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11 [Additional counsel identified on signature page in accordance with Local Rule 3-4(a)(1)]

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN JOSE DIVISION**

15 **FEDERAL TRADE COMMISSION,**

16 Plaintiff,

17 v.

18 **META PLATFORMS, INC., et al.**

19 Defendants.

20 Case No. 5:22-cv-04325-EJD

21 **PLAINTIFF FEDERAL TRADE**
22 **COMMISSION'S FINAL NON-PARTY**
23 **FACT WITNESS LIST**

1 Pursuant to the Joint Stipulated Case Management Order at ¶ H.9.b (Dkt. 69) and Joint
2 Stipulated Discovery Plan and Briefing Schedule at ¶ B.4 and Exh. A (Dkt. 86), Plaintiff Federal
3 Trade Commission provides its Final Non-Party Fact Witness List with the individuals whose
4 testimony Plaintiff presently intends to present either live and/or via deposition video at the
5 evidentiary hearing on Plaintiff's motion for a preliminary injunction. Plaintiff reserves the right
6 to: (1) call any fact witness at the hearing who appears on Defendants' final party or non-party
7 fact witness list; (2) call any witness needed solely for impeachment; (3) call the custodian of
8 records of any party or non-party from whom documents or records have been obtained to the
9 extent necessary to demonstrate the authenticity or admissibility of documents, in the event a
10 stipulation cannot be reached; and (4) supplement this list in accordance with the Joint Stipulated
11 Discovery Plan and Briefing Schedule at ¶ B.4 (Dkt. 86).

NAME	EMPLOYER	SUMMARY OF GENERAL TOPICS OF ANTICIPATED TESTIMONY	MODE OF TESTIFYING
Juston Payne	Alphabet, Inc.	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	Live or by deposition video
Frank Cassanova	Apple Inc.	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	Live or by deposition video
Julia Klim	Equinox Media, LLC	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	By deposition video
Olivia Lange	Lululemon Athletica, Inc.	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	By deposition video
James Healey	Nike, Inc.	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	By deposition video
Dion Sanders	Peloton Interactive, Inc.	Development and sale of fitness or VR products; matters related to any defenses raised by Defendants or any topics addressed in the witness's deposition.	By deposition video

Dated: November 18, 2022

By: /s/ Abby L. Dennis

Abby L. Dennis
Peggy Bayer Femenella
Joshua Goodman
Jeanine Balbach
Michael Barnett
E. Eric Elmore
Justin Epner

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Bradley Grossman
Sean D. Hughto
Frances Anne Johnson
Andrew Lowdon
Lincoln Mayer
Erika Meyers
Susan Musser
Adam Pergament
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