EXHIBIT TWENTY-NINE

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Yvonne Gonzalez Rogers, Judge

PEOPLE OF THE STATE OF CALIFORNIA, et al.,	)	
Plaintiffs,	)	**No. 4:23-cv-05448-YGR**
META PLATFORMS, INC., et al.,	)	
Defendants.	)	

Oakland, California

Thursday, August 20, 2026

TRANSCRIPT OF JURY TRIAL PROCEEDINGS

APPEARANCES:

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(Appearances continued on the following page.)

REPORTED BY: April Wood Brott, CSR No. 13782, Official United States Reporter

Honor.

THE COURT: And what is the main point of contention?

MS. SIMONSEN: I apologize, Your Honor. I don't know that we have anyone here today that was prepared to address this. If you could give me a couple of minutes, we'll try to understand the lay of the land for you.

MS. WANG: Good morning, Your Honor. Mandy Wang for the New Jersey Attorney General.

My understanding is that our objections for Shilpa Mody -- there are a few objections, but they boil down to two main arguments.

One of them discusses a document that postdates Ms. Mody's employment by about two years, and the other one is an objection about leading attorney argument.

THE COURT: You mean that the questions in the deposition were leading?

MS. WANG: Correct, Your Honor.

THE COURT: And argument?

MS. WANG: Yes.

THE COURT: Okay. I'll look at them.

I want to talk to you about a ruling that will come out with respect to the attorney-client issues. First of all, I've looked at all of the designations and the three exhibits that were provided to me.

Exhibit 71, I find, is protected by the attorney-client

privilege. And because it is protected by the attorney-client privilege, questions regarding that document are protected.

That document is all about how that particular lawyer thinks, albeit not accurate under Ninth Circuit law, how the attorney-client privilege works. So that's the point of the document, in a generic way, and it's privileged.

So most of the designations are protected. But in my view, Ninth Circuit law is different from California law.

Do you disagree with that, Ms. Simonsen?

MS. SIMONSEN: I think in terms of the --

THE COURT: The primary test is the test we use under Ninth Circuit law.

MS. SIMONSEN: Your Honor, again, I think we briefed this issue under Ninth Circuit law.

THE COURT: Okay. I just -- I wanted to make sure the record was clear on that because the AGs argue in their brief that it would be error for me to apply California law because California law and everything that Judge Kuhl did is based upon California law. I think California law and Ninth Circuit law have some differences.

MS. SIMONSEN: I think that's right, Your Honor.

THE COURT: Okay. That's fine.

MS. SIMONSEN: Okay.

THE COURT: As long as we understand the legal standard.

Lawyers who give business advice cannot shield business advice, even when it involves risk, under the claim of attorney-client privilege. So to the extent that Meta in-house lawyers think differently, perhaps that might be the view under some state that they're operating under, under some other circuit. It is not the test here.

And my view, in terms of an attorney's commenting on ongoing research, is business advice and is not protected by the attorney-client privilege.

So obviously with all of these things, we have to look at every instance of a claim of an attorney-client privilege. It is why in *Epic vs. Apple*, those folks hired three special masters who worked 40 hours a week to review every single claim of privilege, most of which were rejected because business lawyers giving advice that might reflect its or his or her view of risk is not privileged, because they are the ones doing it.

MS. SIMONSEN: Your Honor, we don't disagree with that.

THE COURT: Okay. Let me --

MS. SIMONSEN: But if the risk is litigation risk...

THE COURT: There is nothing about ongoing research -- you could say that the entirety of your business might fall under that, and I disagree. So you can keep that argument, but I disagree with it.

MS. SIMONSEN: Your Honor, they've made --

THE COURT: So --

MS. SIMONSEN: They've made research the foundation -- I mean, they're pointing to research decks that were created --

THE COURT: I disagree that you can protect your research.

MS. SIMONSEN: We're not trying to protect the research, Your Honor.

THE COURT: You -- so let me finish.

The questions to this former employee regarding changes to research, I don't think are necessarily protected by the attorney-client privilege. But it is also not clear to me, having read these excerpts, that the research that he's talking about is at all relevant to what we're doing here.

So the Attorney Generals' attempt to get in this big issue of the fact that the lawyers over -- the in-house lawyers over at Meta are trying, apparently, to impact business decisions under the guise of attorney-client privilege -- that's not relevant to me generally and to this case, unless -- I didn't hear Mr. Bejar say that his research, that someone told him to change it.

Now, if he had identified some research, and there, in that context, in the context of relevant research to this case, he could identify changes to the research, he can testify to the changes in that research. And the fact that an attorney may have said to him to do it is not protected by the

CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

DATE: Thursday, August 20, 2026



April Wood Brott, CSR No. 13782