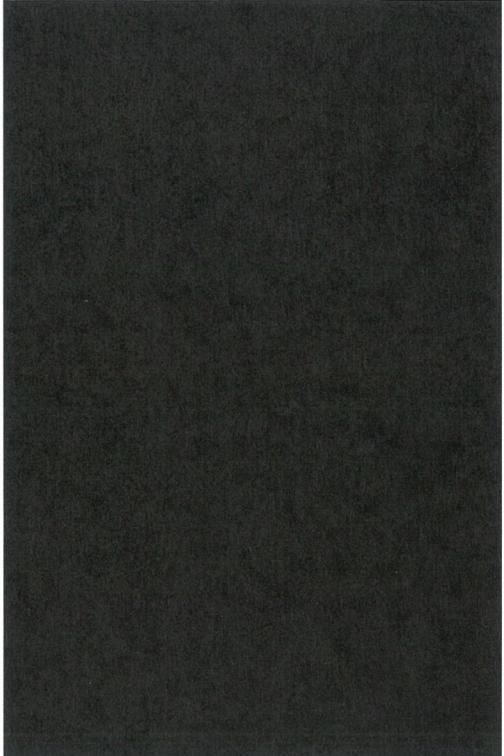
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 53</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 55</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 54</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 56</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

14 (Pages 53 to 56)

11/14/2022

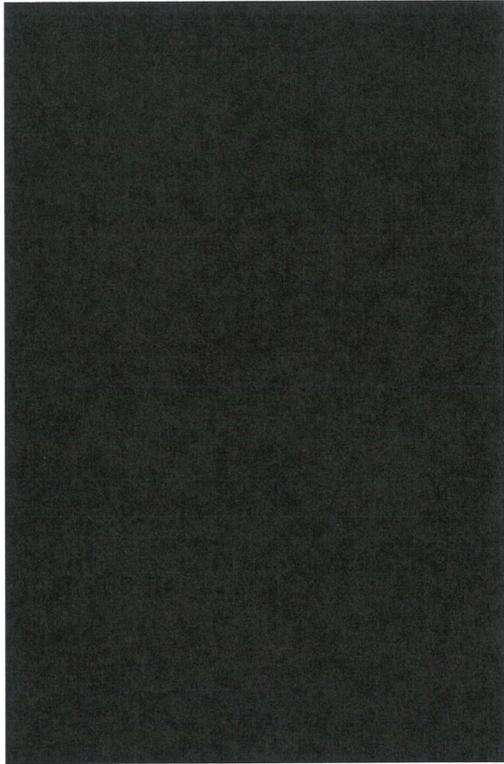
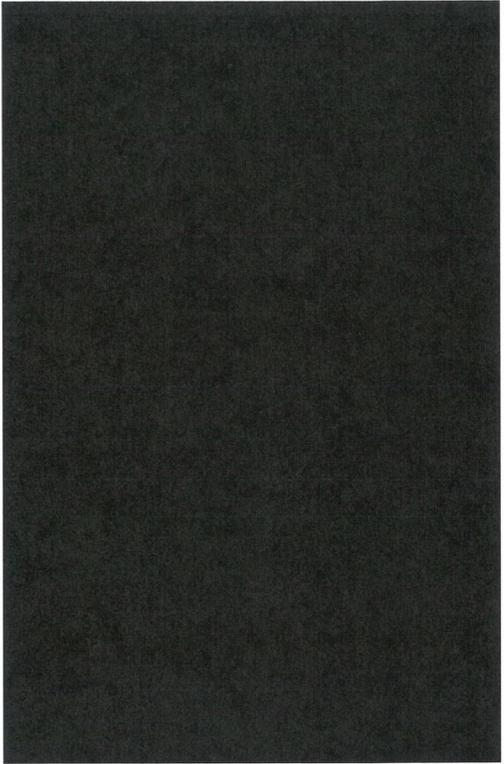
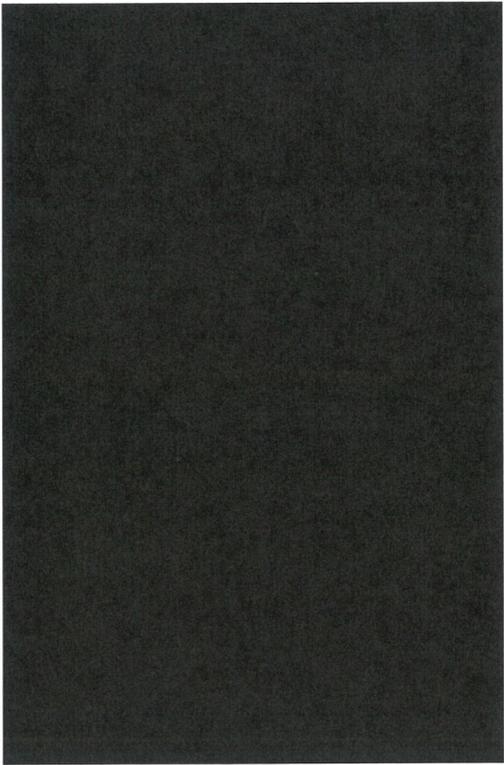
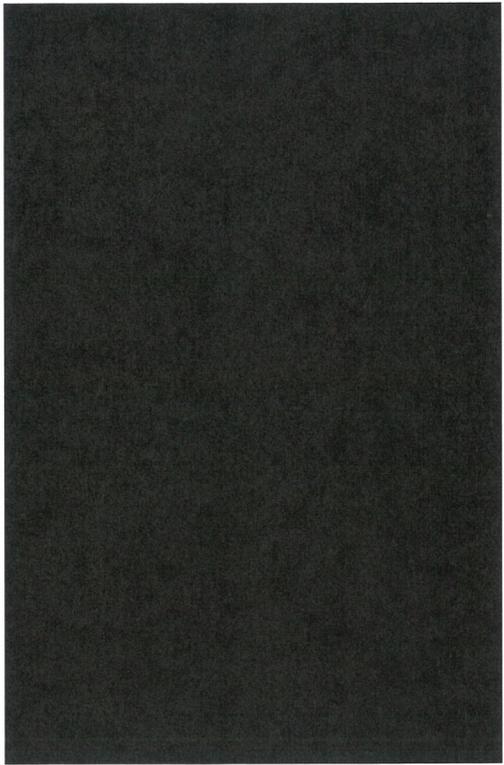
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 57</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 59</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 58</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 60</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

15 (Pages 57 to 60)

11/14/2022

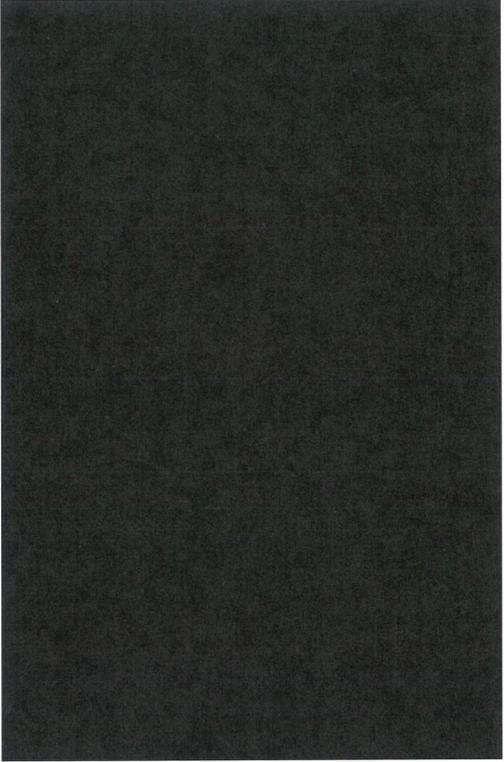
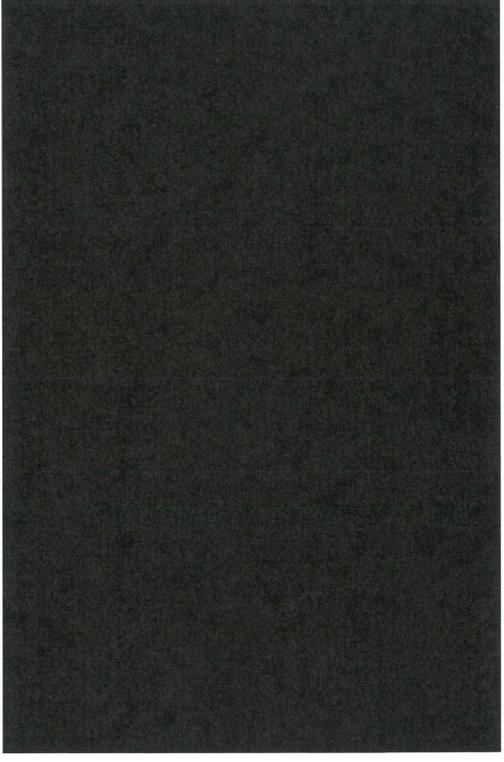
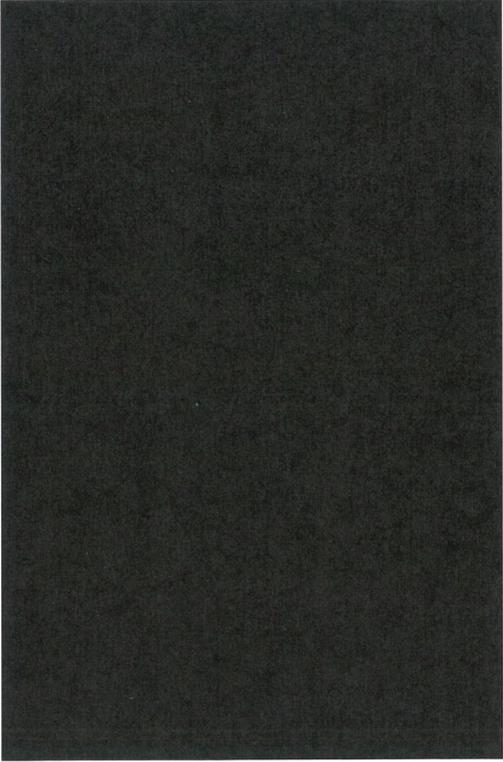
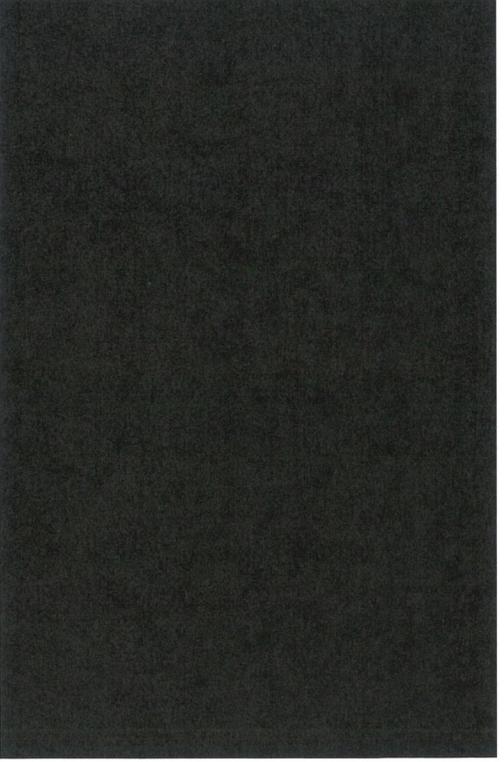
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 61</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 63</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 62</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 64</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

16 (Pages 61 to 64)

11/14/2022

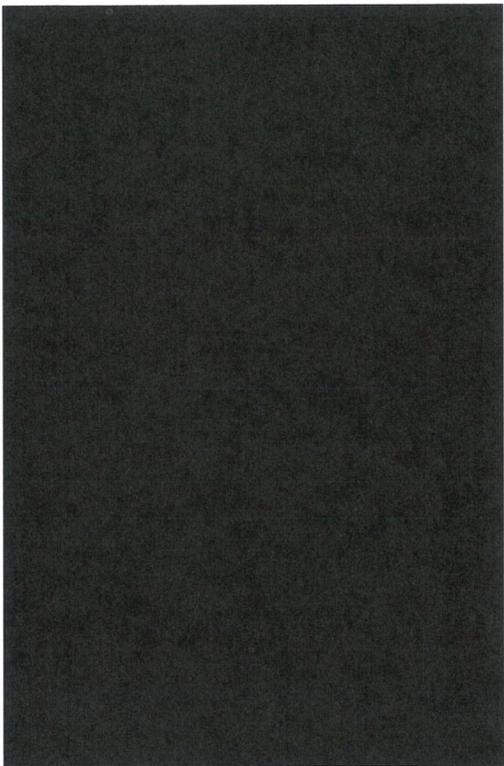
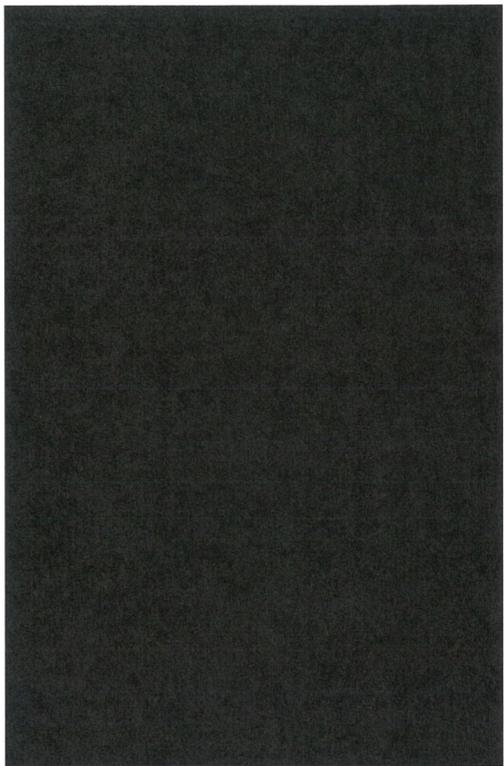
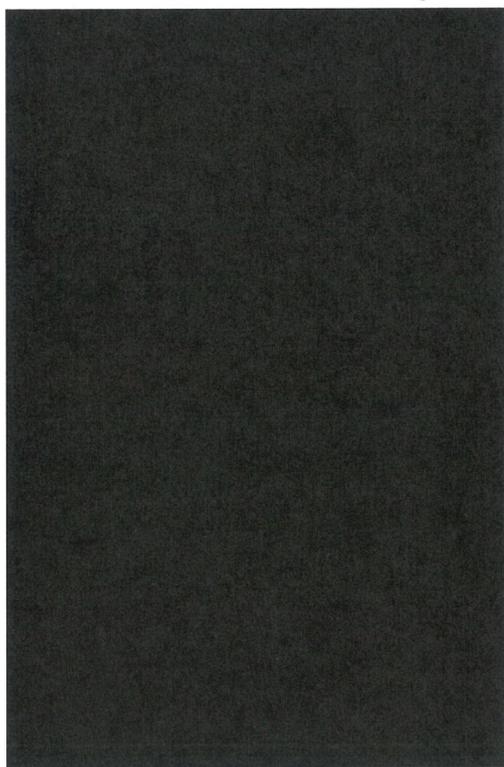
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 65</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 67</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 66</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 68</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

17 (Pages 65 to 68)

11/14/2022

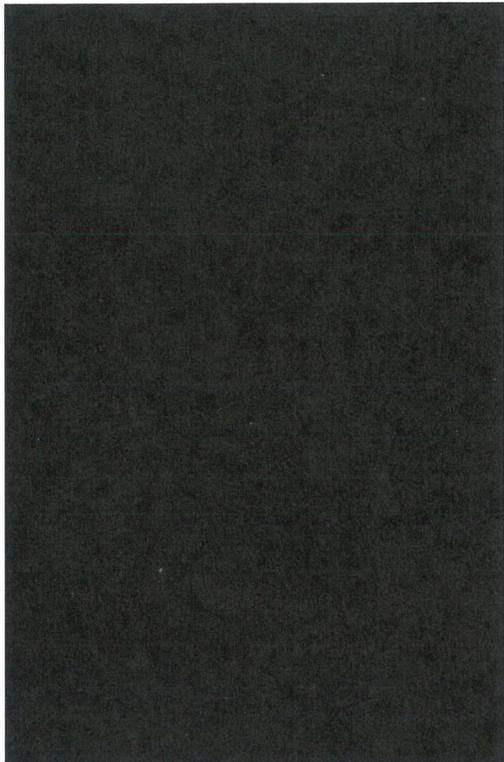
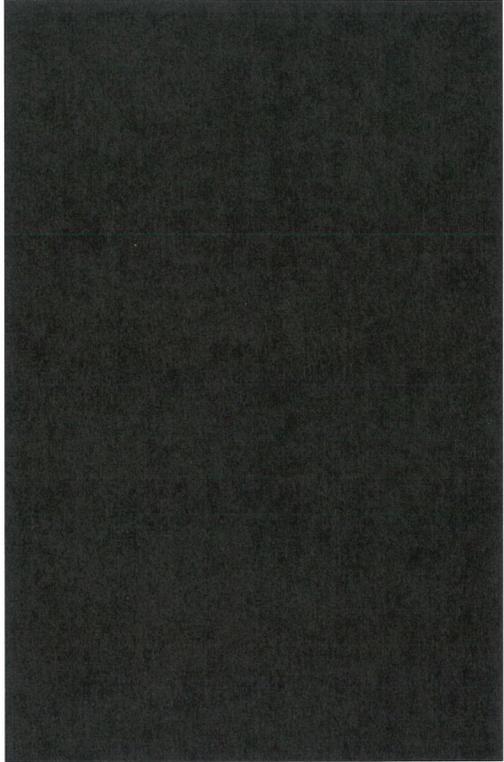
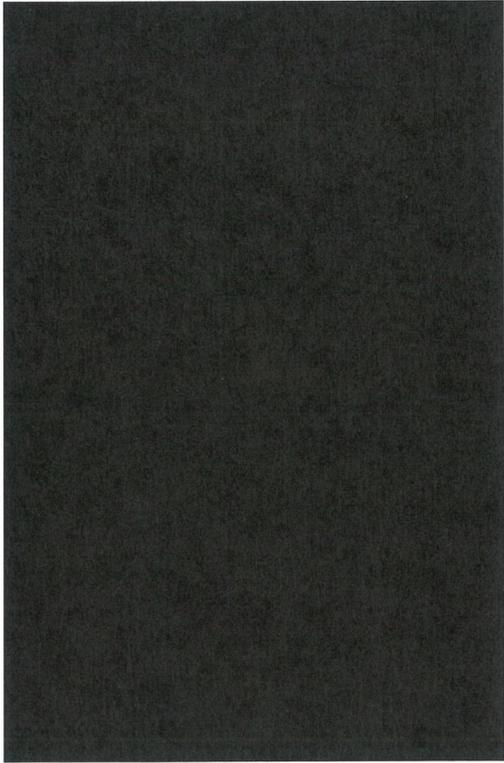
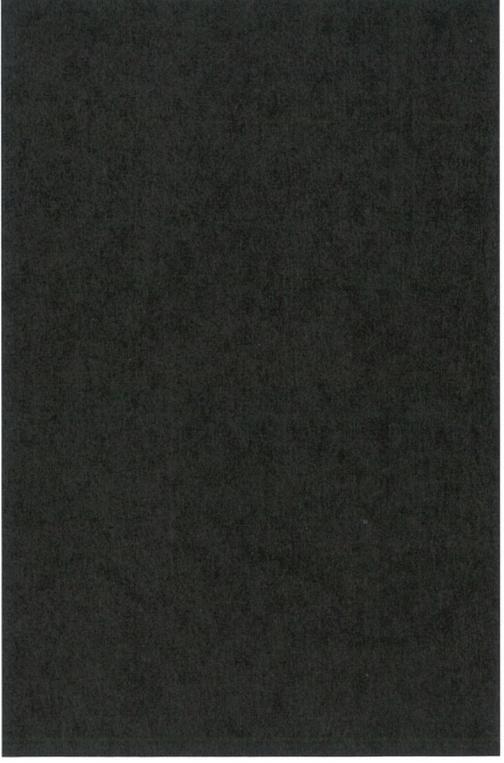
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 69</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 71</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 70</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 72</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

18 (Pages 69 to 72)

11/14/2022

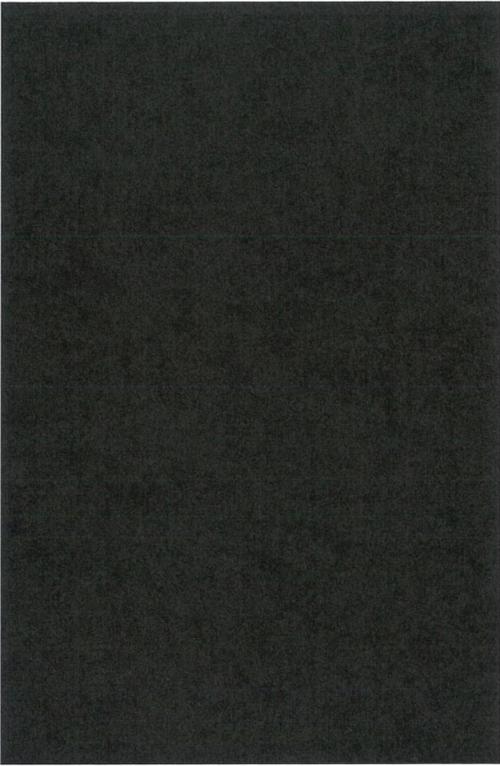
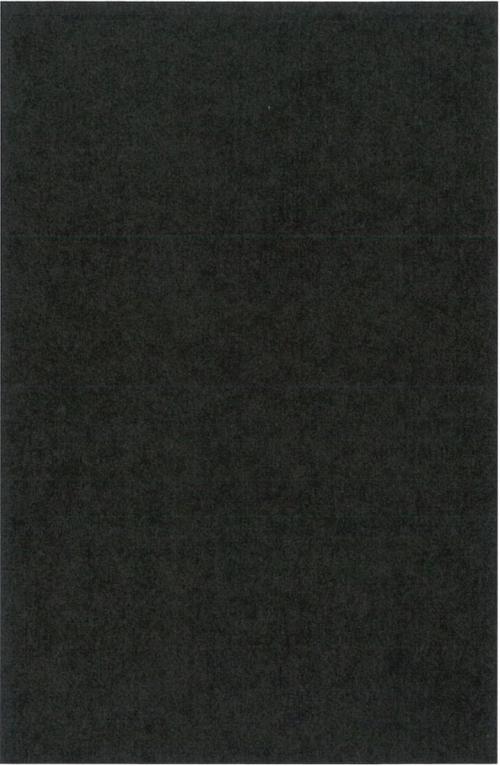
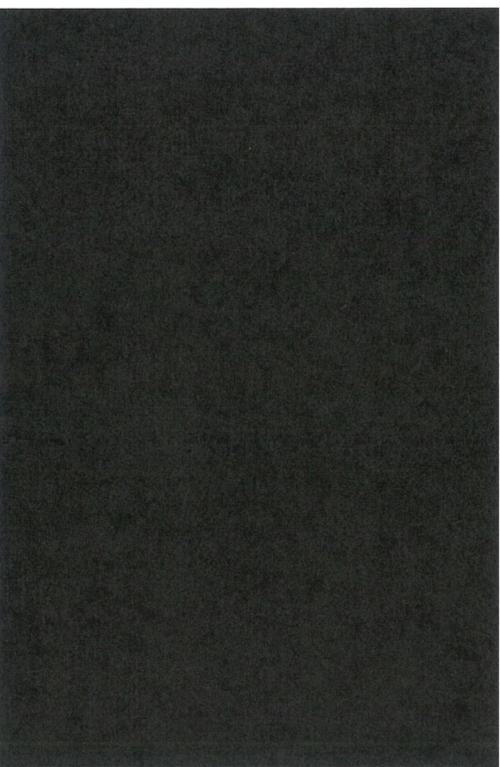
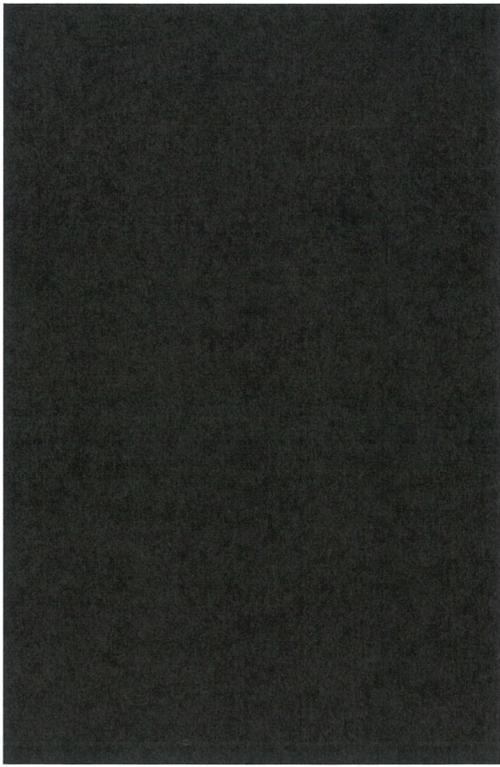
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 73</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 75</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 74</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 76</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

19 (Pages 73 to 76)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 77</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 79</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 78</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 80</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

20 (Pages 77 to 80)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 81</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 83</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>
<p style="text-align: right;">Page 82</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 84</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>

21 (Pages 81 to 84)

11/14/2022

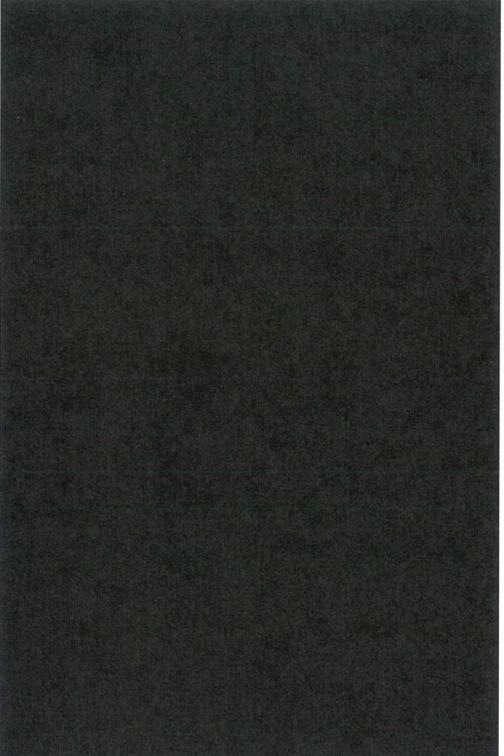
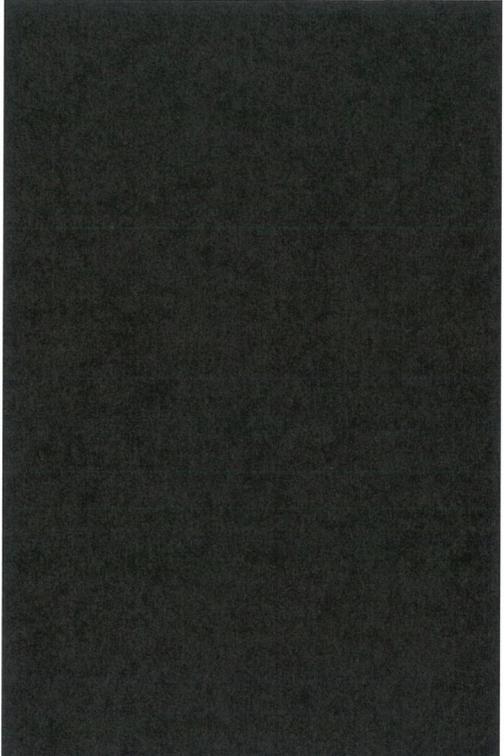
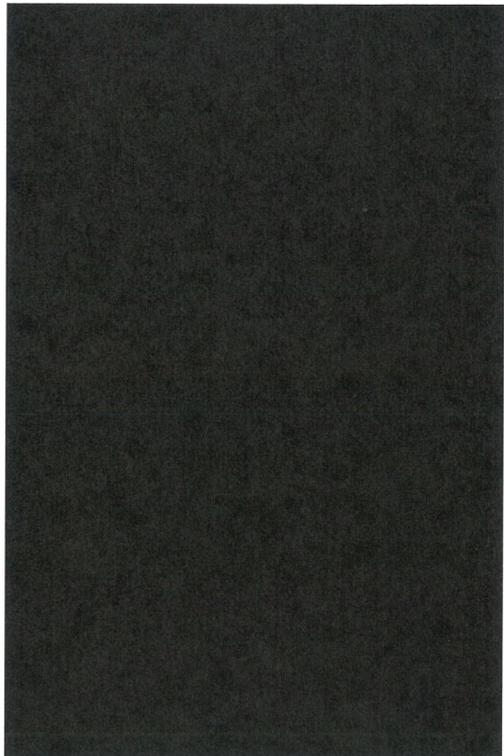
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 85</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 87</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>
<p style="text-align: right;">Page 86</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>	<p style="text-align: right;">Page 88</p> <p>1 [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] 15 [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 [REDACTED] 19 [REDACTED] 20 [REDACTED] 21 [REDACTED] 22 [REDACTED]</p>

22 (Pages 85 to 88)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 89</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 91</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 90</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 92</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

23 (Pages 89 to 92)

11/14/2022

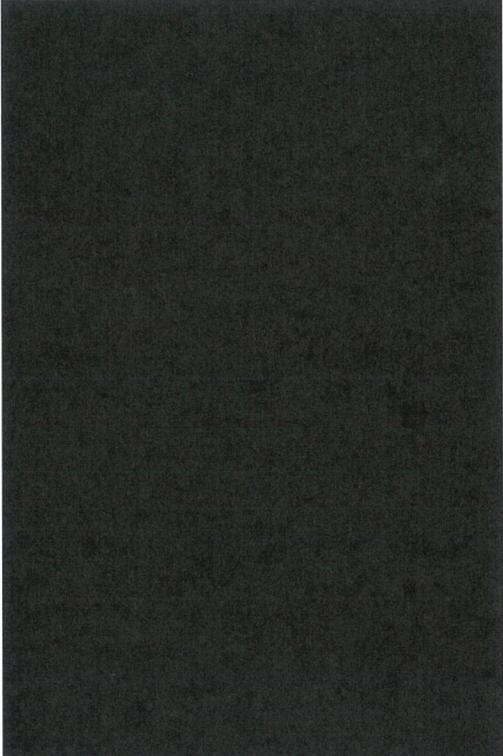
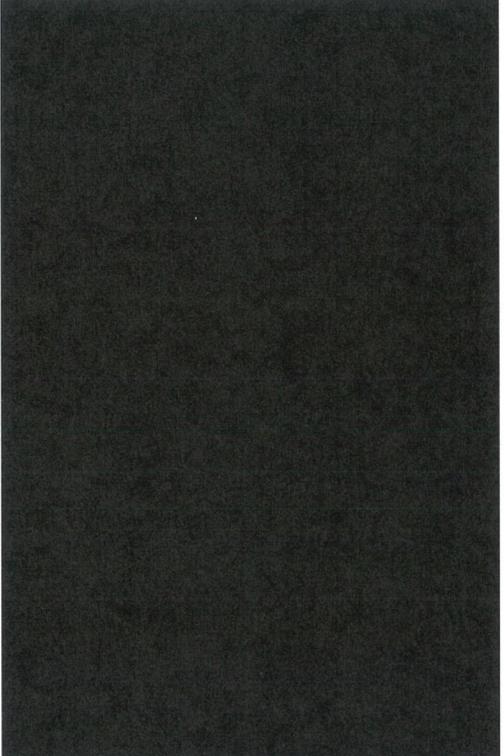
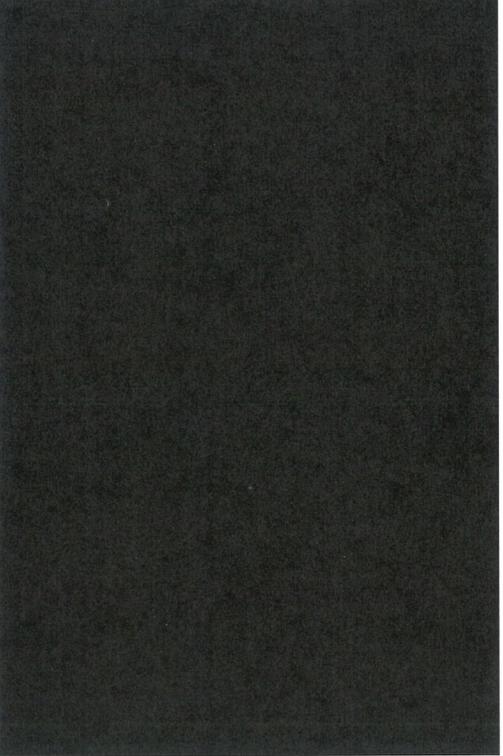
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 93	Page 95
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
Page 94	Page 96
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

24 (Pages 93 to 96)

11/14/2022

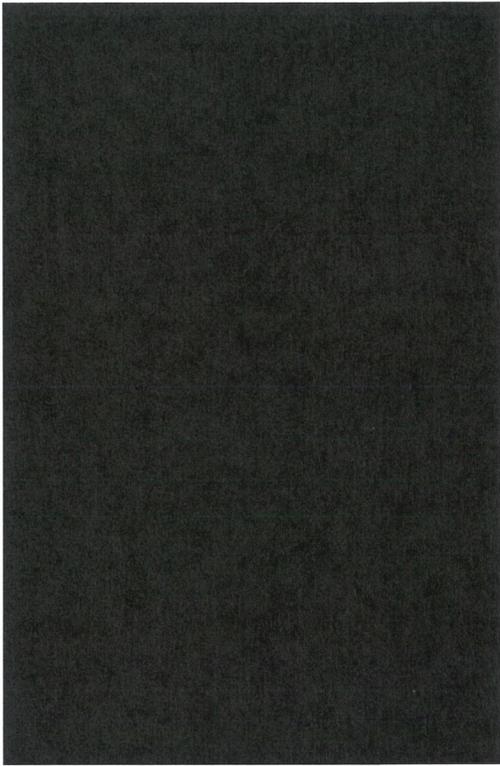
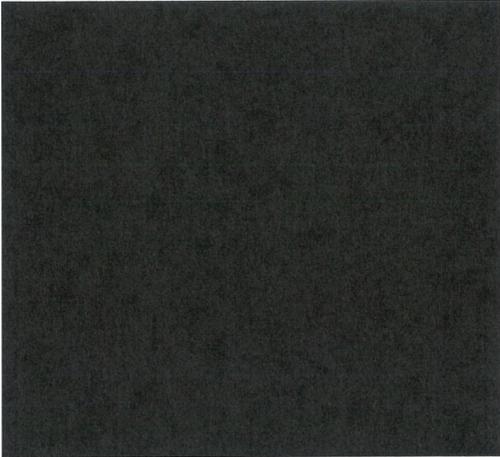
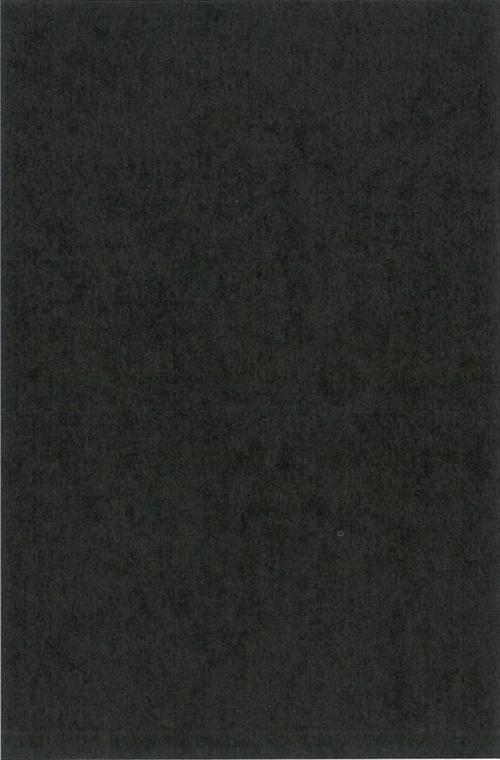
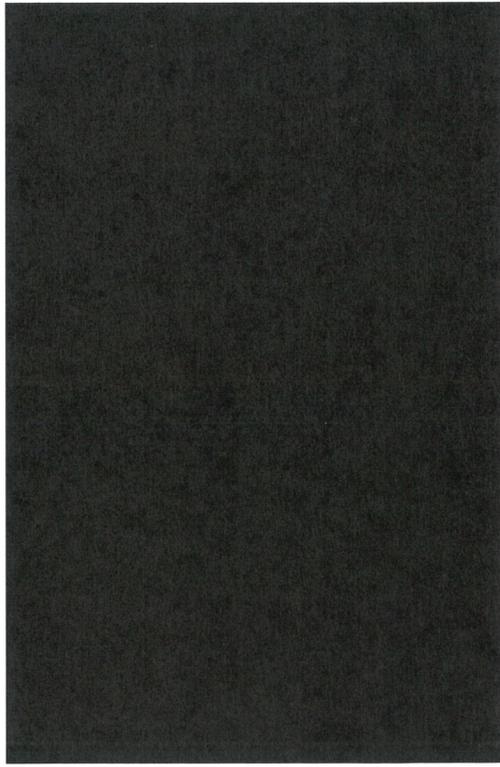
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 97</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> 	<p style="text-align: right;">Page 99</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> 
<p style="text-align: right;">Page 98</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> 	<p style="text-align: right;">Page 100</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> <p>MR. WEBSTER: All right. Let's take a break.</p> <p>THE TECH: Okay. Going off the record.</p> <p>The time is 10:42.</p>

25 (Pages 97 to 100)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 101		Page 103	
1	AUTOMATED MESSAGE: Recording	1	
2	stopped.	2	
3	(Recess taken.)	3	
4	AUTOMATED MESSAGE: Recording in	4	
5	progress.	5	
6	THE TECH: We are back on the	6	
7	record.	7	
8	The time is 10:53.	8	
9	BY MR. WEBSTER:	9	
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
Page 102		Page 104	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	

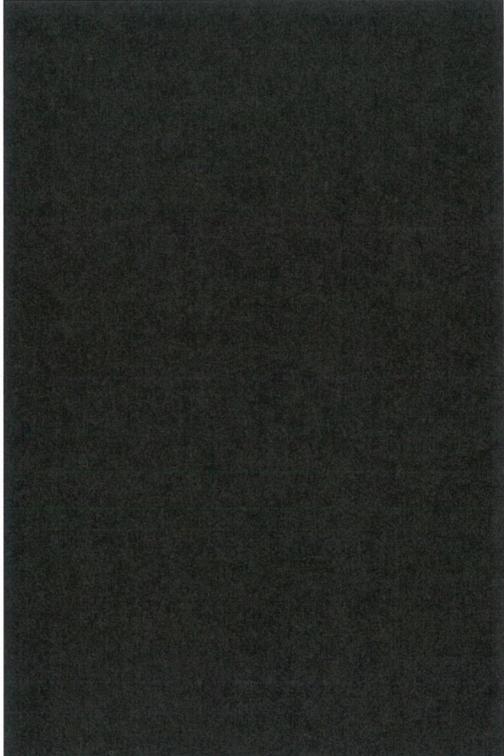
26 (Pages 101 to 104)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

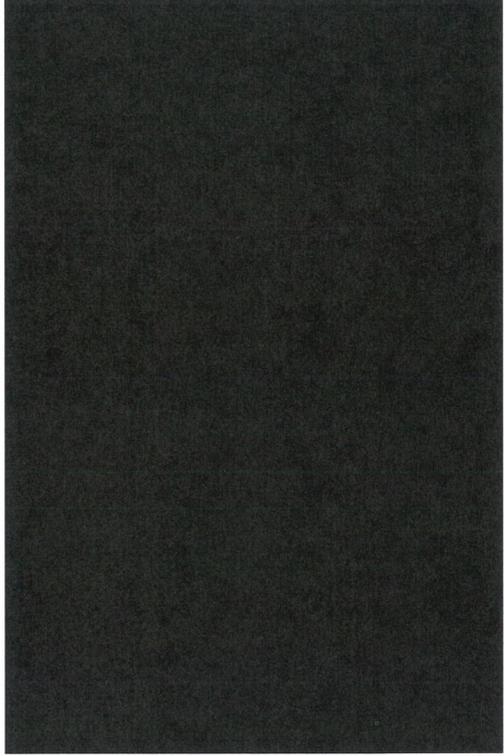
Page 105

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



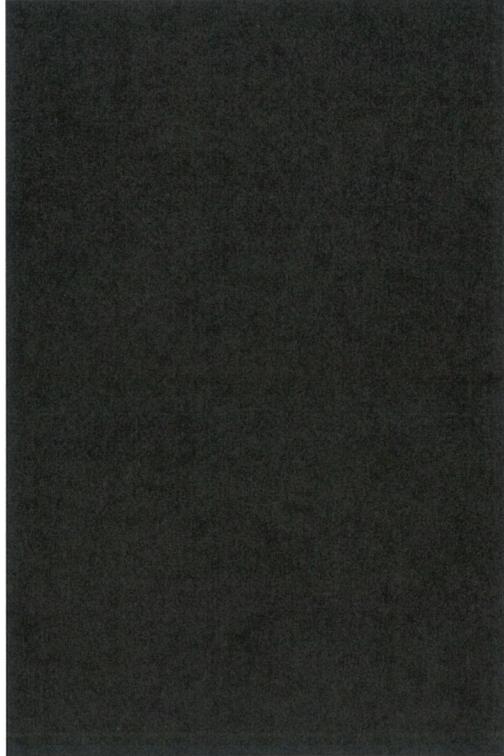
Page 107

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



Page 106

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



Page 108

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

Q. All right. Are you familiar with the production of documents that Apple has made in this case?

A. I have reviewed certain documents with my team. I'm not sure if that answers your question though.

Q. Are you able to say whether the documents that Apple produced in this matter were all created by Apple employees?

A. I believe every document that I've seen has come from within Apple. Yeah, I would say that.

MR. WEBSTER: Let's go off the record for a second.

THE WITNESS: Okay.

THE TECH: Okay. Going off the

27 (Pages 105 to 108)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6) Highly Confidential - Outside Counsel Eyes Only

Page 109

1 record.  
 2 The time is 11:03.  
 3 AUTOMATED MESSAGE: Recording  
 4 stopped.  
 5 (Discussion held off the record.)  
 6 AUTOMATED MESSAGE: Recording in  
 7 progress.  
 8 THE TECH: We are back on the  
 9 record.  
 10 The time is 11:05.  
 11 MR. WEBSTER: Okay. We are going to  
 12 talk with counsel for Apple about obtaining a  
 13 Declaration on the authenticity and status of  
 14 the documents produced as business records.  
 15 I'm optimistic that we will be able to obtain  
 16 such a Declaration, but I will reserve my  
 17 rights to continue the deposition of  
 18 Mr. Casanova for authenticating business  
 19 records of the company. Otherwise, I'm  
 20 finished.  
 21 MR. ROGERS: Okay. I hate to do  
 22 this, but I'm going to ask if we take another

Page 110

1 ten-minute break. If we can take a  
 2 ten-minute break, I believe I can pare back  
 3 my questions by more than 10 minutes so it  
 4 should be a net, net time save; is that okay?  
 5 MR. SUNSHINE: That's fine with the  
 6 Apple team.  
 7 MR. WEBSTER: Okay.  
 8 MR. ROGERS: See you back here,  
 9 2:15.  
 10 THE TECH: Going off the record.  
 11 The time is 11:06.  
 12 AUTOMATED MESSAGE: Recording  
 13 stopped.  
 14 (Recess taken.)  
 15 AUTOMATED MESSAGE: Recording in  
 16 progress.  
 17 THE TECH: We are back on the  
 18 record.  
 19 The time is 11:17.  
 20 MR. ROGERS: All right. I'm  
 21 wondering if we can go back to Exhibit Meta  
 22 8, which we looked at earlier today. Yep,

Page 111

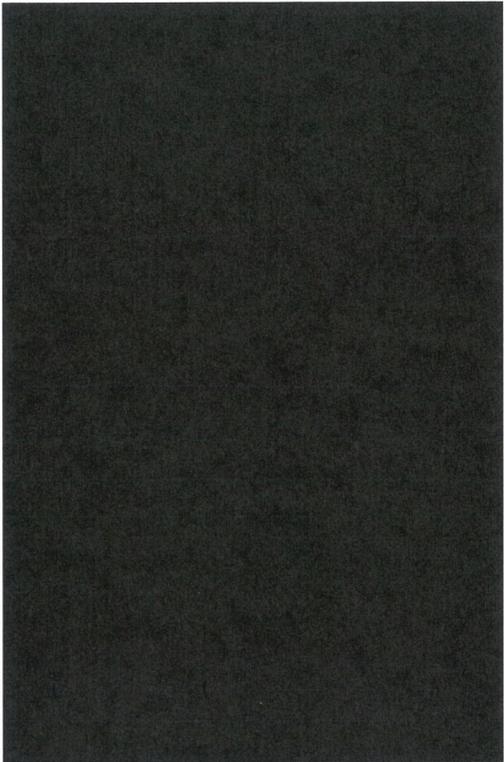
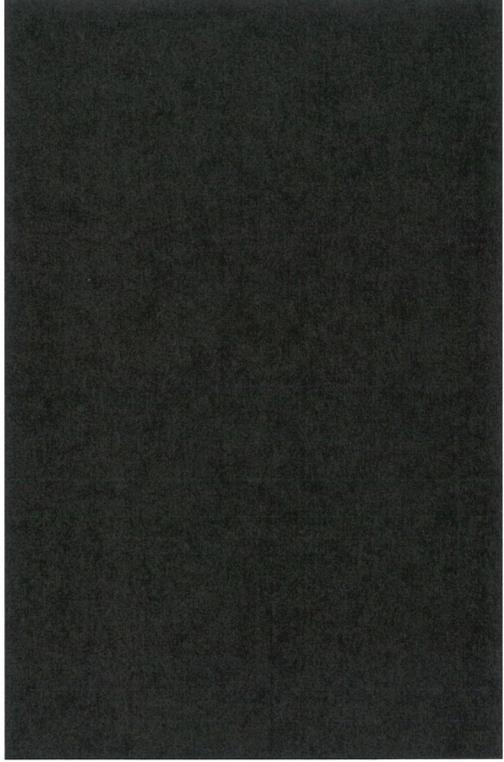
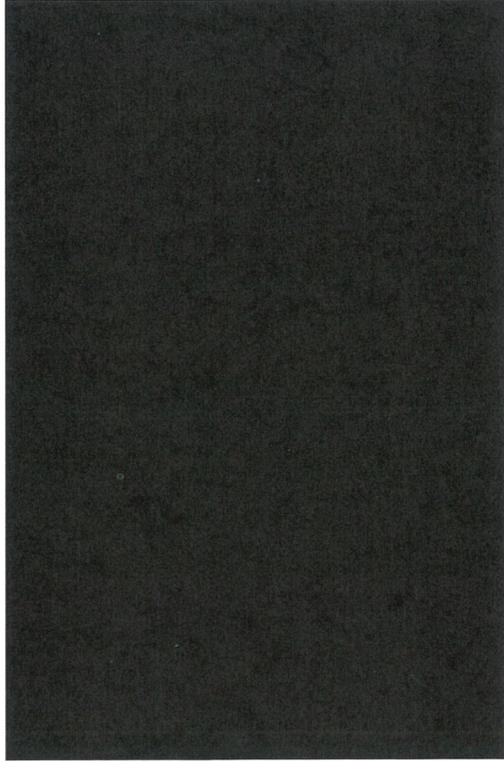
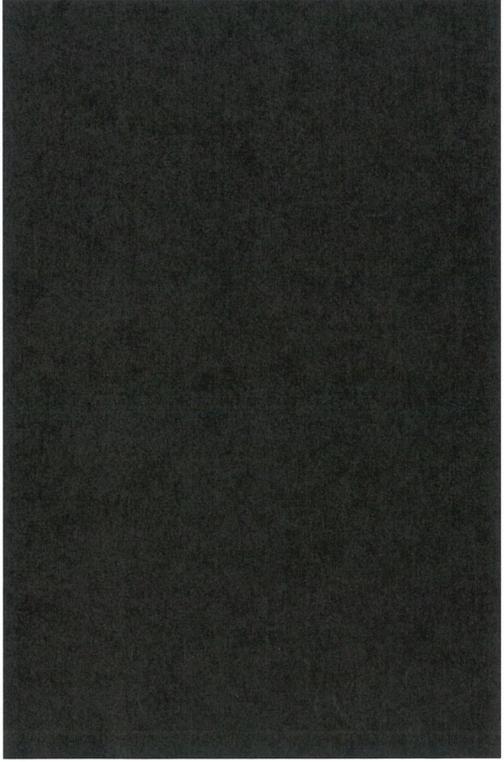
1 that's the one. And could we turn to Page 5  
 2 of the PDF.  
 3 (Tech complies.)  
 4 MR. ROGERS: Yes --  
 5 THE WITNESS: Sorry. Could you give  
 6 me the Bates number? I'm not sure you mean  
 7 physical Page 5 or Bates Page 5.  
 8 EXAMINATION  
 9 BY MR. ROGERS:  
 10 Q. Good point. It's -- bear with me  
 11 one second, I can give you the Bates number.  
 12 MR. SUNSHINE: It's the one up on  
 13 the screen, 1407.  
 14 THE WITNESS: Oh, I'm looking at the  
 15 screen. I'm sorry.  
 16  
 17  
 18  
 19  
 20  
 21  
 22

Page 112

1  
 2  
 3  
 4  
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19 MR. ROGERS: Okay. Okay. You can,  
 20 you can take that document down.  
 21 (Tech complies.)  
 22 BY MR. ROGERS:

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 113		Page 115	
1		1	
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
Page 114		Page 116	
1		1	
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 117

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

Page 119

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 MR. ROGERS: Okay. Can we put up on  
7 the screen PX907, please.  
8 (Whereupon, Exhibit PX907, Online  
9 article printout from techgameworld.com,  
10 dated July 1, 2022, was identified.)  
11 MR. ROGERS: This is -- I'm looking  
12 for PX907.  
13 THE TECH: Hold on. Something is  
14 wrong with my software. It keeps launching  
15 the previous one that I got in. Let me try  
16 to reset it real quick. Let me try to  
17 restart it. There we go.  
18 MR. ROGERS: Okay. And you can --  
19 I'll represent to you this was an online  
20 article we printed off from techgameworld.com  
21 dated July 1, 2022. And I will give you a  
22 chance to review this.

Page 118

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

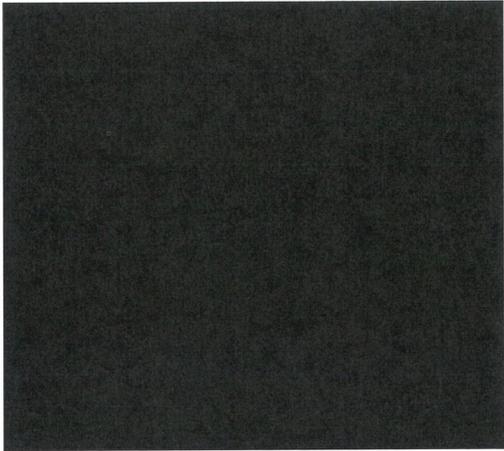
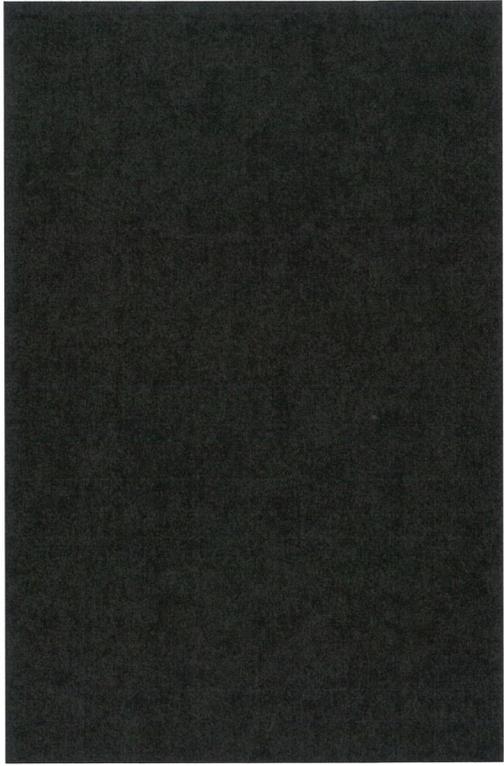
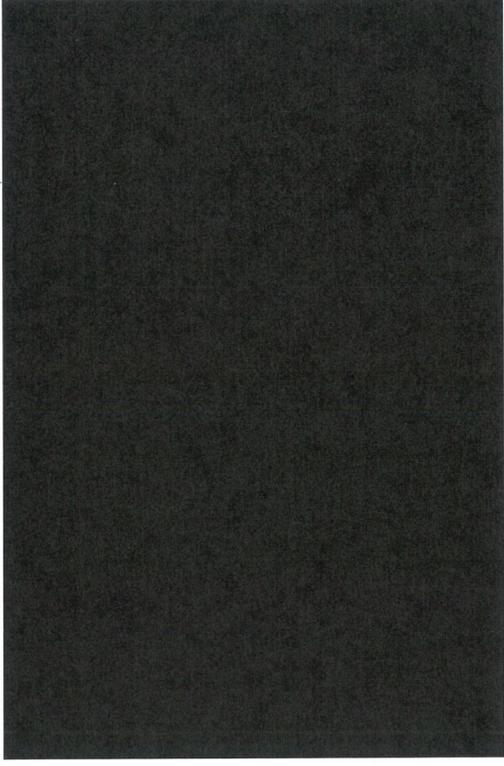
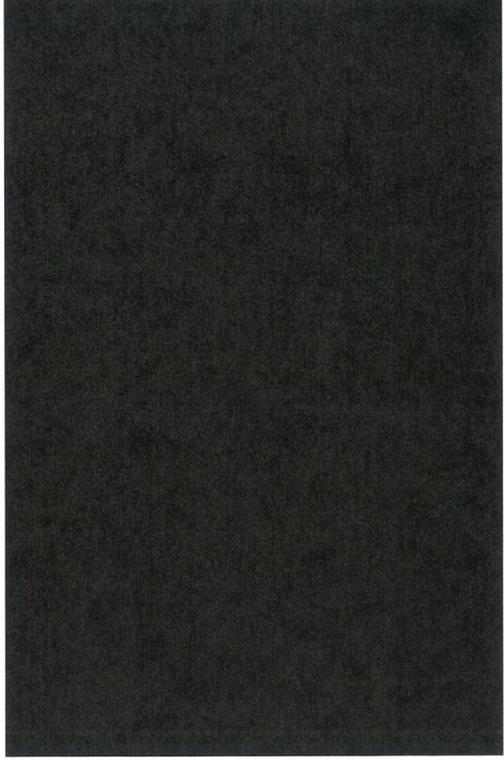
Page 120

1 Are we able to send him a link so he  
2 can flip through this?  
3 THE TECH: Yeah. There is a box  
4 link. It should be actually in the chat. I  
5 sent it out earlier. To see if it --  
6 MR. ROGERS: Oh, great.  
7 THE WITNESS: Do you want me to  
8 click on chat on the Zoom window? Or is  
9 there something on this screen?  
10 MR. SUNSHINE: It should come  
11 through in the chat function.  
12 THE WITNESS: I don't see it over  
13 here.  
14 THE TECH: One moment. I'm trying  
15 to get the link here. I'm trying to do a  
16 couple of things at once. One moment. Let  
17 me get the link here.  
18 All right. I just sent it out  
19 again.  
20 THE WITNESS: This says login or  
21 sign up. I'm not sure it's actually logged  
22 in on this bigger screen.

30 (Pages 117 to 120)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 121	<p>1 MR. SUNSHINE: You've got a small</p> <p>2 window.</p> <p>3 THE WITNESS: I've got a second chat</p> <p>4 here now. Let's see. This later one. Ha.</p> <p>5 Okay. Now let's get the right one. Okay. I</p> <p>6 finally clicked on the right thing.</p> <p>7 MR. ROGERS: All right. Sorry about</p> <p>8 this process.</p> <p>9 BY MR. ROGERS:</p> <p>10 </p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	Page 123	<p>1 </p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
Page 122	<p>1 </p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	Page 124	<p>1 </p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

11/14/2022

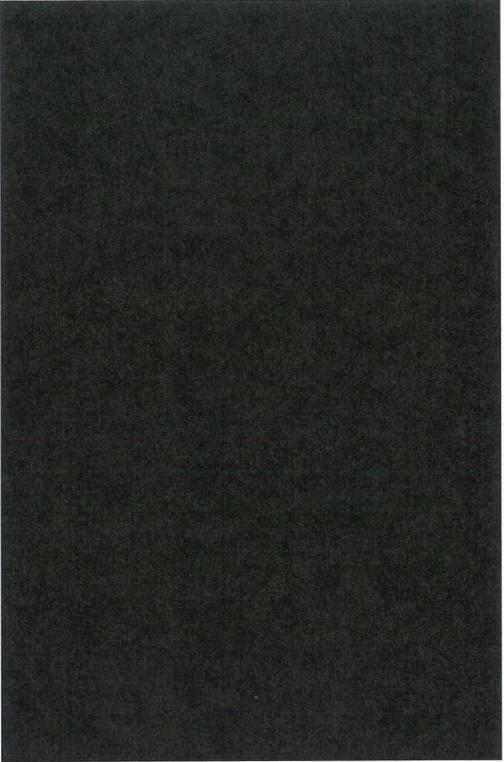
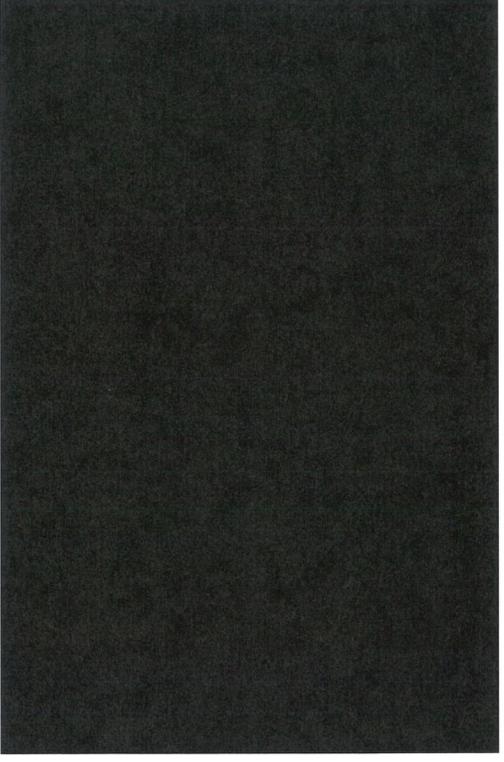
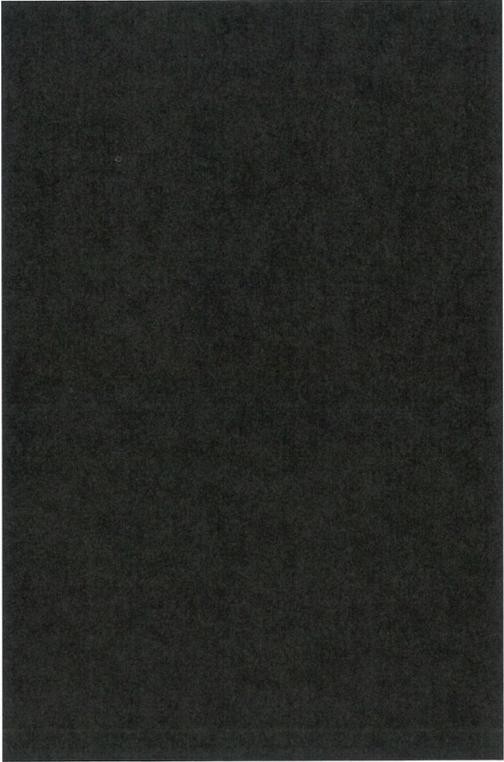
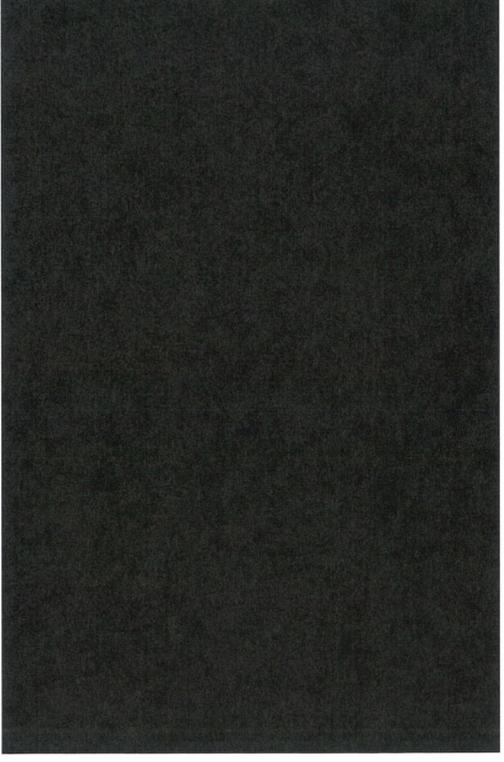
Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 125</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>	<p style="text-align: right;">Page 127</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 MR. ROGERS: I think those are my</p> <p>4 only questions right now.</p> <p>5 I do want to say that -- and I'll</p> <p>6 reserve my time -- but I also wanted to say</p> <p>7 that the FTC may also want to either</p> <p>8 participate or have its own process in terms</p> <p>9 of a Declaration about authenticating</p> <p>10 documents.</p> <p>11 But I can -- we can take that up</p> <p>12 with Apple counsel afterwards as well.</p> <p>13 And I think those are my questions</p> <p>14 for now.</p> <p>15 MR. WEBSTER: I have a couple</p> <p>16 follow-up questions.</p> <p>17 EXAMINATION</p> <p>18 BY MR. WEBSTER:</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>
<p style="text-align: right;">Page 126</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>	<p style="text-align: right;">Page 128</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>

32 (Pages 125 to 128)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 129</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 131</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 
<p style="text-align: right;">Page 130</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 	<p style="text-align: right;">Page 132</p> <ol style="list-style-type: none"><li>1</li><li>2</li><li>3</li><li>4</li><li>5</li><li>6</li><li>7</li><li>8</li><li>9</li><li>10</li><li>11</li><li>12</li><li>13</li><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li><li>20</li><li>21</li><li>22</li></ol> 

33 (Pages 129 to 132)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 133		Page 135	
1	[REDACTED]	1	[REDACTED]
2	[REDACTED]	2	[REDACTED]
3	[REDACTED]	3	[REDACTED]
4	[REDACTED]	4	[REDACTED]
5	[REDACTED]	5	[REDACTED]
6	[REDACTED]	6	[REDACTED]
7	[REDACTED]	7	[REDACTED]
8	[REDACTED]	8	[REDACTED]
9	[REDACTED]	9	[REDACTED]
10	[REDACTED]	10	[REDACTED]
11	[REDACTED]	11	[REDACTED]
12	[REDACTED]	12	[REDACTED]
13	[REDACTED]	13	[REDACTED]
14	[REDACTED]	14	[REDACTED]
15	[REDACTED]	15	[REDACTED]
16	[REDACTED]	16	[REDACTED]
17	[REDACTED]	17	[REDACTED]
18	[REDACTED]	18	[REDACTED]
19	[REDACTED]	19	[REDACTED]
20	[REDACTED]	20	[REDACTED]
21	[REDACTED]	21	[REDACTED]
22	[REDACTED]	22	[REDACTED]

Page 134		Page 136	
1	[REDACTED]	1	[REDACTED]
2	[REDACTED]	2	[REDACTED]
3	[REDACTED]	3	[REDACTED]
4	[REDACTED]	4	[REDACTED]
5	[REDACTED]	5	[REDACTED]
6	[REDACTED]	6	[REDACTED]
7	[REDACTED]	7	[REDACTED]
8	[REDACTED]	8	[REDACTED]
9	[REDACTED]	9	[REDACTED]
10	[REDACTED]	10	[REDACTED]
11	[REDACTED]	11	[REDACTED]
12	[REDACTED]	12	[REDACTED]
13	[REDACTED]	13	[REDACTED]
14	[REDACTED]	14	[REDACTED]
15	[REDACTED]	15	[REDACTED]
16	[REDACTED]	16	[REDACTED]
17	[REDACTED]	17	[REDACTED]
18	[REDACTED]	18	[REDACTED]
19	[REDACTED]	19	[REDACTED]
20	[REDACTED]	20	[REDACTED]
21	[REDACTED]	21	[REDACTED]
22	[REDACTED]	22	[REDACTED]

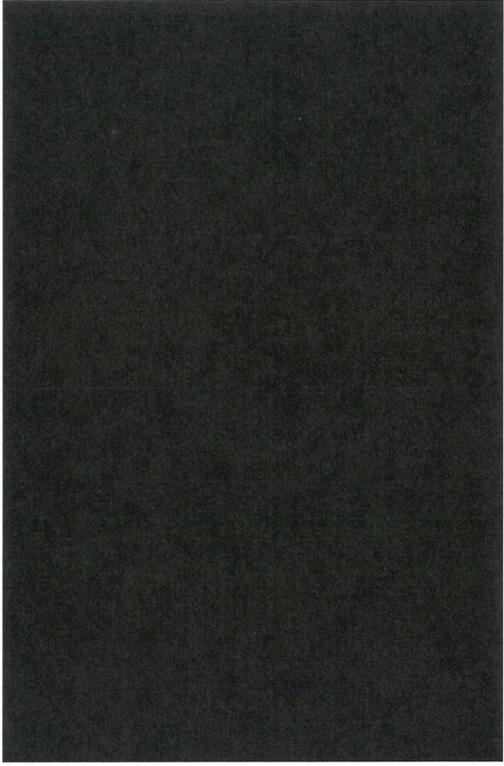
34 (Pages 133 to 136)

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

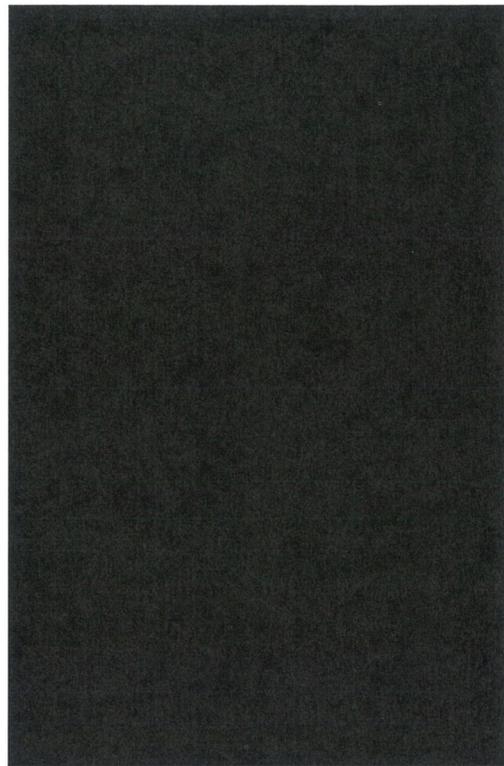
Page 137

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



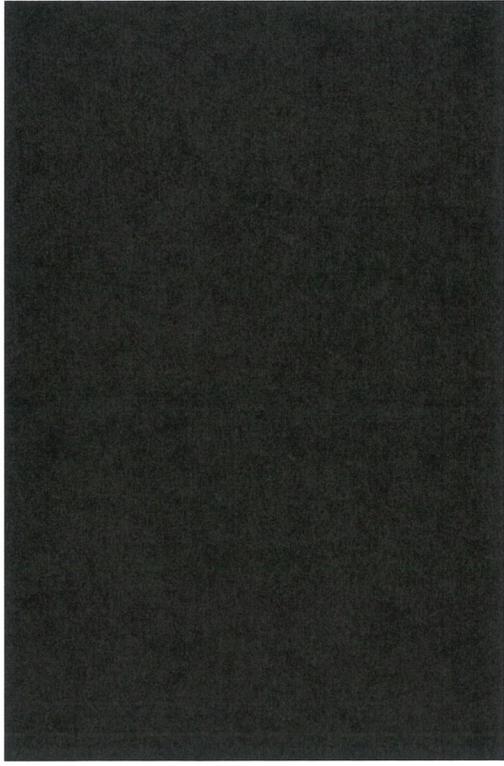
Page 139

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



Page 138

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



Page 140

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

MR. WEBSTER: No further questions.  
MR. ROGERS: I don't believe I have any additional questions.  
Thank you.  
MR. SUNSHINE: All right. Thank you, both.  
THE WITNESS: Thank you.  
MR. WEBSTER: Thank you.  
MR. ROGERS: Thanks for your time. Have a good one.  
THE TECH: We are going off the record.  
This deposition is concluded at 11:57.  
AUTOMATED MESSAGE: Recording stopped.

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6) Highly Confidential - Outside Counsel Eyes Only

<p style="text-align: right;">Page 141</p> <p>1 THE COURT REPORTER: I have a 2 question. How are you marking the 3 transcript? Are you marking it confidential? 4 Highly confidential? 5 MR. SUNSHINE: I think it should be 6 highly confidential outside counsel eyes 7 only. 8 (Whereupon, a request for Highly 9 Confidential Outside Counsel Eyes Only, was 10 made.) 11 THE COURT REPORTER: Thank you. 12 MR. WEBSTER: I think we have a 13 standing order on the transcript. 14 MR. ROGERS: I think we do too. 15 (Time Noted: 11:57 p.m. PST) 16 17 18 19 20 21 22</p>	<p style="text-align: right;">Page 143</p> <p>1 Frank Casanova 30(b)(6), c/o 2 Skadden, Arps, Slate, Meagher &amp; Flom LLP 3 One Manhattan West, 395 9th Ave 4 New York, New York 10001-8602 5 6 Case: Federal Trade Commission v. Meta Platforms, Inc., et al 7 Date of deposition: November 14, 2022 8 Deponent: Frank Casanova 30(b)(6) 9 10 Please be advised that the transcript in the above 11 referenced matter is now complete and ready for signature. 12 The deponent may come to this office to sign the transcript, 13 a copy may be purchased for the witness to review and sign, 14 or the deponent and/or counsel may waive the option of 15 signing. Please advise us of the option selected. 16 Please forward the errata sheet and the original signed 17 signature page to counsel noticing the deposition, noting the 18 applicable time period allowed for such by the governing 19 Rules of Procedure. If you have any questions, please do 20 not hesitate to call our office at (202)-232-0646. 21 22 Sincerely, Digital Evidence Group Copyright 2022 Digital Evidence Group Copying is forbidden, including electronically, absent express written consent.</p>
<p style="text-align: right;">Page 142</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC 2 I, Amanda Gorrone, the officer 3 before whom the foregoing deposition was 4 taken, do hereby certify that the foregoing 5 transcript is a true and correct record of 6 the testimony given; that said testimony was 7 taken by me stenographically and thereafter 8 reduced to typewriting under my direction; 9 and that I am neither counsel for, related 10 to, nor employed by any of the parties to 11 this case and have no interest, financial or 12 otherwise, in its outcome. 13 IN WITNESS WHEREOF, I have hereunto 14 set my hand this 14th day of November, 2022. 15 16 _____ 17 AMANDA GORRONO, CLR 18 CLR NO: 052005 - 01 19 Notary Public in and for the State of New York 20 County of Suffolk 21 My Commission No. 01G06041701 22 Expires: 01/07/2023</p>	<p style="text-align: right;">Page 144</p> <p>1 Digital Evidence Group, L.L.C. 2 1730 M Street, NW, Suite 812 3 Washington, D.C. 20036 4 (202) 232-0646 5 6 SIGNATURE PAGE 7 Case: Federal Trade Commission v. Meta Platforms, Inc., et al 8 Witness Name: Frank Casanova 30(b)(6) 9 Deposition Date: November 14, 2022 10 11 I do hereby acknowledge that I have read 12 and examined the foregoing pages 13 of the transcript of my deposition and that: 14 15 (Check appropriate box): 16 ( ) The same is a true, correct and 17 complete transcription of the answers given by 18 me to the questions therein recorded. 19 ( ) Except for the changes noted in the 20 attached Errata Sheet, the same is a true, 21 correct and complete transcription of the 22 answers given by me to the questions therein recorded. _____ DATE                      WITNESS SIGNATURE _____ DATE                      NOTARY</p>

11/14/2022

Federal Trade Commission v. Meta Platforms, Inc., et al Frank Casanova 30(b)(6)  
Highly Confidential - Outside Counsel Eyes Only

Page 145

1 Digital Evidence Group, LLC  
2 1730 M Street, NW, Suite 812  
3 Washington, D.C. 20036  
4 (202)232-0646  
5

6 ERRATA SHEET  
7

8 Case: Federal Trade Commission v. Meta Platforms, Inc., et al  
9 Witness Name: Frank Casanova 30(b)(6)  
10 Deposition Date: November 14, 2022  
11 Page No. Line No. Change  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

22 \_\_\_\_\_  
Signature Date

# **Exhibit DX1250**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1252**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1255**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1256; PX806**

Confidential –  
Redacted in Entirety

# **Exhibit DX1257**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1258**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1259**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1260**

**Confidential –  
Redacted in Entirety**

# **Exhibit DX1261**

**Confidential –  
Redacted in Entirety**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2022, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

April Tabor  
Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-113  
Washington, D.C. 20580  
[ElectronicFilings@ftc.gov](mailto:ElectronicFilings@ftc.gov)

The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW., Rm. H-110  
Washington, D.C. 20580  
[OALJ@ftc.com](mailto:OALJ@ftc.com)

I also certify that I caused the foregoing document to be served via email to:

Abby Dennis  
Kristian Rogers  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580  
[adennis@ftc.gov](mailto:adennis@ftc.gov)  
[krogers@ftc.gov](mailto:krogers@ftc.gov)

***Counsel Supporting the Complaint***

Chantale Fiebig, Esq.  
WEIL, GOTSHAL & MANGES LLP  
2001 M Street NW, Suite 600  
Washington, D.C. 20036  
Telephone: (202) 682-7235  
Facsimile: (202) 857-0940  
[Chantale.Fiebig@weil.com](mailto:Chantale.Fiebig@weil.com)

***Counsel for Respondent  
Meta Platforms, Inc.***

Christopher J. Cox, Esq.  
HOGAN LOVELLS US LLP  
855 Main St., Suite 200  
Redwood City, CA 94063  
Telephone: (650) 463-4000  
Facsimile: (650) 463-4199  
[chris.cox@hoganlovells.com](mailto:chris.cox@hoganlovells.com)

*Counsel for Respondent  
Within Unlimited, Inc.*

Geoffrey M. Klineberg  
Kellogg, Hansen, Todd, Figel & Frederick, PLLC  
Sumner Square  
1615 M Street, NW, Suite 400  
Washington, DC 20036  
(202) 326-7928  
[gklineberg@kellogghansen.com](mailto:gklineberg@kellogghansen.com)

*Counsel for Mark Zuckerberg*

/s/ Evan R. Kreiner  
Evan R. Kreiner  
*Counsel For Apple, Inc.*