

# EXHIBIT EE

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

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MATTHEW CAMPBELL, ) Case No.  
MICHAEL HURLEY, and ) C 13-05996 PJH (MEJ)  
DAVID SHADPOUR )  
Plaintiffs )  
vs. )  
FACEBOOK, INC. )  
Defendants )  
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Videotaped Deposition of Jennifer Golbeck  
Washington, D.C.  
December 16, 2015  
9:03 a.m.

Reported by: Bonnie L. Russo  
Job No. 2196773

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1 you looking at or opining on?

2 A. So I looked at two versions of this  
3 guy's -- the fraudulent guy's Web sites -- he  
4 had two Web sites -- and basically just said  
5 the name of Equity Trust Company didn't appear  
6 on those Web sites.

7 Q. When you refer to the Internet  
8 archive, is that the same as the Wayback  
9 Machine?

10 A. It is.

11 Q. Okay. Is that something you rely  
12 upon in -- in your work?

13 A. Pretty -- I use it pretty  
14 frequently.

15 Q. Is it pretty -- do you find it to be  
16 fairly reliable?

17 A. It's -- yeah, for what it is, right?  
18 It's definitely not a complete archive of  
19 everything that's out there, but the copies of  
20 things that they do have are accurate.

21 And -- and I -- this is, again,  
22 totally outside the area of my expertise  
23 legally, but I think -- my understanding is  
24 that they actually have said that legally it  
25 can be assumed as true that, if something was

1 archived on March 1st, that that absolutely was  
2 there on March 1st. So it seems reliable to me  
3 in that way.

4 Q. Other than the expert reports and  
5 testimony we've talked about, is there any  
6 other -- are there any other expert reports or  
7 testimony that you've ever given?

8 A. No. There are other cases that I've  
9 been invited to participate in, especially  
10 patent cases, but ones that I've declined.

11 Q. Have you ever served as a  
12 nontestifying consultant in a -- in a lawsuit?

13 A. So those --

14 Q. Other than the E. Stephanie and --  
15 you'll have to remind me of the name of the  
16 other one.

17 A. Yeah. Sherry's Dance Studio, I --

18 Q. Sherry's Dance Studio.

19 A. -- I think --

20 Q. Yeah.

21 A. -- is what that was.

22 Those I would count in there. Other  
23 than those, I don't -- I don't think so.

24 Q. If you -- in the instances when  
25 you've declined to work in a patent case, why

1 A. Yes.

2 Q. Have you observed people with  
3 differing degrees of knowledge -- and here I'm  
4 talking about social network users -- regarding  
5 sort of the collection and processing of their  
6 data by the social network?

7 A. Yeah. There's vastly different  
8 understandings.

9 Q. Why do you think that is?

10 A. It's really complicated, you know.  
11 It -- and I think it's hard even for people who  
12 are trained in that space to -- to really  
13 understand what's happening because its  
14 relatively opaque.

15 I have been surprised at times on --  
16 on what data is made available say to third  
17 parties. And I spend all my time learning  
18 about that, right?

19 Q. Uh-huh.

20 A. That -- kind of how data gets out.  
21 So I say in a lot of these talks, like if I  
22 didn't know, like literally no one on earth can  
23 be expected to know because it's my full-time  
24 job, and I'm one of the experts on it.

25 So, you know, it's complicated. And

1 then there's people with varying degrees of how  
2 interested they are in tracking this down --

3 Q. Uh-huh.

4 A. -- right? I think it's analogous to  
5 like terms of service, right? I read them.  
6 Most people don't. And, you know, that's --  
7 that gives you a big difference in what you  
8 understand.

9 Q. Would you agree with me that some  
10 people understand that, when they are  
11 interacting with a -- with a Web site, that  
12 there are various electronic processes  
13 happening in order to render the site and, you  
14 know, basically make the site run, some people  
15 are sort of aware of that, and others don't  
16 have a clue?

17 MR. RUDOLPH: Objection. Form.  
18 Vague. Compound.

19 THE WITNESS: I think that's true,  
20 that there's varying levels of understanding  
21 that people have on how that works.

22 BY MR. JESSEN:

23 Q. Have you observed differing degrees  
24 of consent from users for collection and use of  
25 their data?

1 general is -- I find it's much more difficult  
2 to use.

3 There are certainly more people with  
4 public profiles on Facebook, but it's a lot  
5 harder to find them in the way they can be  
6 found on Twitter or Pinterest, for example.

7 Q. Okay. So tell me briefly what the  
8 thesis was of the -- of the TED talk.

9 A. Oh. I've never thought of it that  
10 way.

11 Q. Or maybe not -- "thesis" is the  
12 wrong word, but the -- the point you were  
13 making.

14 A. I think -- you know, talking about  
15 what people know and what they don't, hardly  
16 anyone who hasn't seen my TED talk knows that  
17 these kind of person- -- private personal  
18 attributes can be inferred about them from what  
19 they're doing online.

20 And the purpose of the TED talk was  
21 really to kind of explain the vary powerful  
22 things that we can do with this technology and  
23 get people thinking about the implications.

24 Q. And one of the things, I think --  
25 you know, forgive me if I'm getting this

1 wrong -- but you discuss with homophily?

2 A. Yes. You got it right.

3 Q. What is -- what -- you may have to  
4 give the court reporter the spelling of that  
5 one.

6 But what is -- what is that exactly?

7 A. Yeah. So homophily,  
8 H-O-M-O-P-H-I-L-Y, is a concept from sociology  
9 actually that basically birds of a feather flock  
10 together, that we tend to be friends with  
11 people who share our traits more than people  
12 randomly pulled from the general population  
13 would share our traits.

14 So you're right; you're friends with  
15 rich people. If you're poorly educated, your  
16 friends tend to be poorly educated. It applies  
17 to race, sexual orientation, income, education,  
18 kind of across the board.

19 Not that all of your friends are  
20 like that, but your traits are more common in  
21 your friends than they are in the general  
22 population.

23 Q. And does this -- is this sort of --  
24 is this the phenomenon that allows a researcher  
25 like yourself to look at seemingly random data,



1 like what kind of fries you like, and then make  
2 some sort of -- and I'm phrasing this really  
3 badly -- but draw an inference about it based  
4 upon attributes that you wouldn't think would  
5 correlate with that?

6 A. Sometimes.

7 Q. Not a good question.

8 A. So in the curly fries example in the  
9 talk, which you were just talking about --

10 Q. Yeah.

11 A. -- you know, I kind of hypothesize  
12 that homophily was one of the things that play  
13 there. Sometimes it's used very directly in  
14 those algorithms --

15 Q. Uh-huh.

16 A. -- where they're relying on that  
17 basically as the entirety. I think it plays a  
18 role in a lot of those algorithms, though  
19 sometimes it's much less explicit.

20 Q. Is homophily at all relevant to the  
21 organization of social networks?

22 A. In -- so are you asking could a  
23 social network organize around that principle,  
24 or does it emerge in social networks?

25 Q. I guess more the latter.

1           A.       I think it's true. I mean the  
2 principle says these are the kinds of people we  
3 tend to choose as friends, right? If I'm a  
4 liberal, I will tend to choose other liberal  
5 people as my friends.

6                   And so, in that case, it can  
7 influence how a social network forms. If I  
8 find out some guy is a ranging racist, I may  
9 unfriend him on Facebook, and that affects the  
10 network.

11                   So that -- that could be a way  
12 homophily is considered, its play in  
13 influencing the structure of the network.

14           Q.       Earlier you talked about social  
15 graph.

16                   Remind me what you meant by that?

17           A.       Social graph is just a -- a term to  
18 refer to people and their connections to one  
19 another.

20           Q.       And generally how is the data in a  
21 social graph organized?

22           A.       Like from a computing perspective or  
23 from a mathematical perspective?

24           Q.       I think a computing perspective.

25           A.       So there it really depends. So from

1 the mathematical perspective, it tends to be  
2 represented in a graph structure, which is a  
3 mathematical concept --

4 Q. Okay.

5 A. -- and to tease into their  
6 connections to one another.

7 Q. Uh-huh.

8 A. Com- -- computationally, you could  
9 store that in a relational database. There's  
10 also graph-based databases that -- that are  
11 network-based instead of relational. So it  
12 really depends on the implementation.

13 Q. Uh-huh. Do you know if Facebook has  
14 a social graph?

15 A. I mean they certainly have people  
16 connected to other people.

17 Q. Uh-huh. And is that something -- do  
18 you know if there are other things that go into  
19 their social graph?

20 A. Well, I would just want to be  
21 careful about terminology here, because  
22 Facebook has a thing that they call "the social  
23 graph" --

24 Q. Right.

25 A. -- which is different from the kind

1 of generic way I'm using the term.

2 Q. Okay.

3 [REDACTED]

4 [REDACTED]

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7 MR. JESSEN: Okay. I don't have any  
8 further questions at this time.

9 I would renew my request for those  
10 three e-mails between Dr. Golbeck and the  
11 plaintiffs' counsel before she was engaged.

12 MR. RUDOLPH: We're -- we're going  
13 to have to get back to you on that.

14 MR. JESSEN: Okay. And I'll just --

15 MR. RUDOLPH: Haven't had have time  
16 to -- to look into it.

17 MR. JESSEN: Even though I think  
18 it's unlikely I would bring you back, I will  
19 just reserve my right to bring you back if need  
20 be.

21 THE WITNESS: For the 15 seconds  
22 that we have left on the record. That'd be  
23 fun.

24 MR. JESSEN: They might --

25 THE WITNESS: I'll totally do 15



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CERTIFICATE OF NOTARY PUBLIC

I, Bonnie L. Russo, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to computerized transcription under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

  
\_\_\_\_\_

Notary Public in and for  
the District of Columbia

My Commission expires: June 30, 2020