EXHIBIT 8

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

- - - - - - - - - - - - - x
CONCORD MUSIC GROUP, INC., :
ET AL., :
Plaintiffs, : Case No.
v. : 5:24-CV-03811-EKL-SVK
ANTHROPIC PBC, :
Defendant. :
- - - - - - - - - - - - - x

HIGHLY CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER
REMOTELY CONDUCTED VIDEOTAPED DEPOSITION OF
MICHAEL CANDORE
MONDAY, NOVEMBER 3, 2025
8:53 A.M. CST

JOB NO.: 606685
PAGES: 1 - 326
REPORTED BY: KARISA EKENSEAIR, CCR RPR RMR RDR
CA CSR #14546

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DEPOSITION OF MICHAEL CANDORE, CONDUCTED VIA ZOOM VIDEOCONFERENCE.

Pursuant to notice, before Karisa J. Ekenseair, Certified Shorthand Reporter in and for the States of Arkansas, Oklahoma, Missouri, Illinois, Tennessee, Georgia, New Mexico, Washington, and California; National Registered Professional Reporter; National Registered Merit Reporter; National Registered Diplomate Reporter; Notary Public.

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PROCEEDINGS

THE VIDEOGRAPHER: Here begins Media No. 1 in the videotaped deposition of Michael Candore in matter of Concord Music Group v Anthropic, PBC, in the United States District Court, Northern District of California, San Jose Division, Case No. 5-24-CV-03811-EKL-SVK.

Today's date is November 3, 2025. The time on the video monitor is 8:53 a.m. The remote videographer today is Sedrick Lampkins representing Planet Depos.

All parties of this video deposition are attending remotely. Would counsel please voice-identify themselves and state whom they represent.

MS. MEHTA: Good morning. Sonal Mehta from WilmerHale on behalf of Anthropic. With me is my colleague Lakshmi Reddy. And also on the Zoom today is Ian Chen, in-house counsel at Anthropic.

MR. GOULD: Jeff Gould from Oppenheim + Zebrak on behalf of the witness.

Just, Mike, if you want to hide your non video participants, you can on the screen, to see less noise.

THE VIDEOGRAPHER: The court reporter today

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is Karisa Jane Ekenseair representing Planet Depos. The witness will now be sworn.

THE REPORTER: My name is Karisa Ekenseair. I am a California Certified Shorthand Court Reporter, License Number 14546.

Would the witness please raise their right hand to be sworn.

MICHAEL CANDORE

of lawful age, being first duly sworn, deposes and says in reply to the questions propounded as follows:

EXAMINATION

BY MS. MEHTA:

Q Good morning, Mr. Candore.

A Good morning.

Q My name is Sonal Mehta. I'm a lawyer representing Anthropic in this litigation. It's nice to meet you.

A Likewise.

Q Have you ever been deposed before?

A No, I have not.

Q So let's go through a few ground rules just to make sure that you and I are on the same page for the process for today. Okay?

A Uh-huh.

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to answer the question about whether there were non work-in-suit outputs in their records? That was my question.
MR. GOULD: Yes.
MS. MEHTA: Okay.
Q Are you accepting that instruction?
A I am. I'm going to follow counsel's instruction on that.
Q Okay. For the works-in-suit, were there outputs that are in the records that BCGuardian has for this case that were not attached to the declarations?
A I don't recall specifically.
Q Do you recall whether when you looked for the -- when you attempted to prompt Claude for outputs relating to the works-in-suit, whether you attached all of the outputs you got into your declarations or not?
A I don't recall whether all are present. The Seymour declaration includes very voluminous exhibits, though that was issued earlier than the Candore declaration, my declaration. The Candore declaration I know is -- is more limited than the Seymour declaration in terms of volume of output. So I don't -- I don't recall specifically whether

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everything is included within -- between the two declarations, the Seymour declaration and the Candore declaration.
Q Was it your intent to include the evidence of outputs that the publishers alleged to be infringing in those two declarations? In other words, you weren't trying to hold anything back; is that fair?
A The selection of what went into those declarations was made in coordination with counsel for Plaintiffs in the action. We -- we generated and verified all of that information which went into those declarations and attested to what went into those declarations. But at the end of the day, I don't know the selection criteria for why it is those are the works they requested be included within those declarations.
Q Okay. So what I think I understand you to be saying is that there are records of outputs that BCGuardian has, and it is possible that there are records for prompts where you attempted to get lyrics for the works in suit where the outputs have not been disclosed; is that fair?
MR. GOULD: Objection, form; foundation.
A I don't know that that's explicitly what I'm

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stating. I'm saying that I'm unclear right now if everything which has been generated was reflected within those declarations as I sit here today.
Q Okay. What about whether or not everything that was generated was actually produced by the publishers in the litigation, do you know that?
MR. GOULD: Objection, form; vague and ambiguous.
A I do not. I've had no insight into document productions in this initiative. I do know that everything has been provided to counsel.
Q Okay. So everything that BCGuardian has was provided to counsel; is that right?
A Yes.
Q Does that include outputs for -- again, this is a yes-or-no question to start.
Does that include outputs for non works-in-suit?
MR. GOULD: I'm going to object to form, again, on the basis that the Court denied a motion requesting information about outputs on non works-in-suit and instruct the witness not to answer.
MS. MEHTA: So I want to be clear, Jeff. You're -- you're saying that he can't answer yes or

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no whether there are outputs for non works-in-suit that he provided to counsel? That's your instruction?
MR. GOULD: Yes.
Q Mr. Candore, are you going to accept that instruction?
A I am going to accept the instruction.
Q Okay. So let's go back then to the outputs that you talked about. With respect to the outputs, are there outputs for -- or is it possible that there are outputs for searches that you -- or prompts that you made with respect to the works-in-suit where you did not provide as part of your declarations the prompts and the outputs to be, you know, evaluated as part of the case?
MR. GOULD: Object to form; calls for speculation; asked and answered.
A And I'm sorry, can you -- I don't understand the question.
Q Yes. You said there's a number of prompts and outputs that BCGuardian has in its files, right?
A Yes.
Q And you said you don't know for sure whether all of those prompts and outputs for the works-in-suit were attached to the two declarations;

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is that right?
A Correct.
Q Okay. It's possible then that there are prompts and outputs that BCGuardian has in its files that were not attached to the declarations, correct?
MR. GOULD: For the works-in-suit?
Q For the works-in-suit. Let's start with that.
A Yes. That is possible.
Q Okay. And as I understood your testimony a few minutes ago, counsel made the judgment as to which prompts and outputs should be attached to your declaration and which should not; is that right?
A That is my understanding. I don't know who ultimately made that decision, but it was not BCGuardian. We worked in connection with them in generation of those declarations and those were the selected works and exhibits which we included at their request.
Q Okay. And then in terms of the prompts and outputs for the works-in-suit that were actually produced in the litigation, you don't know what subset of what you gave to counsel they actually turned over to Anthropic, fair?
A That's fair.

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Q So it's possible that there were prompts and outputs that BCGuardian gave to counsel for the publishers that publishers never gave to Anthropic, fair?
MR. GOULD: Objection, foundation; calls for speculation.
A Yeah. I can speculate and, yes, that's certainly possible, though I don't know. I have no insight into what was produced.
Q But it's possible?
A Yes. It's possible.
Q Now, with respect to the other category of documents that you said exist that you didn't look at, you said historical e-mail correspondence; is that right?
A Yes.
Q What historical e-mail correspondence you could -- are you referring to?
A Generally, e-mail correspondence between myself and O&Z or between my colleague -- former colleague Dan Seymour and O&Z.
Q And by O&Z, you mean Oppenheim + Zebrak, the law firm that's representing Publishers in this case; is that right?
A Yes. That's correct.

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Q Okay. And was that all -- was that -- again, I don't want to get into the substance, but I want to understand at a high level, that was correspondence about the assignment that you were given by Oppenheim + Zebrak; is that right?
A Yes.
Q Was there anything about the parameters of the assignment that they were giving you that would be reflected in those e-mails you wouldn't know based on your own knowledge?
MR. GOULD: Objection to form; vague and ambiguous.
A Again, I'm not sure I understand the question.
Q My question is -- let me think about a different way to ask it perhaps.
Those were e-mails between you and Oppenheim + Zebrak or your colleague, Mr. Seymour, and Oppenheim + Zebrak, right?
A Yes.
Q And you would have read those e-mails contemporaneously with doing the work that you were asked to do by Oppenheim + Zebrak?
A Generally, yes.
Q And in terms of the assignment, any

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assignment that you were given by Oppenheim + Zebrak in those e-mails, you would have actually read the e-mails and then conducted the assignment in accordance with the instructions, fair?
A Yes. That's fair.
Q Is there anything in those e-mails that you would need to go back and look at to refresh your memory on how you conducted this -- this investigation or the work that you did for Oppenheim + Zebrak?
MR. GOULD: Objection to form; calls for speculation.
A I don't believe so. I have a -- a sound understanding and recollection of what we did here generally. I mean, there's possibility with more nuanced issues, outliers, exceptions that, you know, I may be -- may not recall specifically, but generally, the process I'm quite familiar with.
Q Okay. And generally, you're prepared here to testify on behalf of BCCGuardians about the work that BCCGuardians has done for the publishers in this case; is that fair?
A Yes.
Q Who at BCCGuardians worked on the project for the publishers, this project for the publishers?

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judge wanted to know if there were instances in which you ran that prompt, the language in paragraph 7, and you did not share the output, that's not something you're able to say; is that fair?
MR. GOULD: I'll object to form on the basis of vague and ambiguous, particularly.
MS. MEHTA: Let me ask the -- let me ask the question again.
Q If the judge or the jury in this case wanted to know how many times you ran the prompt in paragraph 7 and received an output that you did not include in what you submitted to the court as part of this declaration, how -- would you be able to answer that question?
MR. GOULD: Would you be able to or would your --
Q Would you be able to?
MR. GOULD: Be able to. You may answer that question. Thank you.
A Yes. I'd be able to answer it.
Q Will you answer it for me now?
MR. GOULD: Instruct the witness not to answer.
Q Are you following that instruction?

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A Yes. I'll follow the instruction.
Q Let's go to paragraph 8. Actually, yeah. Let's go to paragraph 8.
With respect to the additional queries that you have -- or Mr. Seymour identified in this declaration in paragraph 8, do you have at BCGuardian records of all of the additional queries that were run?
A Yes, we do.
Q How many additional queries total were run prior to November 16th, 2023?
MR. GOULD: I'll permit the witness to answer the question, "do you know how many additional queries."
A I -- offhand, I don't know how many additional queries were run.
Q Do you have -- but you would be able to tell that from your records?
A Yes.
Q Were there queries that were -- these additional queries, the paragraph 8 queries that were run, where the output that you received was not the -- were not the lyrics that were available on LyricFind?
MR. GOULD: If you know, you -- you may

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answer whether you know.
A Offhand, again, no. I don't know specifically how many of these included or did not include the protected compositions, the lyrics to the songs that -- that were aligned to the prompt.
Q Okay. So I want to break that down a little bit.
My first question is not how many. My first question is: Were there any instances in which you prompted Claude with one of these additional queries and did not receive lyrics that matched the LyricFind lyrics?
MR. GOULD: I'll permit you to answer the question whether you know. Answer that question.
A Again, as I sit here today, no, I don't -- I can't point to a specific example one way or the other.
Q Are you able to rule out that there were instances in which you ran these additional queries and did not get lyrics that matched the LyricFind lyrics?
MR. GOULD: Objection to form; foundation.
A No. I couldn't rule that out.
Q Were there any instances in which you prompted Claude with one of the additional queries

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and did not receive lyrics that matched the official lyrics to the work-in-suit -- or to the work, I should say?
MR. GOULD: Same instruction. You may answer whether you know.
A Can you repeat the question?
Q Yes. Were there any instances in which you prompted Claude with one of the additional queries and did not receive lyrics that matched the official lyrics for the work?
A The same answer as the prior question. I don't know definitively as I sit here today one way or the other.
Q Were you able -- are you able to rule out that there were instances in which BCGuardian ran these additional queries and did not get the lyrics that matched the official or deposit copy lyrics?
MR. GOULD: Objection to form; calls for speculation; calls for legal conclusions; foundation.
A Sure. So no, I can't rule that out, but actually, let me clarify. These works are placed here within -- sorry, these prompts are placed here within the declarations because there is reproduction. So as I've said here a few times, I

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can't rule out definitively one way or the other -- I think you may have frozen.
Are you able to hear me still?
Q Yeah. You froze, but I'm able to see the transcript so I'm catching up.
A Okay. Sorry. Sorry. I was saying that these works are included here within the declaration because there is reproduction. So a few times I've said I can't rule out one way or the other as I sit here today definitively whether there was or was not reproduction within the output to the style of prompt in paragraph 8.
There is reproduction. There certainly is reproduction, though I can't answer how -- whether or not each prompt submitted yielded that output or not.
Q Right. So as I understand what you're saying is, you made certain prompts and where there was reproduction, that was attached to the declaration.
So we know there was at least reproduction in certain instances. That's what you're saying?
A I agree with -- with your characterization that we know that reproduction occurred in certain instances. I -- I would say we need to go back,

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though, to the initial position on the -- on the declaration here.
This was drafted in concert with counsel. These are -- you know, this is based on our factual workup, though I don't know the criteria for selection. O&Z, counsel for Plaintiffs in the action, would have selected those prompts which were put forward here within this declaration, and we did not conduct any systematic analysis to say this matches, this doesn't match, this matches, this matches. We didn't do that analysis.
So I don't know if what is put forward here is selective or whether it is representative or the universe, right. I had no insight into the selection of content for inclusion within our declaration.
Q Got it. So let me go back then and just break this down to make sure we're clear.
With respect to the additional prompts that you identify in paragraph 8, you're -- I think what you're saying is there were at least some instances in which you found reproduction and those are attached to the declaration, right?
A But that may not be exhaustive.
Q Right. And so -- and it's possible that

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counsel -- there's other examples where there would have been reproduction that you're saying counsel left out?
MR. GOULD: Objection, form; calls for speculation.
A I have no insight into what else might be out there that they may have left out.
Q Okay. Now, here's my question: With respect to the judge and jury in this case, if they wanted to know how many times you made those additional prompts and did not have any reproduction, do you know the answer to that question, you being BCGuardian?
MR. GOULD: You may answer yes or no.
A Based on the data we have alone right now, no, I cannot answer that question.
Q And that's because it requires counsel's judgment as to whether or not there's reproduction?
MR. GOULD: Objection to form; foundation.
A It requires an analysis against the protected -- the authentic lyrics and that's not something we completed as a -- as an element of our engagement.
Q Right. But if we looked at the outputs that you have records of and we compared those to the

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LyricFind lyrics that were included in the declaration, that analysis could be done? In other words, the judge and the jury could evaluate how many times you did these additional prompts and didn't get something that would constitute reproduction, correct?
MR. GOULD: If you can.
A Yes. That's an analysis which certainly could be completed.
Q But to complete that analysis, we would need to have all of the prompts and outputs from BCGuardian, wouldn't we?
A Well, it depends on whether or not the analysis is confined to those present within this declaration or whether it is pursuant to -- sorry, whether it includes the works provided to counsel.
Q Right. My question is --
A -- not provided to counsel.
Q Right. My question is not limited to the outputs that counsel chose to put in the declaration. My question is broader than that.
If the judge and the jury in this case wanted to know how often you did -- you ran an additional prompt and got an output that counsel didn't put it in the declaration, that counsel

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January 27th, 2024, to your declaration or were there prompts and outputs that were not included?
MR. GOULD: First, answer whether you know the answer to that question.
A I do not know definitively whether everything is here.
Q What's your best memory as to whether or not everything was attached?
MR. GOULD: Objection, form; foundation; calls for speculation.
He answered that he doesn't know.
MS. MEHTA: Counsel, that's an inappropriate speaking objection. This is multiple times now. You're obviously coaching the witness. Please stop. State the basis --
MR. GOULD: You're asking questions over and over. I'm trying to be careful of privilege lines.
MS. MEHTA: State --
MR. GOULD: I'm giving the witness -- I'm giving the witness a tremendous amount of leeway to tell you whether he has an answer, whether he has knowledge, and see if there's more to follow up on. You're pushing beyond that, so I'm entitled to caution and object --
MS. MEHTA: No. You're entitled to state

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the basis for your -- you're entitled to state the basis for your objection and you're entitled to instruct if you're going to instruct on privilege. You're not entitled to coach him as to what he should say.
Q Mr. Candore, the question I asked you was: Did you attach every prompt and output that you ran between January 25th and January 27th, 2024, to your declaration or are there prompts and outputs that were not included?
MR. GOULD: Objection, form; foundation; asked and answered.
You may answer whether you know the answer to that question.
A I do not recall whether we -- whether we have provided here within this declaration each piece of output. I will clarify and I will say that the declaration here was drafted in concert with counsel. And the selection of what came into this declaration, as with the Seymour declaration, would have been by counsel. We provided to counsel everything which we -- everything which we generated during this three-day window in January of 2024. From that, they selected what -- what to include here within this declaration.

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I do not recall the volume of what we generated over that three-day period in January. We've talked a little bit about what else we had going on that -- that, you know, I did have to call in support to -- to complete prompting over that window, but it may have been the result of having a lot of other things going on.
I think it's unlikely to have turned prompts for every work-in-suit during a three-day window as well. So you know, I'm sorry, I -- I just don't recall whether there were -- what the universe of prompts during that window looked like, whether it was 50 or some number larger.
Q Are you able to rule out that there were prompts and outputs generated during that time that you provided to counsel but which counsel omitted from the declaration?
MR. GOULD: Objection, form; calls for speculation; foundation.
A No. I don't recall, so I certainly can't rule that out.
Q And if we wanted to know how many total prompts and outputs were run during that time period in order to evaluate whether this -- this 50 examples is, you know, 100 percent of the prompts

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and outputs you made or some small fraction of the prompts and outputs you made, we'd have to go look at the records of all of the prompts and outputs; is that right?
A Yes. That's correct. If you look at the records we generated during this window and delivered to counsel, you would be able to complete such an analysis.
Q By this time, I think you said you knew what the works-in-suit were, correct?
A We had received the list of works-in-suit which were included within the Seymour declaration. I know how -- you know, I know generally that lists of works-in-suit can change over time. I don't know whether there had been an amendment to add any. I don't know whether any had fallen out, but I knew of the original 500 at this time.
Q Was the scope of your work in the January 2024 phase of the case limited to the works-in-suit or was O&Z asking you to run these queries on additional works besides those that were in suit, those that were listed in the Seymour declaration?
MR. GOULD: You may answer whether you know -- whether you can substantively answer that

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A Almost certainly, yes.
Q And I take it that you didn't produce all of those or you didn't attach all of those to your declaration, right?
A I don't believe that they're attached to the declaration. I don't know what's been produced in the litigation. Counsel will have all of the outputs.
Q Okay. So if the jury wanted to know how many times you tried to prompt Claude and ended up running into the copyright guardrails, that would be something that we would need to go and look at the information that you produced to counsel for, correct?
A Yes.
Q And if the jury wanted to know or the judge wanted to know how many times you prompted Claude, got the copyright guardrail notice, and then still got something that looked like song lyrics for the composition afterwards, can you quantify that?
A As I sit here today, no, I don't know that number with specificity. That number is at least one. It's presented here in as -- in paragraph 10, though I don't know, again, how pervasive that specific scenario may have been.

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Q Can you recall any other scenario in which you prompted Claude using that language, got the copyright guardrail notice, and nevertheless got lyrics to the -- some lyrics to the composition or full lyrics to the composition?
A I don't recall another scenario exactly like this one. I believe this one actually included the copyright notice in response to the lyrics as well, so I don't recall another scenario exactly like this one. But I should qualify this by saying I clearly didn't look at each and every piece of output for the manual prompts. I looked at a lot of them, not every one of them. And the automated prompting, that went through the API, I wouldn't have looked at every one of those pieces of output either. So I can't say definitively that because I didn't see it, it doesn't exist.
Q Right. But you don't remember seeing any other instance like the one that you identified in this declaration; is that fair?
A That is fair, yes.
MS. MEHTA: Let's go to Tab 14 and we're going to mark that as Exhibit --
REMOTE TECHNICIAN: Five.
MS. MEHTA: Five.

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Q And actually, while that's being pulled up, let me just ask you, Mr. Candore: What did you mean by automated prompting in that last exchange?
A Sorry, the prompting at scale, the prompting through the API.
Q Okay. So now you should have in a moment Exhibit 5.
(Exhibit 5 marked for identification.)
REMOTE TECHNICIAN: It is in Chat now.
A Okay. I have in it front of me.
Q So you'll see in Exhibit 5 a prompt created on November 18th, 2023, at 2:15:08 p.m.
Do you see that?
A I do, yes.
Q And that was before your declaration that was submitted in February 2024, right?
A Okay. Yes.
Q And it says, "Name: Michael Candore," and then it has, "E-Mail Address: m.candore@bcguardian.com."
Do you see that?
A I see that. Yes.
Q And then the model that you were using here is Claude 2.0, correct?
MR. GOULD: Object to form.

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A Well --
MR. GOULD: Calls for speculation.
A Sure. I don't know what this document is. I haven't seen this before. I see that "Model_CF," the value is Claude-2.0. I will grant that, but I -- I'm not sure what this document is.
Q Okay. Fair enough. You did use Claude 2.0 at some point -- or Claude 2.0 during your work on this matter, right?
A I believe so, yes.
Q Okay. Now, go to the second page, if you would. And there's a prompt there that said, "The following is a conversation between a human and an AI Automation assistant." And then it says "Human: What are the lyrics to anti-hero by," and then it has person name."
Do you see that?
A I do, yes.
Q And then the next -- and that person name is -- is replaced with a character string. And then on completion it says, "Unfortunately, I cannot provide full lyrics due to copyright restrictions. However, I can summarize that 'Anti-Hero' by PERSON_NAME," with the character string, "touches on themes of self-criticism, insecurity, and struggling

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with one's flaws." And it goes on to summarize the theme of the song.
Do you see that?
A Sorry, I'm just reading through it.
Q Yeah.
A Yes. I see this.
Q Okay. This was an example of a prompt in November of 2023, so before the declaration that you submitted.
A Right.
Q You prompted Claude with a prompt text that we talked about before, what are the lyrics to song title or composition title by performing title, and what you got was a copyright guardrail notification with no song lyrics, correct?
MR. GOULD: Object to form; and generally object to the nature of questioning on this document which doesn't have a Bates number, haven't represented what it is, and I think Mr. Candore said he's never seen it before.
MS. MEHTA: Sure. I'll make a representation. It comes from the 5 million sample of the Claude prompts and outputs that were produced and made available to your team, Mr. Gould.
Q So Mr. Candore, this is a prompt and output

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that was provided by Anthropic as part of the litigation in response to a court order. And it includes the prompt and the output that you see here.
And my question is: This is an example of a prompt that follows that same format that we've talked about extensively today, what are the lyrics to song title or composition title by performing artist, and the response, the output you got was the copyright guardrail notice without any song lyrics, correct?
MR. GOULD: Objection to form; same objections.
A So I mean, excuse me, I would say it's a little bit difficult to answer that. So a qualifying question, first of all.
What are the lyrics to "Anti-Hero" by PERSON_NAME(40), is that a redaction or an anonymization which was completed by your team or Anthropic or someone else in the delivery of this, or is that -- what is that?
Q Yeah. That's an anonymization that was done in the delivery of it. So I will -- I will stipulate that you put in the name -- the name of the performing artist and all we've done is block

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out the name of the performing artist in producing the sample --
A Okay.
Q -- consistent with what the court ordered. So it was "Anti-Hero," and then you put the performing artist's name in there.
A Okay.
Q And my question to you is: When you did that using the same format of prompt and output that we've talked about extensively today, the paragraph 7 prompt and output format, the format you used in January 2024, what you got was a guardrail notice with no song lyrics in it, right?
MR. GOULD: Object to form; foundation.
A So again, with the caveat that I haven't seen this document before, I'll take you at your word for what it is and the information available within the -- the metadata associated with this piece of output, yes, it does appear to be a prompt in the form of what we at BCGuardian submitted. And the completion does not appear to include lyrics to this song. I'm guessing it might be "Anti-Hero" by Taylor Swift, in which case I don't believe that the lyrics are reproduced here.
Q Okay. And my question to you is: Why was

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this prompt and output not included in your declaration where you had in paragraph 10 the example from "All Along the Watchtower" where you said you ran into the guardrails but it nevertheless produced the -- the copyrighted -- or produced the lyrics to the composition? Why didn't you include the prompts and outputs in which you ran into the guardrail and there was no lyrics produced?
MR. GOULD: Objection to form; entire line of questioning based on a document he's never seen before and a prompt he didn't enter.
MS. MEHTA: Counsel, these are clearly speaking objections and they're clearly intended to coach the witness. Cut it out. You know that's improper. Limit your objection to the basis for stating the objections.
Q Mr. Candore, why didn't you include in your declaration to the Court the examples of instances in which you ran that same prompt format and ran into the copyright guardrails and did not receive any lyrics to the requested song?
A As I testified a few times here, the -- the information included within the declarations we provided was selected by counsel. We worked with counsel in drafting these declarations and ensuring

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that the fact patterns were consistent with what we had developed through our initiative.
The question of what's included and excluded from those declarations is counsel's alone.
Q So you didn't think it was important before you signed this declaration to let the Court know that while you found one example where you ran into a copyright guardrail and got song lyrics, there are other examples where you run -- ran into the copy -- the copyright guardrail and got no song lyrics? You didn't think that was important before you signed the declaration?
MR. GOULD: Objection, form; foundation; argumentative; calls for legal conclusions.
A It's difficult to answer that because, you know, the way you phrase that, I -- do I think it's important to understand that? That's -- you know, certainly a reasonable and a rational person could say, yeah, that would be helpful to understand.
But that's analogous to -- that's analogous to someone who's committed -- well, you know what, I don't want to put forward a metaphor which -- that could be misconstrued here.
But frankly, no. Our -- our role within this workup is not to necessarily provide all of the

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different pieces of output and all of the different buckets into which that output falls. Our role was to validate evidence which we've developed and put forward here to support the motion.
I'm going to pull that back up. I believe that this was submitted in support of -- apologies, I don't know what the declaration was -- which motion --
Q I'm sorry, it was a motion for preliminary injunction.
A Okay. So the motion for the preliminary injunction. The declaration was drafted in such a way so as to support the motion for the preliminary injunction.
Q And your -- your view is that it was not -- it was not misleading or inaccurate or improper to submit a -- actually, let me ask the question differently.
You don't think it's misleading to submit a declaration to a court in which you say, I ran this search, I got the guardrail, and I got the lyrics anyway, and not disclose to the court that there were other instances which before that you had run the same format of prompt, run into the guardrails, and not gotten any lyrics? You don't find that

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misleading?
MR. GOULD: Objection, form; foundation; argumentative.
A I wouldn't find that misleading. I don't find that misleading. I believe that the -- the declaration doesn't speak to that being the only type of output which we received, right. I don't believe anywhere in that declaration does it say we only received copyright guardrails in conjunction with protected lyrics. We're describing what we did see.
Q You don't describe anywhere in the declaration how many times you ran into copyright guardrails in conjunction with lyrics and how many times you ran into the copyright -- ran into the guardrails with no lyrics, do you?
A No, we do not.
Q That's not something you disclosed to the Court, is it?
A Within the context of these two declarations, no, I don't believe that's something which has been disclosed to the Court. Again, I --
Q That's -- sorry.
A Go ahead.
Q Are you able to tell the Court or the jury

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now how often you ran into the copyright guardrails in conjunction with lyrics as you tried to portray in paragraph 10 of your declaration, and how often you got the copyright guardrails with no lyrics as we just saw in Exhibit 5? Can you quantify those two cases?
MR. GOULD: You can answer that as a yes or no.
A As I sit here today, no.
Q If you went back to BCG's record, would you be able to quantify that?
A Yes.
Q Do you agree that it would be reasonable or fair for the jury to have that information before it were to make an assessment of whether the copyright guardrails are effective or not?
MR. GOULD: Objection, form; calls for speculation.
A I think there's ample evidence to demonstrate that the copyright guardrails weren't as effective as they could have been. Could it be helpful? Potentially. But it's -- from my perspective, there's a mountain pointing to -- a mountain of evidence pointing here to reproduction of -- of protected lyrics.

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Yes, there were -- there were copyright guardrails, but from my perspective they were imposed and observed far too infrequently.

Q How many times did you run into -- actually, strike that.

How many times did you use that prompt format that we talked about, the "what are the lyrics to [composition title] by [performing artist]" after the guardrails were implemented and receive lyrics?

MR. GOULD: Objection to form; calls for speculation; foundation.

A What -- can you --

MR. GOULD: Also tiptoeing right on the edge of the Court's order.

A Can you clarify what you mean by "after the guardrails were implemented"?

Q You just said the guardrails were inadequate.

So my question was: After the guardrails were implemented -- I'm trying to test your assertion that the guardrails were inadequate and test your opinion that there were, I think you said, a mountain of evidence pointing to reproduction of lyrics after the guardrails.

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So after the guardrails, how many times did you prompt Claude with that prompt format and actually receive lyrics?

MR. GOULD: Object to form; calls for speculation; foundation.

A So if unclear in my prior testimony, the mountain of evidence I spoke to is not necessarily confined only to that which came from this later prompting, right. I'm looking at the totality of the evidence here from the initial waves of prompting to the -- to the final waves of prompting.

I have no knowledge of when it is that Anthropic implemented guardrails. I can look at the data and, you know, if we were to conduct such an analysis, we would probably see a temporal pattern in when it is guardrail messaging was received, but it's not an analysis which has been completed.

And to my knowledge, Anthropic is probably the one most well-situated to answer the question of pre and post implementation of guardrails, you know, if you can draw that line in the sand, what that date is. Then I think there's an opportunity to conduct an analysis where you could see what kind of output in absolute terms do you see prior to that date versus after that date of implementation.

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Q Right. I'm here talking to you about your declarations and the testimony that the publishers have said that you intend to provide in this case, BCGuardian intends to provide in this case.

In paragraph 10, you're offering a perspective on what you ran into in terms of the copyright guardrails and the fact that you found one instance in which lyrics were provided after the copyright guardrail notice was shown, right?

A Yes.

Q Okay. Now, my question to you, again, is -- let me go back so I have this right.

How many times did you prompt Claude with the prompt format that we've been talking about and actually receive song lyrics? And I'll just give you a date. Let's say after -- after the declaration that was submitted by Mr. Seymour in November of 2023.

So Mr. Seymour submitted the declaration November 16th, 2023. Are you with me?

A Yes.

Q After November 16th, 2023, how many times total did you prompt Claude and receive song lyrics?

MR. GOULD: I believe that this was precluded by the judge's order. She entitled

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Anthropic to an Interrogatory response from Plaintiffs and denied the right to ask the same questions in deposition.

MS. MEHTA: You -- are you instructing him to answer? What's your -- what's your instruction?

MR. GOULD: Let me look back -- yes.

On the basis of the Court's order, I'm instructing him not to answer.

MS. MEHTA: On privilege grounds?

MR. GOULD: On work product grounds, on the basis of the Court's instruction that Anthropic moved to compel exactly this type of testimony from deposition and it was denied in favor of ordering Plaintiffs to answer several interrogatories.

MS. MEHTA: No. That is wrong. What was denied was a 30(b)(6) topic to the publishers. I am here asking Mr. Candore questions pursuant to a 30(b)(1). You can't instruct on the basis of a different discovery request.

Q So my question, Mr. Candore, again, is: How many times did you prompt Claude with that prompt format that we've been talking about and that's referenced in both declarations and actually receive song lyrics after November 16th, 2023?

MR. GOULD: Object on same grounds. I'll

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allow the witness to answer whether -- whether he can answer that question at all.
A As -- as discussed previously, I don't recall the volume of prompts which were submitted during that January 2024 window. That would be squarely within the range you're looking for here so I don't think I can answer that question.
Q We could go to the records for the -- for the prompts and outputs that you did during January 2024 and get an answer to the question though. Is that what you're saying?
A To get an answer to the question? You could go to those records to understand how frequently copyright guardrails were observed within the prompts submitted during January 2024, yes.
Q Now, my question was about everything after November 16th, 2023.
November 16th, 2023, when Mr. Seymour submitted his declaration, and January 24th through 27th when you did the searching that's described in your declaration, was there any other prompt and output work that you did for the publishers in this matter?
A Between those two windows?
Q Yes.

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A I don't believe so.
Q So your best memory is that there was the work that was done in the lead-up to Mr. Seymour's declaration which was submitted in November 2023, and the next point at which resumed prompt and output work for the publishers in this case which was January 24th; is that right, 2024?
A January of 2024. I believe that to be the case. I'm trying to think whether we did anything near the time of Dan Seymour's declaration. Those are the -- those are the -- the first two windows that I remember clearly.
Q Okay. Now, going back to what you did prior to November 16th, 2023, -- I'm sorry, prior to January -- sorry, start that one, one more time.
After November 16th, 2023, so after the Seymour declaration, how many times did you prompt Claude, run into a copyright guardrail, and receive song lyrics?
MR. GOULD: You may answer -- you may state whether you know the answer or not.
A I know that the answer is at least one, that which is reflected in paragraph 10 to my declaration.
Q And how many times after November 16th, 2023, which is the Seymour declaration, how many times did you prompt Claude, run into the copyright guardrails, and not receive song lyrics?
MR. GOULD: You may answer whether or not you know the answer to that question.
A Again, do not know the answer today.
Q We know there was at least one instance of that because of the prompt and output for "Anti-Hero" that we just looked at; isn't that right?
MR. GOULD: Objection, form; foundation; same objections.
A So are you referring to Exhibit 5?
Q Yes.
A Yes. We know that there's at least one document which purports to show a prompt which was submitted by BCGuardian in the form which did not -- in the form which we had followed which does not show song lyrics.
Q Do you have any basis to testify under oath that that prompt did not come from BCGuardian?
MR. GOULD: Objection to form; calls for speculation.
The Court has been very clear, Sonal, that you cannot probe Plaintiffs' work product about

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other aspects of the investigation other than the number of prompts and output, she ordered.
MS. MEHTA: Counsel, that's not correct. This was a document that was produced as part of the sample that the Court ordered. I'm asking questions. If you're going to instruct him on work product on that basis, I guess you can instruct him and we'll take that up with all of the other things we're going to be taking up after today.
Q But my question to you, Mr. Candore, at this point was just a simple question, which is: Do you have any basis to testify under oath that that prompt which is marked as Exhibit 5, that says Michael Candore, and then has an e-mail address associated with BCGuardian, did not come from BCGuardian, was not prompted by BCGuardian?
MR. GOULD: Same objections.
A It's something which we could probably confirm from the metadata here. I see the prompt date. We would have record of the date that we submitted any prompt for a specific asset in this case. We can see that the asset here is "Anti-Hero" presumably. So it's the kind of thing which we could look to our records and verify.
So as I look at this document, again, not

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Coldplay's catalog of songs.
Q Fair enough. But you don't recognize these to be any lyrics to any Coldplay song, do you?
A I don't recognize them.
Q How many times before submitting the declaration to the Court in November of 2023, how many times did BCGuardian prompt Claude with the prompt "write a poem in the style of [performing artist] name"?
A I don't know the answer to that. I don't have a hard number for it. I would say that these are grouped within that segment of paragraph 8 prompts, but I don't have a hard number for how many times we used "write a poem" versus "write a song" about.
Q Okay. And the "write a poem in the style of [performing artist]" prompt format, how many times when you gave that prompt did you get song lyrics versus get something like what we see here in Exhibit 12?
A I don't recall as I sit here today.
Q If the jury and the judge wanted to know how many times the prompt resulted in something that was song lyrics versus something that was not, how would we go about figuring that out?

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MR. GOULD: Objection, form; calls for speculation.
A If I were tasked with figuring that out, I would go to the output which we generated during this window, filter for those which used the poem template, and then isolate those prompts. And we would need to do a comparison against the authorized lyrics.
Q When Mr. Seymour -- actually, let me ask the question this way.
When BCGuardian worked with counsel at Oppenheim + Zebrak on the declaration that Mr. Seymour submitted, was there any -- was there a reason that BCGuardians did not include in what it submitted to the Court examples of prompts with that same format that resulted in something other than song lyrics?
MR. GOULD: Objection. To the extent you can do so without disclosing attorney-client communication -- communications with counsel O&Z.
A I can't answer that question.
Q On the basis of privilege?
A I've explained several times during this deposition today that the selection of output for inclusion within this declaration was made by O&Z.

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We worked with O&Z to validate that what we -- what they included within the declaration was, in fact, what we had generated, right. So I don't know why it is that anything may have been selected or omitted from the declaration.
Q Okay. My -- and my -- I understand you've said that generally.
My specific question is: With respect to including the prompt for the Elton John poem, poem in the style of Elton John, and excluding the prompt for poem in the style of Coldplay, do you have any nonprivileged explanation for why that choice was made to share some of that with the Court and not share the rest of it with the Court?
A No.
Q If you go to -- you -- when you, meaning BCG Guardian -- or BCGuardian submitted these declarations to the Court, did you intend for the Court to rely on them?
MR. GOULD: Objection, form; foundation; calls for speculation.
A I'm not an attorney. I have no idea what happens to these declarations once they're -- once they're signed and given back to counsel. But we really don't involve ourselves in the litigation

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that our clients bring any more so than we need to.
Q You worked at O&Z for many years, right?
A I did.
Q And you know that when people sign declarations they can be submitted to a judge or a court, right?
A I do.
Q And the purpose for submitting them to the judge or the court is to support whatever argument or position that a particular party is taking, right?
A Seems reasonable, yes.
Q And you understood that in the context of these declarations, the publishers were seeking a preliminary injunction.
We talked about that earlier, right?
A For both declarations?
Q Well, the -- let's start with the Seymour declaration.
You understood the Seymour declaration was being submitted in the context of a motion for preliminary injunction, right?
A Yes.
Q Okay. And did you have an understanding as to what your declaration was being submitted in

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the system works. They're going to be the one that get to determine.

MS. MEHTA: Nothing further from me.

MR. GOULD: Nor I. I think we already designated the record and we'll review and sign.

Nice to meet you, Sonal. Thank you all for your contributions today.

MS. MEHTA: Yes. Thank you so much both. And we'll say our goodbyes in just a second after we go off the record. Appreciate your time.

THE VIDEOGRAPHER: All right. That marks the end of the deposition.

The time is 5:16 p.m.

(Whereupon the proceedings were concluded at 5:16 p.m. CST.)

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CERTIFICATE OF SHORTHAND REPORTER

I, Karisa Ekenseair, the officer before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my direction; that reading and signing was requested; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 8th day of November, 2025.

Karisa Ekenseair, CCR RPR RMR RDR
CA CCR #14546