

EXHIBIT 107

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H I G H L Y C O N F I D E N T I A L
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

-----x
UNITED STATES, et al.,
Plaintiffs,
vs. Case No.
1:23-cv-000108
GOOGLE LLC,
Defendant.

-----x

HIGHLY CONFIDENTIAL
VIDEOTAPED DEPOSITION OF LUKE LAMBERT
New York, New York
Tuesday, August 29, 2023
9:37 a.m.

Reported by:
Jennifer Ocampo-Guzman, CRR, CLR
Job No. CS6079449

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Page 2	Page 4
<p>1 2 3 4 5 6 7 8 August 29, 2023 9 9:37 a.m. 10 11 12 HIGHLY CONFIDENTIAL 13 Videotaped Deposition of LUKE 14 LAMBERT, held at the offices of Latham 15 & Watkins, LLP, 1271 Avenue of the 16 Americas, New York, New York, pursuant 17 to subpoena, before Jennifer 18 Ocampo-Guzman, a Certified Realtime 19 Shorthand Reporter and Notary Public of 20 the State of New York. 21 22 23 24 25</p>	<p>1 2 APPEARANCES (Continued): 3 4 LATHAM & WATKINS 5 Attorneys for Omnicom Holdings and the 6 Deponent 7 505 Montgomery Street, Suite 2000 8 San Francisco, California 94111 9 BY: NIALL LYNCH, ESQ. 10 AARON CHIU, ESQ. 11 KAILEN MALLOY, ESQ., (via Zoom) 12 13 ALSO PRESENT: 14 MARCELO RIVERA, Videographer 15 16 17 18 19 20 21 22 23 24 25</p>
Page 3	Page 5
<p>1 2 APPEARANCES: 3 4 UNITED STATES DEPARTMENT OF JUSTICE 5 Attorneys for Plaintiff United States 6 450 5th Street, NW, Suite 7000 7 Washington, DC 20530 8 BY: KATHERINE E. CLEMONS, ESQ. 9 RACHEL ZWOLINKSKI, ESQ. 10 ALVIN CHU, ESQ., (via Zoom) 11 12 PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 13 Attorneys for Defendant Google LLC 14 1285 Avenue of the Americas 15 New York, New York 10019 16 BY: ERIN J. MORGAN, ESQ. 17 LEAH HIBBLER, ESQ. 18 19 20 21 22 23 24 25</p>	<p>1 HIGHLY CONFIDENTIAL 2 THE VIDEOGRAPHER: Good morning. 3 We are going on the record at 9:37 a.m., 4 on August 29, 2023. Please note that 5 the microphones are sensitive and may 6 pick up whispering and private 7 conversations. Please mute your phones 8 at this time. Audio and video recording 9 will continue to take place unless all 10 parties agree to go off the record. 11 This is the media unit 1 of the 12 video-recorded deposition of Mr. Luke 13 Lambert, in the matter, United States, 14 et al., versus Google LLC. This 15 deposition is being held at Latham & 16 Watkins, located at 1271 Avenue of the 17 Americas, New York, New York. My name 18 is Marcelo Rivera, representing Veritext 19 Legal Solutions, and I am the 20 videographer. The court reporter is 21 Jennifer Ocampo-Guzman in association 22 with Veritext Legal Solutions. 23 I am not related to any party in 24 this action, nor am I financially 25 interested in the outcome. If there are</p>

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Page 114	<p>1 LAMBERT - HIGHLY CONFIDENTIAL</p> <p>2 MS. CLEMONS: Objection, form.</p> <p>3 A. Online nonYouTube, YouTube,</p> <p>4 streaming audio, paid social, search</p> <p>5 discovery, and personalization.</p> <p>6 Q. Why would spend have been shifted</p> <p>7 from one channel to another for 2022?</p> <p>8 MS. CLEMONS: Objection, form,</p> <p>9 foundation.</p> <p>10 Q. Do you have an understanding of why</p> <p>11 spend has been shifted from one channel to</p> <p>12 another?</p> <p>13 MS. CLEMONS: Objection, form.</p> <p>14 A. I do.</p> <p>15 Q. Why?</p> <p>16 A. Performance based on the MMM</p> <p>17 results.</p> <p>18 Q. And in this case spend was shifted</p> <p>19 from digital display and potentially other</p> <p>20 categories into several categories that have</p> <p>21 increased display like online video, YouTube</p> <p>22 and paid social; is that right?</p> <p>23 MS. CLEMONS: Objection, form.</p> <p>24 A. I do see a decrease in digital</p> <p>25 display. I can't say that all of the</p>	Page 116	<p>1 LAMBERT - HIGHLY CONFIDENTIAL</p> <p>2 Q. Is shift from -- is spend shifted</p> <p>3 from one channel to --</p> <p>4 MS. MORGAN: Scratch that.</p> <p>5 Q. In your experience, is spend in a</p> <p>6 budget ever shifted from one channel to</p> <p>7 another channel because of cost efficiencies</p> <p>8 related to a particular channel?</p> <p>9 MS. CLEMONS: Objection, form.</p> <p>10 Q. Like is it possible that a channel</p> <p>11 is costing a lot of money and not returning</p> <p>12 enough of a benefit so you might switch to</p> <p>13 something that is more efficient?</p> <p>14 MS. CLEMONS: Objection, form.</p> <p>15 A. Yes.</p> <p>16 Q. So the cost is something that is</p> <p>17 taken into account when you are looking at</p> <p>18 the media mix?</p> <p>19 A. The outcome of the cost.</p> <p>20 MS. CLEMONS: Objection, form.</p> <p>21 Q. The outcome of the cost.</p> <p>22 And the outcome of the cost means</p> <p>23 the cost in comparison to what you received</p> <p>24 for the cost?</p> <p>25 A. That's efficiency.</p>
Page 115	<p>1 LAMBERT - HIGHLY CONFIDENTIAL</p> <p>2 decrease from other channels in this scenario</p> <p>3 weren't also totaled up and then divvied out,</p> <p>4 but what I'm seeing is they moved away from</p> <p>5 direct programming. They saw really great</p> <p>6 success on Reddit, Discovery got an increase</p> <p>7 in investment, Google Discovery an increase</p> <p>8 in investment based on efficiencies, yeah.</p> <p>9 Q. Are these different ad channels</p> <p>10 competing against each other for dollars in</p> <p>11 the budget?</p> <p>12 MS. CLEMONS: Objection, form.</p> <p>13 A. I think competition is the wrong</p> <p>14 word, no.</p> <p>15 Q. How would you describe the shift in</p> <p>16 spend between the different channels?</p> <p>17 MR. LYNCH: Object to form.</p> <p>18 A. It's an optimization that our team</p> <p>19 would make based on the MMM.</p> <p>20 Q. And if one channel is performing</p> <p>21 worse than another channel, spend from the</p> <p>22 worse performing channel might be shifted to</p> <p>23 the better performing channel, right?</p> <p>24 MS. CLEMONS: Objection, form.</p> <p>25 A. Yes.</p>	Page 117	<p>1 LAMBERT - HIGHLY CONFIDENTIAL</p> <p>2 Q. Let's go to page 9, which actually</p> <p>3 does have a number on it, but it's also</p> <p>4 marked with the Bates 187056.</p> <p>5 A. Uh-huh.</p> <p>6 Q. Okay. At the top of this page it</p> <p>7 says, "Media optimizations launched during Q4</p> <p>8 drove improved efficiencies across most</p> <p>9 channels, and channel performance in the</p> <p>10 quarter validated the shifts planned for</p> <p>11 FY22."</p> <p>12 What quarter is being compared</p> <p>13 here?</p> <p>14 MS. CLEMONS: Objection, form.</p> <p>15 A. Q4, Q3 it should be.</p> <p>16 Q. What are the shifts that are being</p> <p>17 referred to? Do you have an understanding</p> <p>18 from last chart we were looking at?</p> <p>19 A. On the previous page that we were</p> <p>20 looking on?</p> <p>21 Q. Or on this page.</p> <p>22 A. Yes.</p> <p>23 Q. What are the shifts that are being</p> <p>24 referred to?</p> <p>25 A. Specifically?</p>

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1 LAMBERT - HIGHLY CONFIDENTIAL
 2 A. Yes.
 3 Q. You testified earlier that in the
 4 second meeting you had with the Department of
 5 Justice, that they could not tell Omnicom
 6 what they needed, so Omnicom could make it
 7 easier on them. Do you remember testifying
 8 about that?
 9 A. I do.
 10 Q. In the meeting that you were
 11 discussing, did the Department of Justice
 12 tell you that there were specific pieces of
 13 data that they were looking for?
 14 A. No.
 15 Q. Did you ask if there were specific
 16 pieces of data you could provide them that
 17 would be helpful?
 18 A. Yes.
 19 Q. Did they ever ask you for data
 20 after that meeting in response to your
 21 question about whether there were specific
 22 pieces of data that could be helpful?
 23 MS. CLEMONS: Objection to form.
 24 A. If -- they did not ask me, no.
 25 MS. MORGAN: Thank you. All right.

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1 LAMBERT - HIGHLY CONFIDENTIAL
 2 Mr. Lambert, I think we can thank you
 3 for your time.
 4 THE WITNESS: Thanks.
 5 MR. LYNCH: So this is concluded?
 6 MS. MORGAN: Yes.
 7 THE VIDEOGRAPHER: The time is
 8 4:46 p.m. We're going off the record.
 9 (Time noted: 4:47 p.m.)
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 2 STATE OF _____)
 3) :ss
 4 COUNTY OF _____)
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 6
 7 I, LUKE LAMBERT, the witness
 8 herein, having read the foregoing
 9 testimony of the pages of this
 10 deposition, do hereby certify it to be a
 11 true and correct transcript, subject to
 12 the corrections, if any, shown on the
 13 attached page.
 14
 15 _____
 16 LUKE LAMBERT
 17
 18 Sworn and subscribed to before
 19 me, this _____ day of
 20 _____, 2023.
 21 _____
 22 Notary Public
 23
 24
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 2 C E R T I F I C A T E
 3 STATE OF NEW YORK)
 4 : ss.
 5 COUNTY OF NEW YORK)
 6 I, Jennifer Ocampo-Guzman, a
 7 Certified Realtime Shorthand Reporter and
 8 Notary Public within and for the State of New
 9 York, do hereby certify:
 10 That LUKE LAMBERT, the witness
 11 whose deposition is hereinbefore set forth,
 12 was duly sworn, and that such deposition is
 13 a true record of the testimony given by the
 14 witness.
 15 I further certify that I am not
 16 related to any of the parties to this action
 17 by blood or marriage, and that I am in no
 18 way interested in the outcome of this
 19 matter.
 20 IN WITNESS WHEREOF, I have
 21 hereunto set my hand this 1st day of
 22 September 2023.
 23
 24 *J. Ocampo-Guzman*
 25 JENNIFER OCAMPO-GUZMAN, CRR, CLR