Exhibit 26

Subject: RE: Concord Music Group, Inc. v. Anthropic PBC - Anthropic Employee Records

Date: Wednesday, September 3, 2025 at 12:02:26 AM Eastern Daylight Time

From: Que, Allison <Allison.Que@wilmerhale.com>

To: Timothy Chung <tchung@oandzlaw.com>, Sara.Sampoli@lw.com <Sara.Sampoli@lw.com>, Ivana.Dukanovic@lw.com <Ivana.Dukanovic@lw.com>, Joe.Wetzel@lw.com <Joe.Wetzel@lw.com>, Andrew.Gass@lw.com <Andrew.Gass@lw.com>, Britt.Lovejoy@lw.com <Britt.Lovejoy@lw.com>, Sy.Damle@lw.com <Sy.Damle@lw.com>, Alli.Stillman@lw.com <Alli.Stillman@lw.com>, Mehta, Sonal <Sonal.Mehta@wilmerhale.com>, Gooch, Taylor <Taylor.Gooch@wilmerhale.com>, Holtzblatt, Ari <Ari.Holtzblatt@wilmerhale.com>, Tompros, Louis W. <Louis.Tompros@wilmerhale.com>, Burrell, Robin C. <Robin.Burrell@wilmerhale.com>

CC: Matt Oppenheim <Matt@oandzlaw.com>, Nick Hailey <Nick@oandzlaw.com>, Jennifer Pariser <JPariser@oandzlaw.com>, Andrew Guerra <Andrew@oandzlaw.com>, Audrey Adu-Appiah <AAdu-Appiah@oandzlaw.com>, Bret Matera <BMatera@oandzlaw.com>, Michelle Gomez-Reichman <MGomez-Reichman@oandzlaw.com>, WH Anthropic-Concord Service <WHAnthropic-ConcordService@wilmerhale.com>

Attachments: image002.png, image003.png, image006.png, image007.png, image008.png

Counsel,

You are confusing different categories of discovery. Regarding the metadata for the prompt and output records for **@ anthropic accounts**, your email misstates the record and includes unfounded accusations that Anthropic has "failed to produce" this metadata by a date certain. ***First***, Anthropic was not under any obligation to produce the @ anthropic account prompts and outputs by August 22, 2025. Rather, the Court ordered Anthropic to search and produce responsive prompts and outputs from non-@anthropic *personal* Claude accounts by August 22, 2025. *See* Dkt. 407 at 2. ***Second***, Anthropic offered to provide this metadata to Publishers as a courtesy, in an effort to illustrate the back-end duplication issue that Anthropic encountered and affirmatively raised in its production letter. That Publishers have now turned Anthropic's good-will gesture on its head by accusing Anthropic of neglect is not well-taken. *And,* the back-end duplication issue does not reflect a "failure to preserve" any metadata. The back-end duplication issue that Anthropic affirmatively raised in its production letter was the result of how enterprise accounts functioned at the time of collection. The metadata that Anthropic has offered to provide (again, as a courtesy) is merely to show Publishers that all of the back-end duplicates are pure duplicates of each of the responsive, non-privileged, unique records that Anthropic already produced.

In any case, we will provide the metadata report as soon as we are able. Our vendor is working hard to collect, clean, and QC it for production.

Regarding the **personal account** prompts and outputs, Anthropic has fully complied with Judge van Keulen's order, which was to (1) inquire into each individual that the parties agreed upon "as to whether they have ever used a personal Claude account to search for songs or lyrics," and inform each employee that the inquiry is pursuant to a Court order, (2) to provide the results of that inquiry to Plaintiffs through a counsel attestation, and (3) search and produce the responsive prompts and outputs, if any, by August 22. Anthropic has done each of those things. Plaintiffs have provided no basis for their demand that Anthropic disclose privileged communications, nor why they believe the contents of those privileged communications could include information relevant to any claim or defense, or is proportional to the needs of this case, particularly where the responsive prompt and output records have already been produced.

In response to the questions you've posed, Anthropic responds as follows:

- The metadata attached to Production Volume 18 from August 22 indicates exactly which **personal account** Anthropic produced prompts and outputs for. Did you review it before sending us your questions? The information is readily available to Publishers by filtering for the information you seek.

- Anthropic produced such personal account prompt and output records made between September 22, 2023 to March 22, 2024. As Anthropic has informed Plaintiffs throughout discovery, Anthropic's prompts and outputs were preserved beginning September 22, 2023, *i.e.* 26 days before the Complaint was filed, due to Anthropic's standard retention policy. As to the March 22, 2024 limitation, the parties have agreed upon that date as the cutoff, *see* ESI Protocol (Dkt. 297) ¶ 19. The time range for production is exactly what it has been for prompts and outputs throughout discovery.

- With respect to Sasha de Marigny, we can now confirm we have been in contact with her and will not be searching or producing from her personal accounts.

- Finally, with respect to Daniela Amodei, Anthropic has already made clear that it will make the inquiry of her ***after*** she has returned from parental leave. *See* Sridhar Decl. ¶ 6.

As a final note, your attempt to file a discovery dispute on these issues before the Court is premature, as Publishers cannot unilaterally declare an impasse without first attempting to meet and confer. To the extent Publishers insist on raising this discovery dispute, Anthropic is available to meet and confer this week. Anthropic reserves all rights.

Allison

From: Timothy Chung <tchung@oandzlaw.com>
Sent: Thursday, August 28, 2025 11:32 AM
To: Que, Allison <Allison.Que@wilmerhale.com>; Sara.Sampoli@lw.com; Ivana.Dukanovic@lw.com; Joe.Wetzel@lw.com; Andrew.Gass@lw.com; Britt.Lovejoy@lw.com; Sy.Damle@lw.com; Alli.Stillman@lw.com; Mehta, Sonal <Sonal.Mehta@wilmerhale.com>; Gooch, Taylor <Taylor.Gooch@wilmerhale.com>; Holtzblatt, Ari <Ari.Holtzblatt@wilmerhale.com>; Tompros, Louis W. <Louis.Tompros@wilmerhale.com>; Burrell, Robin C. <Robin.Burrell@wilmerhale.com>
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EXTERNAL SENDER