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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case No. 5:24-cv-03811-EKL-SVK

[PROPOSED] ORDER GRANTING ANTHROPIC PBC'S MOTION TO EXCLUDE EXPERT TESTIMONY AND OPINIONS OF BEN ZHAO

[PROPOSED] ORDER

IT IS HEREBY ORDERED: Defendant Anthropic PBC's Motion to Exclude Expert Testimony and Opinions of Ben Zhao is GRANTED as follows:

1. ORDERED, that the testimony as described in ¶¶ 10, 64, 72, 82, 84, 86, 88, 93, 96-97, 109-110, 113-114, 124, 136 of Ben Zhao's Opening Report; ¶¶ 10, 36-39, 41, 68-69, 93-94, 99-100, 103, 110, 122-124 of Ben Zhao's Rebuttal Report; and ¶¶ 21, 45, 47, 49, 54, 100, 114, 117 of Ben Zhao's Reply Report is excluded pursuant to Federal Rule of Evidence 702 because Anthropic's intent or state of mind is not the subject of proper expert testimony; and it is further

2. ORDERED, that the testimony as described in ¶¶ 10, 112-116, 119, 121, 123-125, 127-136, 138, 139, 145, 147, 149, 150 of Ben Zhao's Opening Report; ¶¶ 116-119, 124 of Ben Zhao's Rebuttal Report; and ¶¶ 41, 42, 107-112, 115, 117, 119 of Ben Zhao's Reply Report is excluded pursuant to Federal Rule of Evidence 702 because the testimony is based on insufficient facts and data and is not the product of a reliable methodology.

IT IS SO ORDERED

Dated: _____, 2026

_____

The Honorable Eumi K. Lee
United States District Court Judge