

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, ET AL.,)
INDIVIDUAL AND REPRESENTATIVE)
PLAINTIFFS,) LEAD CASE NO.
v.) 3:23-cv-03417-VC
META PLATFORMS, INC.,)
DEFENDANT.)
)

* * * H I G H L Y C O N F I D E N T I A L * * *
* * * A T T O R N E Y S ' E Y E S O N L Y * * *

VIDEO-RECORDED 30(B)(6) DEPOSITION OF
MICHAEL CLARK
VOLUME III
WEDNESDAY, NOVEMBER 20, 2024
SAN FRANCISCO, CALIFORNIA
9:38 A.M. PST

REPORTED BY AUDRA E. CRAMER, CSR NO. 9901

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1 Q. It's G-e-m-m.

2 A. Thank you.

3 Q. And to clarify, those -- that
4 mitigation has been in place since LLaMA 2?

5 A. It has been in place since the time of
6 LLaMA 2, yes.

7 Q. And so to the extent that Lamas are
8 used since the time of LLaMA 2, would we see
9 that mitigation identified in those Lamas?

10 A. In the Lamas you will see those
11 identified as all datasets used for training
12 must go through a dataset review and have all
13 mitigations applied. And by all the mitigations
14 identified in the dataset review, that is one of
15 those mitigations.

16 Q. And is there a document that
17 memorializes all of the mitigations you apply?

18 A. Not that -- all of the documentation
19 was written as guidance from counsel around
20 that.

21 Q. Okay. And you spoke with Melanie
22 Kambadur as well.

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1 Q. -- does that mean or presuppose that
2 LibGen and the other libraries you asked them to
3 look into are not on a block list?

4 A. That is correct. They are not on a
5 block list.

6 Q. And why is that?

7 MS. HARTNETT: Object to the form and
8 to the extent it would call for attorney-client
9 material.

10 THE WITNESS: The block list is created
11 and developed as guidance from counsel, and so I
12 can't answer that part of it.

13 BY MS. POUEYMIROU:

14 Q. Okay.

15 A. I do further want to clarify, because I
16 hadn't finished my answer.

17 Q. Oh, I'm sorry.

18 A. Kenneth had clarified that any content
19 from those archives that were available for
20 download were either blocked because where they
21 were hosted was blocked by robots.txt or by
22 CAPTCHAs validating that you were human and not

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1 Q. -- it says "6/2 MZ LLaMA Commercial
2 Release Follow-Up."

3 Is "MZ" Mark Zuckerberg?

4 A. That is correct.

5 Q. Okay. And was this document sent to
6 him, or is it a follow-up from a conversation
7 with him?

8 A. This was a follow-up based on
9 conversations of the prior few weeks to walk
10 through the release plan for LLaMA 2.

11 Q. Okay. And so in the section on the
12 first page, 94439, it says "Pretrained."

13 Is this the life cycle that we talked
14 about at the start of today, the pretraining
15 phase?

16 A. This is -- when you have a model, you
17 can either have things that are pretrained for
18 alignment where you can't actually get anything
19 out of the model without going through further
20 steps. And then you have fine-tuned, where it's
21 actually a usable model for things like chat.

22 Q. Okay. And there is copyright material

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1 filtering happening as a mitigation in the
2 pretrained.

3 Is that deduping?

4 MS. HARTNETT: Objection to the form.

5 THE WITNESS: Yes. This is generically
6 referring to the mitigations that were applied
7 around deduping and around limited number of
8 passes of training and limited numbers of
9 epochs.

10 MS. HARTNETT: Are you referring to
11 something in the document that says "copyright,"
12 or is that just your question?

13 MS. POUEYMIROU: No, it says it.

14 MS. HARTNETT: Just where are you?

15 MS. POUEYMIROU: Sorry. In the
16 pretrained --

17 MS. HARTNETT: Yes.

18 MS. POUEYMIROU: -- it says
19 "copyrighted material."

20 MS. HARTNETT: Got it. Thank you.

21 BY MS. POUEYMIROU:

22 Q. So for deduping you take one group of