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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'S MOTION TO EXCLUDE TESTIMONY OF MICHAEL SMITH

[PROPOSED] ORDER

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

1. ORDERED, that the testimony as described in ¶¶ 15-19, 60-191 of Michael Smith's Opening Expert Report; ¶¶ 94-99, 141, and 148 of Michael Smith's Rebuttal Expert Report; ¶¶ 7-9, 17-90, 93-95, and 124-136 of Michael Smith's Reply Expert Report; and ¶¶ 4-12 of Smith's Second Supplemental Report is excluded pursuant to Federal Rule of Evidence 702 because it is not based on a reliable methodology; and it is further

2. ORDERED, that the testimony as described in ¶¶ 146-53 of Smith's Opening Expert Report is excluded pursuant to Federal Rule of Evidence 702 because it is not the subject of proper expert testimony.

IT IS SO ORDERED

Dated: _____, 2026

_____

The Honorable Eumi K. Lee
United States District Court Judge