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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 Number: 5:24-cv-03811-EKL-SVK

DECLARATION OF TIMOTHY CHUNG IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

I, Timothy Chung, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney at the law firm of Oppenheim and Zebrak, LLP. I represent Plaintiffs Concord Music Group, Inc.; Capitol CMG, Inc., Universal Music Corp., Songs of Universal, Inc., Universal Music – MGB NA LLC, Polygram Publishing, Inc., Universal Music – Z Tunes LLC (collectively, "Universal"); and ABKCO Music, Inc. (collectively, "Publishers") in this matter.

2. I have knowledge of the facts stated herein based on personal knowledge and my review of the documents and other items referenced herein. If called upon to do so, I am able to testify competently to the matters as stated herein.

3. As described in the Declarations submitted in support of Plaintiffs' Motion for Partial Summary Judgment by Duff Berschback, Alisa Coleman, Kenton Draughon, and David Kokakis, I understand that Publishers do not have a practice of maintaining copies of all "deposit copies" submitted to the United States Copyright Office ("USCO") with the applications for copyright registration of those works.

4. Nevertheless, in an effort to accommodate Defendant Anthropic PBC's ("Anthropic") discovery requests, Publishers' counsel ("O+Z") undertook to order a sample of deposit copies in this case from the USCO.

5. On or about September 17, 2024, Publishers' counsel placed an order with the USCO for the deposit copies of 25 Works in Suit, to be handled on an expedited basis for a premium fee. After several weeks of waiting for a response from the USCO, Publishers' counsel made multiple but unanswered calls to the USCO in an attempt to obtain the deposits.

6. On or about October 18, 2024, an O+Z employee successfully connected with a USCO employee, who informed the O+Z employee they would pass along the request, but no further communications were provided.

7. On or about October 22, 2024, an O+Z employee visited the USCO in person and inquired again as to the status of the request. The USCO clerk's records indicated that four deposits should have been available in the USCO collection, although USCO staff was ultimately able to locate only three, which were in the form of phonorecords (sound recordings) for compositions

released since 2013. The O+Z employee was then informed that the remaining 21 titles were no longer part of the USCO collection, but 19 of those had been transferred to the Library of Congress, which may or may not have chosen to preserve them.

8. Accordingly, O+Z commenced an effort to obtain these 19 deposits from the Library of Congress. This project took an additional four months, requiring repeated calls and entreaties to the Library. Following multiple in-person trips to the Library of Congress to follow up on these requests, O+Z was able to obtain 10 deposit copies, resulting in a total of 13 deposit copies at the cost of considerable effort and significant financial outlay.

9. The 13 deposit copies obtained confirmed that the lyrics in the deposits were consistent with the lyrics on LyricFind (as further detailed in the Declaration of Prof. Robert Leonard).

10. Separately, attached hereto is a list of documents, ranging from **Exhibits 1** through **123**, that comprise the Exhibits in support of Publishers' Motion for Partial Summary Judgment and cited in Publishers' Moving Separate Statement in Support of Motion for Partial Summary Judgment. Also attached hereto are the Exhibits, all of which are true and correct copies of the documents therein.

11. I have highlighted on the list in yellow Exhibits that include information that is asserted by Publishers or Anthropic, in whole or in part, to include Confidential or Highly Confidential Information and that the parties request be maintained under seal.

PUBLISHERS' EXHIBIT LIST

Exhibit No.	Date	Description
1	-	Chart reflecting comparison of Publishers' lyrics and Claude output in response to prompts submitted by Publishers' investigator for the 499 Works in Suit.[1]
2	-	Chart reflecting comparison of Publishers' lyrics and Claude output in response to third-party prompts for Works in Suit[2]
3	10/14/2025	Excerpts of Devin Whittle 30(b)(6) Deposition Transcript
4	11/20/2025	Excerpts of Benjamin Mann 30(b)(6) Deposition Transcript
5	11/20/2025; 11/21/2025	Excerpts of Benjamin Mann 30(b)(1) Deposition Transcript
6	11/21/2025	Excerpts of Jared Kaplan 30(b)(1) Deposition Transcript
7	11/5/2025	Excerpts of Thomas Turvey 30(b)(6) Deposition Transcript
8	11/6/2025	Excerpts of Deep Ganguli 30(b)(6) Deposition Transcript
9	11/6/2025	Excerpts of Deep Ganguli 30(b)(1) Deposition Transcript
10	11/12/2025	Excerpts of Daniela Amodei 30(b)(1) Deposition Transcript
11	11/12/2025	Excerpts of Dawn Drain 30(b)(1) Deposition Transcript
12	11/10/2025	Excerpts of Pranay Sangani 30(b)(1) Deposition Transcript
13	1/8/2026	Excerpts of Dario Amodei 30(b)(1) Deposition Transcript
14	1/26/2026	Excerpts of Tom Brown 30(b)(6) Deposition Transcript
15	10/10/2025	Excerpts of Donald (Duff) Berschback Deposition Transcript
16	3/4/2026	Excerpts of Abhishek Nagaraj, PhD, Expert Deposition Transcript
17	12/19/2025	Expert Report of Abhishek Nagaraj, PhD

[1] The contents of this chart reflect accurate excerpts of the underlying cited records. True and correct copies of the non-public records underlying this document are appended hereto as Exhibit 47. The remaining source documents can be found at ECF Nos. 48-1, 49-2–49-7.

[2] The contents of this chart reflect accurate excerpts of the underlying cited records. Tue and correct copies of the non-public records underlying this document are appended hereto as Exhibit 19. The remaining source documents can be found at ECF Nos. 49-6–49-7.

18	3/6/2026	Excerpts of Jeffrey Bilmes, PhD, Expert Deposition Transcript
19	-	Compilation of Claude outputs in response to third-party user prompts[3]
20	11/7/2025	Excerpts of Vinay Rao 30(b)(6) Deposition Transcript
21	9/18/2025	Defendant Anthropic PBC's Am. Resp. to Publishers' Requests for Admission Nos. 1-119
22	10/9/2025	Defendant Anthropic PBC's Am. Suppl. Resp. to Publishers' Interrog. No. 6

[3] Bearing Bates numbers: ANTH_SAMPLE000291754; ANTH_SAMPLE000293473; ANTH_SAMPLE000291757; ANTH_SAMPLE000293474; ANTH_SAMPLE000291792; ANTH_SAMPLE000293475; ANTH_SAMPLE000291802; ANTH_SAMPLE000293476; ANTH_SAMPLE000291929; ANTH_SAMPLE000293477; ANTH_SAMPLE000292085; ANTH_SAMPLE000293481; ANTH_SAMPLE000292249; ANTH_SAMPLE000293484; ANTH_SAMPLE000292394; ANTH_SAMPLE000293486; ANTH_SAMPLE000292422; ANTH_SAMPLE000293489; ANTH_SAMPLE000292519; ANTH_SAMPLE000293490; ANTH_SAMPLE000292567; ANTH_SAMPLE000293491; ANTH_SAMPLE000292631; ANTH_SAMPLE000293492; ANTH_SAMPLE000292631; ANTH_SAMPLE000293492; ANTH_SAMPLE000292632; ANTH_SAMPLE000293493; ANTH_SAMPLE000292667; ANTH_SAMPLE000293494; ANTH_SAMPLE000292689; ANTH_SAMPLE000293495; Anthropic_0000003118; Anthropic_0000005629; Anthropic_0000005798; Anthropic_0000006179; Anthropic_0000006196; Anthropic_0000006275; Anthropic_0000006283; Anthropic_0000021163; Anthropic_0000022134; Anthropic_0000024473; Anthropic_0000026461; Anthropic_0000026500; Anthropic_0000027591; Anthropic_0000027609; Anthropic_0000028988; Anthropic_0000030306; Anthropic_0000030639; Anthropic_0000031208; Anthropic_0000032302; Anthropic_0000032980; Anthropic_0000033003; Anthropic_0000033380; Anthropic_0000033474; Anthropic_0000033514; Anthropic_0000034325; Anthropic_0000035453; Anthropic_0000035624; Anthropic_0000035898; Anthropic_0000036037; Anthropic_0000036041; Anthropic_0000036042; Anthropic_0000036067; Anthropic_0000036179; Anthropic_0000036186; Anthropic_0000036197; Anthropic_0000036301; Anthropic_0000036303; Anthropic_0000036398; Anthropic_0000036409; Anthropic_0000036701; Anthropic_0000036854; Anthropic_0000036859; Anthropic_0000036864; Anthropic_0000036865; Anthropic_0000036874; Anthropic_0000036900; Anthropic_0000036912; Anthropic_0000036939; Anthropic_0000036991; Anthropic_0000036992; Anthropic_0000036995; Anthropic_0000037119; Anthropic_0000037126; Anthropic_0000037129; Anthropic_0000037193; Anthropic_0000037199; Anthropic_0000037201; Anthropic_0000037273; Anthropic_0000037435; Anthropic_0000037440; Anthropic_0000037609; Anthropic_0000037623; Anthropic_0000037649; Anthropic_0000038200; Anthropic_0000039252; Anthropic_0000040609; Anthropic_0000040992; Anthropic_0000042363; Anthropic_0000042452; Anthropic_0000042454; Anthropic_0000043098; Anthropic_0000043672; Anthropic_0000043731; Anthropic_0000043806; Anthropic_0000043807; Anthropic_0000044258; Anthropic_0000046119; Anthropic_0000046479; Anthropic_0000046492; Anthropic_0000046623; Anthropic_0000050271; Anthropic_0000050282; Anthropic_0000050286; Anthropic_0000050288; Anthropic_0000052468; Anthropic_0000054696; Anthropic_0000054784; Anthropic_0000055015; Anthropic_0000060011; Anthropic_0000060439; Anthropic_0000062203; Anthropic_0000062305; Anthropic_0000062386; Anthropic_0000063276; Anthropic_0000064103; Anthropic_0000064117; Anthropic_0000064124; Anthropic_0000064409; Anthropic_0000064498; Anthropic_0000073951; Anthropic_0000079024; Anthropic_0000080110; Anthropic_0000080786; Anthropic_0000087853; Anthropic_0000090934; Anthropic_0000093838; Anthropic_0000095833; Anthropic_0000098311; Anthropic_0000181046; Anthropic_0000197267; Anthropic_0000243602; Anthropic_0000245657; Anthropic_0000245869; Anthropic_0000248217; Anthropic_0000256076; Anthropic_0000260153; Anthropic_0000260271; Anthropic_0000267324; Anthropic_0000337635; Anthropic_0000342657; Anthropic_0000352830.

23	11/21/2023	Dep. Ex. 128, Slack conversation (Anthropic_0000346083)
24	1/29/2024	Dep. Ex. 129, Excel spreadsheet (Anthropic_0000343228)
25	11/12/2025	Defendant Anthropic PBC's Am. Suppl. Response to Publishers' Interrogatory 9, 11, 12
26	9/3/2025	Excerpt of E-mail from Allison Que, Counsel to Anthropic, to T. Chung
27	10/31/2025	Excel spreadsheet (Anthropic_0000570510)
28	10/31/2025	Excel spreadsheet (Anthropic_0000570511)
29	11/5/2025	Defendant Anthropic PBC's Am. Suppl. Resp. to Publishers' Interrog. No. 4
30	8/14/2025	Ganguli 30(b)(6) Dep. Ex. 6, Excerpt of Excel spreadsheet (Anthropic_0000429489)
31	8/14/2025	Excerpt of Excel spreadsheet (Anthropic_0000429482)
32	8/14/2025	Excerpt of Excel spreadsheet (Anthropic_0000429485)
33	8/14/2025	Excerpt of Excel spreadsheet (Anthropic_0000429486)
34	8/14/2025	Excerpt of Excel spreadsheet (Anthropic_0000429488)
35	8/14/2025	Excerpt of Excel spreadsheet (Anthropic_0000429490)
36	10/2/2023	Third-party Claude prompt and output (Anthropic_0000021163)
37	10/6/2023	Third-party Claude prompt and output (Anthropic_0000024473)
38	3/15/2024	Third-party Claude prompt and output (Anthropic_0000342657)
39	3/9/2024	Anthropic employee Claude prompt and output (Anthropic_0000434760)
40	9/21/2022	Dep Ex. 238, internal memo (Anthropic_0000217166)
41	2/29/2024	Dep. Ex. 246, Slack conversation (Anthropic_0000605700)
42	12/1/2022	Dep. Ex. 280, Microsoft chat log (Anthropic_0000599647)
43	7/13/2021	Dep. Ex. 170, internal memo (Anthropic_0000458427)
44	10/27/2022	Slack conversation (Anthropic_0000240524)
45	10/12/2023	Dep. Ex. 239, internal memo (Anthropic_0000226164)

46	11/3/2023	Dep. Ex. 173, internal memo (Anthropic_0000443204)
47	-	Compilation of Claude outputs in response to Publisher prompts[4]
48	12/11/2025	Defendant Anthropic's Am. Suppl. Resp. to Publishers' Interrog. No. 12
49	1/19/2024	Dep. Ex. 108, Slack conversation (Anthropic_0000242173)
50	11/20/2023	Internal memo (Anthropic_0000477486)
51	-	Claude Glossary (Anthropic_0000592343)
52	-	Dep. Ex. 197, HuggingFace dataset
53	8/30/2023	Dep. Ex. 168, PowerPoint presentation (Anthropic_0000478271)
54	4/14/2022	Claude Slack conversation (Anthropic_0000525947)
55	5/19/2022	Claude Slack conversation (Anthropic_0000459162)
56	6/21/2022	Claude Slack conversation (Anthropic_0000554366)
57	8/9/2022	Claude Slack conversation (Anthropic_0000526003)
58	2/5/2023	Dep. Ex. 274, Claude Slack conversation (Anthropic_0000016458)
59	1/16/2023	Claude Slack conversation (Anthropic_0000016025)
60	7/1/2022	Claude Slack conversation (Anthropic_0000554319)
61	12/29/2022	Claude Slack conversation (Anthropic_0000554980)
62	1/29/2023	Claude Slack conversation (Anthropic_0000527903)
63	8/18/2022	Claude Slack conversation (Anthropic_0000568754)

[4] Bearing Bates numbers: Plaintiffs_0000000005, Plaintiffs_0000000024, Plaintiffs_0000000026, Plaintiffs_0000000037, Plaintiffs_0000000052, Plaintiffs_0000000056, Plaintiffs_0000000065, Plaintiffs_0000000085, Plaintiffs_0000000097, Plaintiffs_0000000109, Plaintiffs_0000000153, Plaintiffs_0000000159, Plaintiffs_0000000184, Plaintiffs_0000000199, Plaintiffs_0000000209, Plaintiffs_0000000241, Plaintiffs_0000000252, Plaintiffs_0000000254, Plaintiffs_0000000257, Plaintiffs_0000000269, Plaintiffs_0000000283, Plaintiffs_0000000286, Plaintiffs_0000000518, Plaintiffs_0000000529, Plaintiffs_0000001348, Plaintiffs_0000001370, Plaintiffs_0000001383, Plaintiffs_0000001756, Plaintiffs_0000001758, Plaintiffs_0000001765, Plaintiffs_0000001768, Plaintiffs_0000001776, Plaintiffs_0000001801, Plaintiffs_0000001814, Plaintiffs_0000001821, Plaintiffs_0000001843, Plaintiffs_0000001845, Plaintiffs_0000001882, Plaintiffs_0000001921, Plaintiffs_0000001926, Plaintiffs_0000002251, Plaintiffs_0000002255, Plaintiffs_0000002265, Plaintiffs_0000002267, Plaintiffs_0000002271, Plaintiffs_0000002278, Plaintiffs_0000002408, Plaintiffs_0000002412, Plaintiffs_0000002416, Plaintiffs_0000002604, Plaintiffs_0000009412, Plaintiffs_0000009417, Plaintiffs_0000009437, Plaintiffs_0000009438.

64	8/19/2022	Claude Slack conversation (Anthropic_0000459249)
65	6/27/2023	Claude Slack conversation (Anthropic_0000557304)
66	8/2/2023	Claude Slack conversation (Anthropic_0000459543)
67	8/16/2023	Claude Slack conversation (Anthropic_0000557359)
68	2/17/2023	Claude Slack conversation (Anthropic_0000557015)
69	9/6/2023	Claude Slack conversation (Anthropic_0000241820)
70	5/18/2023	Claude Slack conversation (Anthropic_0000459487)
71	12/2/2022	Dep. Ex. 244, Claude Slack conversation (Anthropic_0000554769)
72	6/24/2022	Claude Slack conversation (Anthropic_0000554405)
73	3/14/2023	Dep. Ex. 187, Anthropic website "Introducing Claude" (Anthropic_0000349548)
74	3/23/2023	Dep. Ex. 179, Excel spreadsheet (Anthropic_0000458491)
75	8/15/2023	Dep. Ex. 140, internal memo (Anthropic_0000507750)
76	3/7/2024	Internal Claude prompt and output (Anthropic_0000434712)
77	10/1/2023	Ganguli 30(b)(1) Dep. Ex. 21, third-party Claude prompt and output (ANTH_SAMPLE000000246)
78	10/3/2023	Third-party Claude prompt and output (ANTH_SAMPLE000004549)
79	10/25/2023	Anthropic employee Claude prompt and output (Anthropic_0000570595)
80	9/24/2023	Anthropic employee Claude prompt and output (Anthropic_0000582187)
81	10/20/2023	Anthropic employee Claude prompt and output (Anthropic_0000430272)
82	10/20/2023	Anthropic employee Claude prompt and output (Anthropic_0000430273)
83	10/20/2023	Anthropic employee Claude prompt and output (Anthropic_0000430258)
84	10/25/2023	Anthropic employee Claude prompt and output (Anthropic_0000430285)
85	-	Dep. Ex. 215, Anthropic employee Claude prompt and output (Anthropic_0000524147)

86	12/18/2023	Anthropic employee Claude prompt and output (Anthropic_0000431481)
87	9/25/2023	Anthropic employee Claude prompt and output (Anthropic_0000430104)
88	9/25/2023	Anthropic employee Claude prompt and output (Anthropic_0000430107)
89	3/4/2024	Anthropic employee Claude prompt and output (Anthropic_0000434264)
90	10/28/2023	Anthropic employee Claude prompt and output (Anthropic_0000430292)
91	12/21/2023	Anthropic employee Claude prompt and output (Anthropic_0000431502)
92	3/13/2024	Anthropic employee Claude prompt and output (Anthropic_0000434832)
93	2/1/2024	Anthropic employee Claude prompt and output (Anthropic_0000432472)
94	1/30/2025	Dep. Ex. 267, Anthropic employee Claude prompt and output (Anthropic_0000570705)
95	4/12/2024	Dep. Ex. 247, *New York Times* interview transcript
96	2/12/2026	Anthropic webpage, *Anthropic raises $30 Billion in Series G Funding at $380 Billion Post-Money Valuation*
97	3/16/2021	Dep. Ex. 169, internal memo (Anthropic_0000444967)
98	12/30/2022	Dep. Ex. 177, internal memo (Anthropic_0000216987)
99	-	Anthropic webpage, *Claude's Constitution*
100	9/23/2025	Excel spreadsheet (Anthropic_0000441649)
101	-	Compilation of Publishers' LyricFind Licenses[5]
102	-	Compilation of Publishers' Musixmatch Licenses[6]
103	-	Compilation of Additional Licenses for Lyrics Display[7]
104	3/4/2024	Anthropic employee Claude prompt and output (Anthropic_0000434319)
105	10/8/2025	Ganguli 30(b)(6) Dep. Ex. 7, Excel spreadsheet (Anthropic_0000441309)

[5] Bearing Bates numbers: ABKCO_0000000052; CCMG_0000000209; Concord_0000000168; UMPG_0000018093.
[6] Bearing Bates numbers: ABKCO_0000000045; CCMG_0000000237; Concord_0000000212; UMPG_0000000335.
[7] Bearing Bates numbers: ABKCO_0000000414; CCMG_0000000869; Concord_0000000739; UMPG_0000000275; UMPG_0000000366; UMPG_0000000388; UMPG_0000000532; UMPG_0000023090; UMPG_0000023257; UMPG_0000023282.

106	8/14/2025	Excerpts of Excel spreadsheet (Anthropic_0000429484)
107	12/16/2025	Anthropic Interviewer HuggingFace dataset (Anthropic_0000593843)
108	12/4/2025	Anthropic webpage, *Introducing Anthropic Interviewer* (Anthropic_0000594977)
109	1/11/2024	Anthropic employee Claude prompt and output (Anthropic_0000432334)
110	11/15/2024	Dep. Ex. 174, Anthropic employee Claude prompt and output (Anthropic_0000570711)
111	1/11/2025	Dep. Ex. 242, Anthropic employee Claude prompt and output (Anthropic_0000570586)
112	10/29/2025	Kokakis 30(b)(6) Dep. Ex. 34, UMPG-Udio Agreement (UMPG_0000024457)
113	11/19/2025	UMPG-Klay Agreement (UMPG_0000025119)
114	5/23/2025	Turvey 30(b)(6) Dep. Ex. 32, Agreement (Anthropic_0000429496)
115	11/16/2025	Dep. Ex. 250, *60 Minutes* article
116	7/12/2021	Dep. Ex. 248, internal memo (Anthropic_0000462964)
117	11/11/2025	Excerpts of David Kokakis 30(b)(6) Deposition Transcript
118	10/29/2025	Excerpts of Alisa Coleman 30(b)(6) Deposition Transcript
119	11/5/2025	Excerpts of Thomas Turvey 30(b)(1) Deposition Transcript
120	4/12/2022	Yuntao Bai et al., *Training a Helpful and Harmless Assistant with Reinforcement Learning from Human Feedback*
121	-	Compilation of ABKCO Licensing Agreements[8]
122	-	Compilation of UMPG Licensing Agreements[9]
123	-	Compilation of CCMG Licensing Agreements[10]

[8] Bearing Bates numbers: ABKCO_0000001313; ABKCO_0000000025; ABKCO_0000000304; ABKCO_0000000369; ABKCO_0000000398.
[9] Bearing Bates numbers: UMPG_0000023040; UMPG_0000000001; UMPG_0000023125.
[10] Bearing Bates numbers: CCMG_0000000662; CCMG_0000000259.

I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge and belief.

Executed in New York, NY, this 23rd day of March, 2026.

/s/ Timothy Chung

Timothy Chung

SIGNATURE ATTESTATION PURSUANT TO CIVIL L.R. 5-1(h)

Pursuant to Civil L.R. 5-1(h), I hereby attest that concurrence in the filing of this document was obtained from the signatory of this document. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 23, 2026

/s/ Nicholas C. Hailey
Nicholas C. Hailey