

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
 ADDICTION/PERSONAL INJURY
 PRODUCTS LIABILITY LITIGATION

Case No. 22-md-3047-YGR
 MDL No. 3047

CASE MANAGEMENT ORDER NO. 32
(Trial Plan, Prefiling Conference, et al)

This Document Relates to:
 All Actions

Upcoming Case Management Conferences:
 March 18, 2026 at 9:00 a.m.
 April 14, 2026 at 9:00 a.m.
 April 15, 2026 at 9:00 a.m.

Bellwether Trials:
 June 12, 2026
 August 5, 2026

TO ALL PARTIES AND COUNSEL OF RECORD:

The Court held a further case management conference in the above-captioned matter on February 11, 2025. This order memorializes and expands upon the deadlines set and findings made by the Court during that conference.

I. BREATHITT TRIAL PLAN

With regards to the upcoming Breathitt school district trial, the Court will hold an initial pretrial conference on March 18, 2026 and a second pretrial conference on April 14, 2026. In advance of the March conference, the parties may file five priority motions, with page limits of 10 pages per brief, 10 pages per response, and five pages per reply. Any additional *Daubert* motions the parties intend to file count towards the limit of five priority pretrial motions. The parties are directed to prepare and file with the Court a revised stipulation regarding pretrial schedule in line with the Court's guidance, including dates for those priority motions, filings for exchange of witnesses and trial exhibits, and deposition designation disputes.

II. STATE AGs TRIAL PLAN

The Court has considered the parties' trial plan submissions. If the State AGs case is not dismissed at summary judgment, trial will be held on the state law claims of the four lead states—

1 California, Colorado, Kentucky, New Jersey—and the COPPA claim brought by all states. In
2 addition, any state for which the standard for its state law claims is nearly identical to those four
3 states, such that a substantively different jury instruction is not required, may ask the Court to be
4 included in the trial. That trial will be held following the Breathitt school district trial, with jury
5 selection estimated to begin on August 5, 2026. The State AGs have requested four weeks or 72
6 hours (per side) for trial and the defendants request equal time. The Court will decide that request
7 in a subsequent pretrial order.

8 **III. TRIAL DATE AVAILABILITY**

9 The Court notes that all Fridays will be dark unless specifically advised otherwise.

10 **IV. MANDAMUS REQUEST**

11 The State AG plaintiffs requested a mandamus order pursuant to the Ninth Circuit's
12 August 22, 2025 decision regarding Magistrate Judge Kang's September 6, 2024 discovery order
13 at Dkt. No. 1117. The parties are directed to prepare a proposed order for the Court's review.

14 **V. JURY DEMAND**

15 The Meta defendants in the State AGs case indicated they may withdraw their jury demand
16 and request a bench trial; the State AGs indicated they oppose a bench trial. Meta is directed to file
17 a notice by February 17, 2026 regarding whether it intends to withdraw the jury demand. If so,
18 opening motion shall be filed by March 3, 2026, response by March 17, 2026, and reply by March
19 31, 2026, with argument set for April 15, 2026. Motions and responses are limited to 15 pages and
20 replies to 7 pages.

21 The Court notes that Meta's argument, previewed in its letter brief and made with
22 reference to the Magna Carta, that the state attorneys general are not entitled to a jury trial because
23 they are attorneys general will be **DENIED**. The Court also notes that, even if a bench trial is
24 required to decide injunctive and equitable relief, it may nonetheless seat a jury for a public
25 advisory opinion on factual issues.

26 **VI. DAUBERT PRE-FILING LETTER BRIEFS**

27 The Court heard argument on Meta's request to file *Daubert* motions to exclude experts
28 Saba and McDaniel, and the State AGs' request to file *Daubert* motions to exclude experts Wirth,

Feamster, McCracy, and Isaacson. The Court confirms, in line with Dkt. No. 2584, that opening brief deadlines will be March 13, responses by April 3, and replies by April 24, 2026.

VII. PUNITIVE DAMAGES

The Court advises the school district case parties that, if punitive damages are available, the damages portion of punitive will be bifurcated at trial, such that the jury will consider punitive damages in a second phase only if the jury finds liability. The Court will review the parties' briefing on this topic in their proposed jury instructions and, if needed, will direct the parties to submit additional briefing following the March 18, 2026 pretrial conference.

VIII. NOTICE OF SUPPLEMENTAL AUTHORITY

The parties' motion for leave to file supplemental authority at Dkt. No. 2725 is **GRANTED**.

IX. SUPPLEMENTAL BRIEFING REGARDING FAILURE TO WARN

In light of the Court's Order Denying Summary Judgment as to Breathitt school district, (Dkt. No. 2728), the Court does not require supplemental briefing regarding plaintiffs' claims for failure to warn. Plaintiffs' request to withdraw its proposal for supplemental briefing is **GRANTED**.

X. MASS ARBITRATION

Meta requested that the Court direct counsel for claimants asserting mass arbitration demands to meet and confer with plaintiffs and defendants regarding filing those cases in the MDL. Arbitration counsel has agreed to meet and confer with the parties.

XI. SEALING

With regards to the parties' sealing motion filed at Dkt. No. 2729, the undisputed requests are **GRANTED**. With regards to disputed requests listed in the chart at Dkt. No. 2729-1, Court will review a sample and provide exemplars to the parties of what the Court considers relevant. The Court will then direct the parties to confer to reduce the volume of disputed exhibits and refile.

It Is So ORDERED.

This order resolves Dkt. No. 2725.

Dated: February 17, 2026


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE