

# Exhibit 6

11/13/2024

Richard Kadrey, et al. v. Meta Platforms, Inc.  
Highly Confidential

Michael Patrick Clark

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

_____	)	
RICHARD KADREY, et al.,	)	
	)	
Individual and Representative	)	Lead Case No.
Plaintiffs,	)	
	)	3:23-cv-03417-VC
v.	)	
	)	
Meta Platforms, Inc.,	)	
	)	
Defendant.	)	
_____	)	

\*\* H I G H L Y C O N F I D E N T I A L \*\*

30(b)(1) VIDEOTAPED DEPOSITION OF  
MICHAEL PATRICK CLARK

Denver, Colorado

Wednesday, November 13, 2024

Reported stenographically by:  
Michelle Kirkpatrick, RDR-CRR-CRC-CRI, FCRR

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1 Q Who provided it as a set? 13:45

2 A Either the National Health Service or 13:45

3 National Institute of Health. I don't remember 13:45

4 which one it is, but I remember -- it was one of 13:45

5 those two that provide -- PubMed is a source of 13:45

6 these articles. 13:45

7 Q And did Meta pay for that access? 13:46

8 A No. It's -- those are freely available. 13:46

9 Q Now, with respect to LibGen, do you 13:46

10 understand that phrase to -- I'm sorry, that dataset 13:46

11 to include copyrighted materials? 13:46

12 A Yes, that is my understanding. 13:46

13 Q And do you know where LibGen comes from, 13:46

14 geographically speaking? 13:46

15 MS. HARTNETT: Object to the form. 13:46

16 A LibGen, or Library Genesis, is a publicly 13:46

17 contributed torrent that includes -- that doesn't -- 13:46

18 like, the -- LibGen doesn't live anywhere 13:46

19 geographically. 13:46

20 BY MR. STEIN: 13:46

21 Q Do you know if it was created by an 13:46

22 individual or a group? 13:46

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1 A I actually don't. 13:46

2 Q Okay. And you said "torrent." What's a 13:46

3 torrent? 13:46

4 A A torrent is a way of storing data and 13:46

5 sharing data in a distributed fashion across the 13:46

6 internet. 13:47

7 Q What's the purpose of using a torrent as 13:47

8 opposed to another method of sharing? 13:47

9 MS. HARTNETT: Objection to the form. 13:47

10 A A purpose of using torrent is -- it's cost 13:47

11 effective. It is self-healing, so if one piece of 13:47

12 it goes down, pieces of the whole thing are 13:47

13 distributed all over. 13:47

14 It's why -- it's the same reason that 13:47

15 Microsoft or Linux distributions share big builds or 13:47

16 the original, like, base distribution via torrent: 13:47

17 It's more cost effective, people can get access to 13:47

18 it; and if people near you have that, it downloads 13:47

19 faster than if it were coming centrally. 13:47

20 And so it's a way of sharing and storing 13:47

21 data broadly across the internet. 13:47

22 BY MR. STEIN: 13:47

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1 Q And with respect to LibGen, would you -- 13:47

2 using your own phrasing of "pirated or stolen 13:48

3 material," do you understand LibGen to contain 13:48

4 pirated or stolen material? 13:48

5 MS. HARTNETT: Objection to the form. 13:48

6 A The example that I had mentioned before, 13:48

7 where the engineers showed me they had found an 13:48

8 example that it was pirated and a title and a 13:48

9 language I can't remember, was from LibGen. 13:48

10 And so that answer would be yes. 13:48

11 BY MR. STEIN: 13:48

12 Q And with respect to the dataset overall, 13:48

13 not just that specific example, is the answer also 13:48

14 yes, that it would -- that you understood it to 13:48

15 contain pirated and stolen material? 13:48

16 MS. HARTNETT: Objection to the form. 13:48

17 A That question's -- could you ask that a 13:48

18 little clearer? 13:48

19 Or -- I will answer that the whole set -- 13:48

20 I don't think there's any way to know that that 13:48

21 is -- what I mentioned is I'm aware of one file that 13:49

22 was self-identified as pirated or stolen; and the 13:49