EXHIBIT 4

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION
Case No.
5:24-cv-03811-EKL-SVK

CONCORD MUSIC GROUP, INC., et al.,
Plaintiffs
vs.
ANTHROPIC PBC,
Defendant

VIDEOTAPED DEPOSITION OF JOSHUA W. DENNIS
Monday, March 9, 2026 9:02 a.m.
WilmerHale
60 State Street, Boston, MA 02109

Reported by:
Janet McHugh, RMR, CRR, CLR
JOB NO. 621067

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March 9, 2026
9:02 a.m.

Videotaped deposition of JOSHUA W. DENNIS, held at the offices of WilmerHale, 60 State Street, Boston, Massachusetts, pursuant to Agreement, before Janet McHugh, a Registered Merit Reporter, Certified Realtime Reporter, Certified LiveNote Reporter, and a Notary Public within and for the Commonwealth of Massachusetts.

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ALSO PRESENT:
Karl Johnston, Anthropic (via Zoom)
Dimas Bardales, Videographer

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PROCEEDINGS

THE VIDEOGRAPHER: Here begins Media No. 1 in the videotaped deposition of Joshua Dennis in the matter of Concord Music Group, Inc. et al., versus 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 March 9, 2026. The time on the video monitor is 9:02. The videographer today is Isaac Weaver, representing Planet Depos, headquartered at 451 Hungerford Drive, Suite 400, Rockville, Maryland 20850.

This video deposition is taking place at 60 State Street, Boston, Massachusetts.

Would counsel please voice-identify themselves and state who they represent.

MR. TOMPROS: Good morning. This is Louis Tompros of Wilmer Cutler Pickering Hale and Dorr, LLP, along with my colleague Disha Patel, representing the defendant, Anthropic PBC.

MR. HOWELL: Good morning. My name is Keith Howell from Oppenheim + Zebrak on behalf of the music publisher plaintiffs.

THE VIDEOGRAPHER: The court reporter

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today is Janet McHugh, representing Planet Depos. The witness will now be sworn.

JOSHUA DENNIS,

having been duly sworn, after presenting identification in the form of a driver's license, deposes and says as follows:

DIRECT EXAMINATION

BY MR. TOMPROS:

Q. Good morning, Mr. Dennis.

A. Good morning.

Q. You have given testimony at depositions before, right?

A. I have.

Q. Roughly how many times?

A. For depositions, I believe twice.

Q. And you've given testimony at trial before as well, right?

A. I have.

Q. Roughly how many times?

A. Certainly one was a jury trial and then there were two others that were during the COVID era and were part of bankruptcy proceedings, so directly with the judge. So I'm not sure if that counts as trial or not. But they're on my CV.

Q. And you understand you've taken an oath

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MR. HOWELL: Objection. Form.
A. That is my understanding of what was produced as a sample of records in this case from the Record Universe.
Q. And then counsel provided you with 6,849 conversations drawn from the sample records, right?
A. Correct. Yes.
Q. And to be clear, you use "conversations" and "records" interchangeably in your report, right?
MR. HOWELL: Objection. Form.
A. I would -- they tended to encapsulate the same, I guess, document, for lack of a better term, but I think it depends on the context. I think when I use "record," I tend to mean kind of the object, if you will, whereas I use "conversation" more in the context of the content.
Q. All right. Can you just take a quick look at your opening report at paragraph 44. And it's on page 22.
Are you there?
A. I am.
Q. And in the middle of that paragraph,

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you say, "Anthropic preserved approximately 552 million Claude conversations (a 'record' or 'conversation')." Right?
A. Yes.
Q. So, substantively, you're using "record" and "conversation" interchangeably. Correct?
MR. HOWELL: Objection. Form.
A. I don't think if you use one word instead of the other, it would inherently change the meaning terribly. But I'd want to look at each example.
Q. Okay. What steps did you take to confirm that the 6,849 files that the publishers' lawyers gave you was in the 5 million record sample set?
MR. HOWELL: Objection. Form. Vague.
MR. TOMPROS: You know what, that's a bad question. Let me try it again.
BY MR. TOMPROS:
Q. What steps did you take to confirm that the 6,849 conversations that publishers' counsel gave you were drawn from the sample records?
MR. HOWELL: Objection. Form. Vague.
A. So I think there's a few different

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things that I understand are part of the -- that comprise the sample song records, as I defined it in here, the 6,000 some-odd.
There's a portion of those, by and far the largest portion, that I knew and could confirm were part -- that initially were part or clearly part of the 5 million because I was able to identify the metadata associated with it.
You could also tell by the -- I believe the column -- metadata column is Review ID. Review ID, which is a unique ID associated with each document, was in a sequential order up to 5 million.
There were other documents that were included as part of that 6,000 that were -- I'll use an example to be more clear. So, for example, my understanding is that there are certain title records that were produced, and that plaintiffs asked for those title records -- for the underlying conversations for those title records to be produced. And though there are some portion of those, relatively small population, that were included as part of that 6,000, as part of my opening report, it wasn't clear to me whether those title records were

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produced in -- incidentally or by accident and that these were intended to be replacements or whether those title records necessarily existed in the Record Universe.
As part of my reply report, and after reading certain of the notations and comments by Dr. Bray, I ultimately excluded those based on his understanding.
But as part of the 6,000, the largest population, I was able to confirm, but there were other conversations, records, that were not originally part of that 5 million sample.
Q. So in paragraph 53 of your opening report, you say, "of that population of 5 million sample records, I have been provided by counsel with 6,849 conversations." Right?
A. You went back to which paragraph? I'm sorry.
Q. Paragraph 53. Sorry. I should have sent you back. Let me try it again.
Paragraph 53 on page 25 of your opening report, which is Exhibit 1 to the deposition, it says, "Of that population of 5 million sample records, I have been provided by counsel with 6,849 conversations."

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Do you see that?
A. I do.
MR. HOWELL: Objection. Form.
Q. That statement was incorrect. Correct?
MR. HOWELL: Objection. Form.
A. No. It depends on -- as of the time I wrote it, it was my understanding in that -- my understanding of what I received that was not -- did not have a doc ID, if you will, between 1 and 5 million pertaining to the title records, that those title records were -- the records I received were intended to replace the title records as part of that 5 million sample.
Q. The 6,849 conversations that you received from the publishers' lawyers, not all of them were part of the 5 million sample, right?
MR. HOWELL: Objection to form. Vague.
A. At the time I wrote that, my understanding was that the title -- the documents -- certain documents were produced that were intended to replace and take the place of title records that were in the sample.
Q. They gave you some things that were not in the 5 million sample, correct?
MR. HOWELL: Objection. Form. Vague.

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Asked and answered.
A. As I stated, my understanding is that certain of the documents were intended to replace and take the place of things that were in the 5 million sample. So, therefore, they would be subsumed in that sample population. That was my understanding at the time.
Q. And you later changed your analysis by removing the files that Dr. Bray identified that were not part of the 5 million sample, right?
MR. HOWELL: Objection. Form. Vague.
A. I removed from my analysis a few different categories of things to comport with Dr. Bray's understanding, certainly one of which was documents that did not have a doc ID between -- I think it was 1 and 5 -- between 1 and 5 million.
Q. So did you actually check the content of any of the other of the 6,849 files to confirm that they were part of the 5 million?
MR. HOWELL: Objection. Form. Vague.
A. What do you mean by "content"?
Q. The actual text of the files.
MR. HOWELL: Objection. Form. Vague.
A. I'm unclear on whether the text of the

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file -- I'm not sure how the text of the file would tell me whether or not it was inherently in the sample.
Q. You had access to the 5 million sample, right?
A. I did.
Q. Did you search it at any point?
A. Did I search it? Yes.
Q. And did you search it to confirm that the 6,849 files that the publishers' lawyers gave you were actually part of the 5 million sample?
MR. HOWELL: Objection. Form. Asked and answered.
A. Again, as I think I described, my process was to look at a few different portions of the metadata to understand what and was not included as part of that and what was a replacement, potential replacement of things that were in that sample.
Q. And did you compare the metadata in the 6,849 files that the publishers' lawyers gave you to the metadata in the 5 million record set?
MR. HOWELL: Objection. Form.
A. My recollection is what I did is I locked at -- I exported the metadata or had

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exported the metadata and was able to match that up with the documents that I downloaded, the 6,000.
And, again, it was fairly clear which ones were part of that -- I'll call it original sample, right, based on the doc ID and which ones were potential replacements.
Q. Now, it was publishers' lawyers that selected the -- strike that.
Publishers' lawyers identified the 6,849 files for your review in the sample song records, right?
MR. HOWELL: Objection. Form.
A. As part of my original report. Yes.
Q. And how did they go about selecting those particular 6,849 files?
MR. HOWELL: Objection. Form. Speculation.
A. I'd have to go back to the text of my report. But my general understanding is that they were things that were relevant to my analysis in that they were things that were song- and lyric-related.
Q. What criteria did the publishers' lawyers use to select those files?

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MR. HOWELL: Objection. Form.
A. I'm not aware of the specific criteria.
Q. Did they run search terms?
MR. HOWELL: Objection. Form. Asked and answered.
A. They may have run search terms for things like "song lyric." I don't recall specifically.
Q. Did they exclude documents they found unfavorable to their case?
MR. HOWELL: Objection. Form.
A. Again, I'm not sure what "unfavorable" would mean in this context. I'm not aware of specifically what they did or did not define as their criteria.
Q. Can you confirm whether publishers' lawyers did or did not specifically cherry-pick the best documents for their case to provide for you for review?
MR. HOWELL: Objection. Form. Vague. Speculation.
A. Again, they provided or identified a set of documents that were song- and lyric-related that were the subject of my analysis.

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To the extent there are other documents in there that, for example, also related to song- and lyric-related tasks but were not provided to me, the inclusion of those would create a higher number of total documents that were song- and lyric-related.
Q. You have no idea how they picked the documents they picked, correct?
MR. HOWELL: Objection to form. Asked and answered. Misstates prior testimony.
A. No. I -- the ones I reviewed were song- and lyric-related.
Q. And you have no idea how publishers selected the particular song- and lyric-related files for your review. Right?
MR. HOWELL: Objection. Form. Asked and answered.
A. Again, I was provided or identified -- those were -- the number here, the quantum, were identified to me, specific documents that were song- and lyric-related.
To the extent there were other song- or lyric-related documents that exist as part of the 5 million, and I suspect that there may be, they were not the subject of my analysis. The

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inclusion of those documents would create a larger quantum of total song- and lyric-related documents.
Q. You only looked at what lawyers for the publishers told you to look at, right?
MR. HOWELL: Objection. Form. Misstates prior testimony.
A. No. As part of my analysis, I looked at other documents, particularly in response to Dr. Bray. My sample song records, as I've defined them here, are the 6,849 records that I note and provide a listing of.
Q. Okay. And if we look at paragraph -- you use the phrase "song- and lyric-related."
A. Yes.
Q. If we look at paragraph 53, at the end, it says, "I have been provided by counsel with 6,849 conversations relating to songs and lyrics."
Is that "relating to songs and lyrics," what you mean by "song- and lyric-related"?
MR. HOWELL: Objection. Form.
A. Yes. I may use those terms interchangeably. Yes.
Q. What does it mean for a conversation to

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be relating to songs and lyrics?
MR. HOWELL: Objection. Form.
A. I would take that as the plain language of that statement, which is it describes or talks about songs or lyrics and uses those terms.
Q. So you said two things in that answer. Describes or talks about songs or lyrics and uses those terms.
Would a prompt, an output that includes lyrics from a song but does not include the word "song" or the word "lyric" be song- and lyric-related?
A. It certainly could be.
Q. And how many total song- and lyric-related conversations are there in the 5 million dataset?
MR. HOWELL: Objection. Form.
A. Again, that was not something I was asked to assess.
Q. How did publishers' counsel go about identifying whether a conversation was song- and lyric-related?
MR. HOWELL: Objection. Form. Asked and answered.
A. I'm not aware of counsel's processes.

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Q. You didn't give them any instructions on that, right?
MR. HOWELL: Objection. Form.
A. Correct. As I've said, those particular records were identified for me.
Q. You did not direct the selection of those records in any way, right?
MR. HOWELL: Objection. Form.
A. I did not.
Q. You don't know whether search terms were used in connection with obtaining those records, right?
MR. HOWELL: Objection. Form.
A. I'm just trying to remember. I know at least with respect to Anthropic employees, I was aware of certain search terms. I don't believe I was aware of any search terms specifically that were used on the Claude sample records.
Q. You'll agree that the 5 million record set of sample records includes files that don't have anything to do with songs or lyrics, right?
A. I'm sorry. Ask that one more time.
Q. Sure. You'll agree that the sample records set includes records that does not -- that do not have anything to do with songs or

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lyrics; right?
MR. HOWELL: Objection. Form.
A. Yes. There are records as part of the 5 million sample that are not song- or lyric-related. Agreed.
Q. And you don't know whether the 6,849 files that the lawyers for the publishers identified are the only song- and lyric-related records in the data, right?
MR. HOWELL: Objection to form. Asked and answered.
Go ahead.
A. I suspect there probably are. Dr. Bray identifies some that are not part of that sample set. So, again, to the extent there were more song- and lyric-related prompts and outputs, inclusion of those would only further increase the number of records in my analysis.
Q. But you, yourself, identified -- strike that.
The 6,849 files that publishers' lawyers identified are not representative of the sample records, correct?
MR. HOWELL: Objection. Form. Vague.
A. They are a subset of records that

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are -- that are relevant to my analysis.
Q. The 6,849 files the publishers' lawyers identified are not representative of the sample records, correct?
MR. HOWELL: Objection. Form. Vague.
A. They were not chosen randomly. They were specifically chosen based on whatever criteria, and they are relevant to my analysis in that they relate to song- and lyric-related tasks.
Q. They may be relevant, but they are not representative. Correct?
MR. HOWELL: Objection. Form. Vague.
A. How are you using the term "representative"?
Q. You're familiar with the statistical concept of a representative sample, right?
A. Yes.
Q. The 6,849 files that publishers' lawyers identified are not a representative sample of the sample records. Correct?
MR. HOWELL: Objection. Form. Vague.
A. Again, they were not chosen at random. So they were not statistically representative in that way. But, again, they are examples of the

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uses and examples of song-related tasks within the broader 5 million sample and within the broader Record Universe.
Q. They are not statistically representative in any way, correct?
MR. HOWELL: Objection. Form. Vague. Asked and answered.
A. I haven't endeavored to think about every conceivable way that something could be statistically representative.
Q. You cannot identify a single way in which the 6,849 files that the publishers' lawyers selected are representative of the sample records, correct?
MR. HOWELL: Objection. Form. Vague. Asked and answered.
A. That is not something I have attempted to think about, not part of my opinion.
Q. In your reply report, you reduced the number of records that you considered in your sample song records set. Right?
A. That is correct.
Q. You did not add any to the original 6,849, correct?
A. I did not.

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Q. If I could ask you to look at your opening report at paragraph 51. I want to ask some questions about your work-in-suit records.
Are you with me at page 24 of your opening report?
A. I am.
Q. The work-in-suit records consisted -- that you considered consisted of 851 records, right?
A. Correct.
MR. HOWELL: Objection. Form.
Q. Those 851 records were pulled from a broader set of records that Anthropic produced in connection with certain searches, correct?
A. That's my general understanding. Yes.
Q. And the 851 records were selected -- excuse me. Strike that.
The 800 and -- let me back up.
The records that Anthropic produced in connection with searches, what were those searches for?
MR. HOWELL: Objection. Form. Vague. Calls for speculation.
A. I think my understanding is what I state here in my report, which was that it was

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based on certain song title or lyric expert -- excuse me, lyric excerpts from the work-in-suit records.
Q. So just so I make sure I have your understanding, your understanding is that Anthropic conducted searches for a particular period of time, based on certain song titles or lyric excerpts for the works-in-suit records, right?
A. Yes. What I state here is -- talk about there was a discovery request, and then I state, "In response to this request, Anthropic performed searches of prompts and outputs from the record period, i.e., September 22, 2023, to March 22, 2024, based on certain song titles or lyric excerpts for the work-in-suit records."
Q. So all of the results of those searches would be song- or lyric-related records, right?
MR. HOWELL: Objection. Form. Vague. Speculation.
A. I haven't endeavored to review -- or I'm not sure I've received the full output of that. Again, my focus was on the 851 records --
Q. Okay.
A. -- that were identified for me.

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Q. I want to understand how we got to the 851 records.
The 851 records were selected by publishers' lawyers, correct?
MR. HOWELL: Objection to form.
A. They were identified, yes.
Q. And the publishers' lawyers only provided you with 851 records, not the broader search results, right?
MR. HOWELL: Objection. Form.
A. I'm trying to recall if the full search results were available on -- in Relativity. They certainly weren't the focus of my analysis.
Q. You did not review the full search results, right?
A. No. I did not.
Q. You reviewed just the 851 records provided by publishers' lawyers, right?
MR. HOWELL: Objection. Form.
A. As I stated here, I provided my counsel with 851 records that were produced based on the searches of records, and that was the subject to my analysis.
Q. How did the publishers' lawyers select the 851 records to provide you?

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MR. HOWELL: Objection. Form. Vague.
A. I'm not aware of the specific criteria.
Q. Are you aware of any criteria that were applied?
MR. HOWELL: Objection. Form. Vague.
A. Based on my review of those 851 records, I was able to confirm that each of those contained the title of a work-in-suit and purported to contain lyrics either based on or actual lyrics of the work-in-suit, based on the Claude output. So, presumably, based on my review, that was at least part of criteria.
To the extent that there are other records that came out of that initial search that also contained -- related to work-in-suit or had output for a work-in-suit, that's possible. That would be outside my knowledge.
Q. Did you actually review each of the 851 records personally?
MR. HOWELL: Objection. Form.
A. Personally, no. I'm sure not all of them, but many. I would say the majority.
Q. And you don't know -- strike that.
You were never provided with any criteria that the lawyers for the publishers used to

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absolute certainty, due in large part, or at least in part, to the redaction process that was performed, right. The same names are used, generally proper names, were redacted differently and inconsistently. So it's sometimes hard to tell whether one record was necessarily an exact subset of another record, again, because we've also seen instances where the same prompt may have been asked multiple times and resulted in different outputs.

So again we had to go through that process somewhat manually to do our best to isolate and remove any potential subsets or sub-nested records.

Q. All right. Let's --

(Document Bates-stamped Anthropic_0000024702 through -4755 marked Exhibit 13.)

(Document Bates-stamped Anthropic_0000022171 through -2220 marked Exhibit 14.)

BY MR. TOMPROS:

Q. Mr. Dennis, you've been handed what has been marked as Exhibits 13 and 14.

Do you have those in front of you?

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A. I do.

Q. Exhibit 13 is a document that has the control number at the bottom REV08890064.

Do you see that?

A. I do.

Q. And it starts with a page number ending -24702.

A. I see that, yes.

Q. And Exhibit 14 has REV05821637, and it ends -- it starts with a control number that ends -22171, right?

A. That would be referred to as a Bates number?

Q. Yeah.

And you'll agree with me that Exhibits 13 and 14 both have the same initial prompt, "Good morning, Claude. I hope we will be good friends."

Right?

A. I do see that, yes.

Q. And then the second prompt begins "I am writing a cozy mystery book."

Right?

A. I do see that, yes.

Q. And these are identical until -- you

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can check if you would like, but I think you'll find that the prompts and outputs from there forward remain identical until page -220 in the 37 document and -751 in the -064 document.

A. I'm sorry. Can you help me?

Q. Sure.

A. Turning to 14. Which page?

Q. In Exhibit 14, we'll look at the page ending -24751.

MR. HOWELL: Sorry. Which of the numbers are we referencing?

MR. TOMPROS: In Exhibit 13, go to page -24751.

MR. HOWELL: Let's assume that's the Bates number, not the REV.

MR. TOMPROS: Correct. The REV stays the same.

A. Yes. I have that here.

BY MR. TOMPROS:

Q. Exhibit 14, if you go to the last page, -2220. If you look at the top of the page ending -751 on Exhibit 13 and -220 on Exhibit 14, you'll see that they are -- they include the same text until we get to "Please let me know if you need any other humorous phrasing or endings."

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Right?

MR. HOWELL: Objection to form.

A. I see that language in both documents.

Q. And then Exhibit 13, it goes on with another prompt, "Who was John O'Groats?"

Right?

A. I see that language in Exhibit 13.

Q. So Exhibit 14 is a prompt that is an output set that is contained entirely within Exhibit 13, correct?

MR. HOWELL: Objection. Form.

A. Again, I haven't done a comparative analysis but I see they start the same way and I see they end the same way. If you represent to me that the entirety of the content of Exhibit 14 is subsumed within -- identical to Exhibit 13, then I can certainly accept that representation.

Q. And you analyzed the dates of various prompts and outputs, right?

MR. HOWELL: Objection. Form.

Q. For purposes of a portion of your analysis in your reply report.

MR. HOWELL: Objection. Form.

A. The dates were certainly something I considered. Specific dates were something I

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considered for certain portions of my report.
Q. And if we look at the first page of Exhibit 13, what date does it identify?
MR. HOWELL: Objection. Form.
A. Oh, shoot. I need more room here. The date on Exhibit 13, it states, "the following is a conversation between a human and AI assistant. The assistant is named Claude, created by the company Anthropic. The assistant has access -- has access to the current date, Friday, October 6, 2023."
Q. What about Exhibit 14?
A. It has the same preamble followed by "The assistant has access to the current date, Wednesday, October 4th, 2023."
Q. So when you were assessing nested prompts and narrowing down, how did you decide which one to keep and which one to eliminate?
MR. HOWELL: Objection. Form. Vague.
A. So, by and large, I kept the one that was most fulsome, but it would obviously depend on where the prompt at issue that I was highlighting fell.
Q. So you picked the -- as between records depending on which prompt you were highlighting?

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MR. HOWELL: Objection. Form.
A. Potentially. Sorry.
MR. HOWELL: Objection. Form. Asked and answered.
Go ahead.
Q. And you used the date that corresponded to the record in which the prompt that you were highlighting appeared, correct?
MR. HOWELL: Objection. Form. Vague.
A. Well, the date I used was the date associated with the record that's reflected in my reply report as part of the 814, I believe it was, work-in-suit records.
Q. All right. You can set those two prompts and outputs aside, if you'd like. I would like to return to your reply report and go to page 20 -- actually, I apologize.
I need to go back to your opening report. This piece is not in your reply report.
Do you have your opening report with you?
A. I believe so.
Q. All right. Let's take a look at page 26 of your opening report. And just above paragraph 56, it says "Exclusion of publisher and/or Anthropic employee accounts."

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Right?
A. Yes, I see those words.
Q. I know this is a topic we discussed before in the course of the deposition but I want to focus on the particular language in your report.
You understood that the work-in-suit records and sample song records excluded records that were associated with publishers, their counsel, or their investigators, among others, right?
A. That is correct.
Q. And your analysis in the rest of the report assumes that -- your analysis in the rest of the report depends in part on that understanding; right?
MR. HOWELL: Objection. Form.
MR. TOMPROS: That's a bad question. Let me try it again.
Q. You applied that understanding as you did the analysis of the records that you analyze in your opening and reply reports, right?
MR. HOWELL: Objection. Form. Vague.
A. I wouldn't say they applied it. That is my understanding about the nature of what I was analyzing, and I certainly reviewed the

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metadata, including particularly the email portion of the metadata, to ensure there was no indicia that an email address was associated with either an Anthropic employee or some other investigator or things of that nature. And, in fact, all of the records I reviewed had an email address of -- you know, in brackets, I believe, redacted.
Q. You were careful to exclude publishers' counsel, publishers' investigators and Anthropic employees by reviewing those email addresses, right?
MR. HOWELL: Objection. Form. Vague. Misstates prior testimony.
A. Again, I'm not sure I would say I was careful to do it one way or the other. That was what was represented to me as what this population represented, and I didn't see any evidence to the contrary in the data that was available to me.
Q. And did you take any steps to verify that records for Claude accounts associated with a publishers' counsel were excluded?
MR. HOWELL: Objection. Form.
A. Again, there was a recommendation made

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to me about what was and was not included as part of those -- part of the records I reviewed, and I certainly reviewed the email address which I understood is one way, at least, that those types of accounts could be identified.

Q. And did you take any steps to verify that the records for Claude accounts associated with publishers' investigators were excluded?

MR. HOWELL: Objection. Form.

A. Again, I think it is the same answer, in that the records that were identified to me, the representation was that they did not include Anthropic employees, investigators, or counsel, the various categories I've noted here, listed here. And I was able to confirm that, in fact, the email address for all of the records I reviewed in terms of the sample song records and work-in-suit records had an email address of "Redacted."

Q. Did you review any prompts or outputs that publishers' investigators submitted?

MR. HOWELL: Objection. Form. Vague.

A. Not as part of my affirmative analysis, no.

Q. Did you ask for a list of all accounts

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belonging to publishers?

MR. HOWELL: Objection. Form. Vague.

A. I don't know what you mean in that question. I'm sorry.

Q. Sure.

Did you ask for a listing of all email addresses belonging to publishers?

MR. HOWELL: Objection. Form. Vague.

A. No. I'm not sure what the purpose of that would be.

Q. Did you ask for a list of all email addresses belonging to publishers' counsel?

MR. HOWELL: Objection. Form. Vague.

A. No. Because, again, none of the records I reviewed had an email address other than "Redacted," so there would be no purpose to looking for or requesting email addresses that wouldn't be found.

Q. Did you ask for a list of all email addresses belonging to publishers' investigators?

MR. HOWELL: Objection. Form. Vague.

A. My answer would be the same. I didn't request it. I'm not sure of the purpose of doing so, what the purpose would be of that.

Q. Did you ask to have access to the

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prompts that publishers' investigators submitted to Claude?

MR. HOWELL: Objection. Form. I'm going to instruct the witness not to answer regarding conversations he may have had with publishers' counsel.

If you want to answer outside the context of those conversations, you may do so.

A. Can you ask your question one more time?

Q. Sure.

Did you ask to have access to the prompts that publishers' investigators submitted to Claude?

MR. HOWELL: Same objection, caution.

A. I -- no. It would have been outside the scope of my assignment.

Q. Did you review any prompts that publishers' investigators submitted to Claude?

MR. HOWELL: Objection to form. Vague.

A. Not that I can think of as part of my affirmative analysis.

Q. Can you independently verify that all of the 851 work-in-suit records from the opening report came from users who were not employees or

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investigators for publishers?

MR. HOWELL: Objection. Form. Vague.

A. Again, that would have been outside the scope of what I was asked to do in my assignment. What I was able to confirm, beyond the representation that was made to me, is that there was no indicia of that, based upon the email address field, which I understand was the way those type of accounts could potentially be identified.

Q. Can you independently verify all of the 814 work-in-suit records in your reply report came from users that were not employees of the publishers?

MR. HOWELL: Objection. Form. Vague. Asked and answered.

A. Ask your question one more time.

Q. Sure.

Can you independently verify that all of the 814 work-in-suit records selected -- strike that.

Can you independently verify that all of the 814 work-in-suit records that you analyzed in your reply report came from users that were not employees of the publishers?

MR. HOWELL: Objection. Form. Vague.

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A. Again, you know, the identification was not part of my assignments in this case. That was my understanding based on the representation that was made to me. And what I was able to do is review the data I was provided with respect to the metadata, and specifically the email addresses in this case, and confirm that all those email addresses noted as "Redacted", as opposed to I understand I've seen other times when that email address may be an email address for counsel or for potential investigator. I've seen that in some of Dr. Bray's output.

Q. What email addresses for investigators have you seen?

MR. HOWELL: Objection. Form. Vague.

A. I certainly recall within Bray's output -- I don't remember the full email address. It was something guardian. I think that didn't appear to be a counsel, so my assumption is that would be an investigator. But, again, that was only based on reviewing some of the prompts and outputs that Dr. Bray identified as part of his analysis.

Q. Can you independently verify that all of the 814 work-in-suit records that you analyzed

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in your reply report came from users that were not publishers' investigators?

MR. HOWELL: Objection. Form. Vague.

A. Again, that verification was not part of my assignment. That was something that was represented to me, as I stated in my report. However, that said, I did review, again, the metadata and information that was available to me with respect to the, I'll say, ownership of the accounts, at least relative to the email address, and confirmed that the email address associated with all of the records I reviewed in both my sample song records as well as my work-in-suit records had an email address of "Redacted" as opposed to potential email address indicating something like counsel or investigator or things of that nature or an Anthropic employee.

Q. Can you independently verify that all of the 814 work-in-suit records came from -- that you analyze in your reply report came from users that were not publishers' lawyers?

MR. HOWELL: Objection to form. Vague. Asked and answered.

A. Again, consistent with my response with respect to the other categories, as I stated in my report, that was a representation that was made to me. Notwithstanding that representation I reviewed the information that was available to me in the form of the metadata, specifically, the email address, and confirmed that each of the records I analyzed as part of my sample song records and work-in-suit records had an email address of "Redacted" as opposed to an email address that would indicate some other source, such as a potential investigator or counsel or Anthropic employee.

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Q. Do you know how the email address "Redacted" came to be listed on the email address for the records?

MR. HOWELL: Objection. Form.

A. I don't know the basis for how that was produced. Anthropic or counsel made those edits to the metadata.

Q. Can you independently verify that all of the 3,277 sample records came from users that were not employees of publishers?

MR. HOWELL: Form. Vague.

A. Once again, as I've explained here, and I think this section broadly relates to both my work-in-suit records and sample song records,

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that was a representation that was made to me. And what I did to gain comfort with that representation was review the available metadata to me, focusing on email address and confirmed that the email address was noted as "Redacted" as opposed to an email address, in your example I think you said the counsel. But the same answer would go for not having an Anthropic employee address or potential investigator's email address. They all simply said "Redacted."

Q. Can you independently verify that all of the 3,277 sample records that you analyzed in your reply report came from users that were not publishers' investigators?

MR. HOWELL: Objection. Form. Vague. Asked and answered.

A. Again, the way I approached this, same as the work-in-suit records, as I described, was it was a representation to me about the population I was reviewing. And to gain comfort with that representation, I reviewed the metadata associated with this case, the sample song records, and confirmed that the email address, which I understood to be an identifier used to potentially identify things like employees or

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investigators or counsel, all had an email address of "Redacted" as opposed to an e-mail address that was unredacted and indicated a potential other source.

Q. Can you independently verify that all of the 3,277 sample records that you analyzed in your reply report came from users that were not publishers' lawyers?

MR. HOWELL: Objection. Form. Vague. Asked and answered.

A. Again, consistent with the other categories and groupings, that was a representation that was made to me by counsel. Notwithstanding that representation, I reviewed the metadata associated with the sample song records and confirmed that the email address associated with those said "Redacted" as opposed to indicia of another source such as a specific unredacted email address, indicating a potential Anthropic employee, counsel, or investigator.

Q. To redact all of the publishers' investigators email addresses -- strike that.

To provide -- strike that again.

To redact only -- let me think this through. Do you know whether Anthropic had a full list of

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the email addresses used by publishers' investigators?

MR. HOWELL: Objection. Form. Vague. Speculation.

A. I don't know one way or the other and that would be outside of my assignment in this case.

Q. Let's imagine hypothetically that Anthropic did not have the full list of email addresses used by publishers' investigators.

Can you imagine that hypothetical?

MR. HOWELL: Objection to form.

A. I can envision that hypothetical.

Q. And that Anthropic redacted all email addresses except those that it was provided by publishers. Okay?

A. Okay.

Q. In that circumstance, a publishers' email address would appear as "Redacted" in the material that -- excuse me.

-- a publishers' investigator's email address would appear as "Redacted" in the set that you received, correct?

MR. HOWELL: Objection to form.

A. I don't know one way or the other what

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their exact process was. I wasn't part of that. That was outside the scope of my assignment.

Q. Did you do anything to check the actual text of prompts and outputs to confirm whether the text of prompts that you analyzed corresponded to the text of prompts that publishers' investigators submitted?

MR. HOWELL: Objection to form. Vague.

A. First and foremost, that would be outside the scope of my assignment. I don't recall seeing data sufficient with which to perform that analysis regardless. And I certainly don't recall, as any of the prompts and outputs I reviewed, certainly it was never brought to my attention by the team, that there was a prompt or output that noted it being performed by an investigator. Certainly not within my affirmative analysis.

Q. Let's go to the exhibits to your opening report. I'm again going to ask you to look at the very small spreadsheet, specifically Exhibit 4 here, to your opening report.

A. I've got these turned around. Okay.

Q. Are you with me?

A. I think I'm at the beginning of

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Exhibit 4 --

Q. Great.

A. -- to my opening report.

Q. Thank you. I'm going to ask you to go to page 14 of Exhibit 4.

Are you there?

A. I am on page 14 of 98 of Exhibit 4 to my opening expert report.

Q. At the bottom of the chart, the last row on that page, there is a record that has the Bates start indication, Anthropic, underscore, a bunch of zeros 6182.

Do you see that?

A. I do.

Q. And it's listed as "Record 132" in the number column.

Do you see that?

A. I do.

Q. The prompt there says "Write me a song about the death of Buddy Holly."

Do you see that? One of the prompts.

A. Yes. I see that was an excerpt that I extracted from this document.

(Document Bates-stamped Anthropic_0000006182 through -6186 marked

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Exhibit 15.)
BY MR. TOMPROS:
Q. Mr. Dennis, you've been handed what has been marked as Exhibit 15. It is a multipage document. At the bottom right it says "REV34305677" and has the control number on the first page Anthropic, underscore, a bunch of zeros, 6182.
Do you have Exhibit 15 in front of you?
A. I do.
Q. Can you confirm that that Bates number at the bottom right of Exhibit 15 corresponds to the Bates number in your Exhibit 4, page 14, record 132?
A. Yes, I can confirm that.
Q. And now if you'll go to the page ending -6184 in Exhibit 15. At the bottom of the page there a prompt that says "Write me a song about the death of Buddy Holly."
Do you see that?
A. I do.
Q. Incidentally, if you look at the rest of the requests in this same record, it is a series of requests about lyrics and chords, correct?

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MR. HOWELL: Objection. Form.
A. The remainder of this document thereafter does seem to include requests about chords, music and things of that nature.
I can see that, yes.
Q. This document, Exhibit 15, is a record made by one of publishers' investigators, isn't it?
MR. HOWELL: Objection. Form. Vague. Speculation.
A. I don't -- I can't say one way or the other. It's certainly not something I was asked to confirm as part of my assignment.
Q. Have you taken any steps to figure out whether this record, Exhibit 15, was a set of the prompts generated by publishers' investigators?
MR. HOWELL: Objection. Form. Vague. Speculation. Asked and answered.
A. Well, first and foremost, that was represented to me that it was not. I see no -- nothing on the face of the document that would suggest it was.
The email address associated with the metadata was redacted. If I haven't already said that, it would be outside the scope of my assignment.

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Q. You said it was represented to you that it was not.
Who made that representation?
MR. HOWELL: Objection. Form.
A. That was counsel's representation.
Q. Counsel for publishers; right?
A. That is correct.
Q. So the publishers or the lawyers told you that this document, Exhibit 15, was not one of their investigators' records, right?
MR. HOWELL: Objection. Form. Vague.
A. That was my broad understanding, yes.
(First Amended Complaint and Demand for Jury Trial marked Exhibit 16.)
BY MR. TOMPROS:
Q. Mr. Dennis, you've been handed what has been marked Exhibit 16, a multipage document that on the front page says "First Amended Complaint and Demand for Jury Trial."
Do you see that?
A. I do.
Q. This is the Complaint in this action, correct?
MR. HOWELL: Objection. Form.

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A. The First Amended Complaint and Jury Demand and this appears to be the case citation.
Q. And you reviewed this Complaint prior to submitting your report, correct?
A. I certainly reviewed it in part. I used it for certain aspects of the background.
Q. Can I ask you to look at page 40. In paragraph 97, the second sentence says, "For instance, when Anthropic's Claude was queried by publishers' investigator 'Write me a song about the death of Buddy Holly,' the AI model responded by generating output that copies directly from the song 'American Pie' written by Don McLean in violation of Universal's copyright even though the prompt did not identify that composition by title, artist or songwriter."
Right?
MR. HOWELL: Objection. Form.
A. I believe you read that correctly.
Q. That text, "Write me a song about the death of Buddy Holly," is the same text that appears in the prompt that you analyzed as part of Exhibit 15, right?
A. I haven't attempted to do that comparison.

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Q. You didn't ask for a copy of the prompt that the publisher submitted that's referred to in paragraph 97 of the Complaint, correct?
MR. HOWELL: Objection. Form.
MR. TOMPROS: Fair enough. I did -- that probably does infringe -- let me try that again.
Q. You have not reviewed the specific prompt that publishers' investigators submitted that is referred to in paragraph 97 of the Complaint, right?
MR. HOWELL: Objection. Form. Vague.
A. I don't know if I did or did not. I can see this text here. I'm unaware of what the prompt was that resulted in this text.
Q. Let's go back to Exhibit 1, your opening report. And Exhibit 4 of that, the chart that we were just on. The spreadsheet that really requires you to have a magnifying glass.
I'd like you to look at page 11 of that spreadsheet. Actually, I'm sorry. I want to go to a different page. Backing up one.
Let's go to page 15 of that spreadsheet.
Are you with me?
A. I'm on page 15 of 98 of Exhibit 4 to my

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expert report dated December 19, 2025.
Q. Great.
And at the top of page 15 to Exhibit 4, there is the first substantive entry says Anthropic, underscore, several zeros, 6196.
Do you see that record entry?
A. I do.
Q. One of the prompt excerpts for that entry is "What are the lyrics to 'Roar' by Katy Perry."
Right?
MR. HOWELL: Objection to form.
A. That is one of the excerpts I extracted from this particular document, yes.
(Document Bates-stamped Anthropic_00000006196 through -6203 marked Exhibit 17.)
BY MR. TOMPROS:
Q. You have been handed what has been marked as Exhibit 17, a multipage document with the indication at the bottom REV36371137 and with the first Bates number Anthropic, underscore, several zeros, 6196.
Do you have that in front of you?
A. I do.

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Q. Can you confirm for me that the Bates number for Exhibit 17 matches the entry that we were just looking at on page 15 of your work-in-suit list, Exhibit 4?
A. Yes, it appears to.
Q. And if you could turn to the page ending 197, so the second page of Exhibit 17. The bottom -- I don't know, about ten lines up from the bottom there's a prompt "What are the lyrics to 'Roar' by Katy Perry?"
Do you see that?
A. I do.
Q. That prompt was submitted by publishers' investigators, correct?
MR. HOWELL: Objection. Form. Vague. Calls for speculation.
A. I have no basis to say that one way -- well, I can tell you that the email address associated with this file was noted as "Redacted".
There's nothing on the face of this document that describes it as being done by an investigator. It was not part of my assignment to determine if or to what extent these particular records were or were not performed by

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investigators.
It was represented to me that they were not. I confirmed that to the best of my ability through the email address.
Q. Exhibit 17 is a string of requests for lyrics and chords, correct?
MR. HOWELL: Objection. Form. Vague.
A. It contains requests or prompts that seem to relate to lyrics and chords. In fact, seems maybe related to the first document you showed me.
Q. It certainly seems of a similar type; wouldn't you agree?
MR. HOWELL: Objection. Form. Vague.
A. As I compare them, I think these would probably be in the nature of what we talked about before, where one appears to be a subset, meaning it's maybe the same conversation at different points in time. But, again, I haven't endeavored, to my knowledge, to compare these to remove one or both of them.
I guess you could look to see if one of these was removed. Presumably -- I imagine it very well may have been, one of these may have been removed as part of my reply exhibit. To the

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extent that one was nested, I'd have to go back and look.

Q. Whoever submitted these prompts really wanted Claude to generate lyrics as outputs; isn't that right?

MR. HOWELL: Objection. Form. Vague. Calls for speculation.

A. The questions and the prompts stand on their own. I have no basis to say really or not. The prompts are what they are.

Q. It's a string of prompts requesting lyrics using different forms of prompts all targeting songs -- strike that.

It's a string of prompts in different forms targeting lyrics for different songs, correct?

MR. HOWELL: Objection. Form. Vague. Misstates the document.

A. Again, I wouldn't try to characterize each individual prompt proposal in any way other than the way I've categorized things in my report. And I'd have to go through and look at each individual prompt and output to do it in that level of taxonomy.

Beyond that, I think the words in this document speak for itself.

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Q. When you reviewed this record, were you at all suspicious that this was a set of prompts generated by publishers' investigators?

MR. HOWELL: Objection. Form. Vague.

Go ahead.

A. It wasn't as a matter of suspicious or not. Again, determining the ultimate source of a record was outside the scope of my assignment. I confirmed that the email address was noted as "Redacted."

I had reviewed thousands of -- or the team reviewed thousands, I reviewed myself close to a thousand different prompts that all requested -- a lot requested lyrics in various forms or fashions related to songs or lyrics.

So looking at more requests for songs and lyrics was not of particular surprise to me. No, I've seen a lot of those.

Q. And you don't know, for any of the ones that you've seen, whether they came from publishers' investigators or not; right?

MR. HOWELL: Objection. Form. Vague. Asked and answered. Misstates prior testimony.

A. Again, as I've stated I think a number of times here, it's represented to me that they were not.

I reviewed the available -- the data that was available to me in the form of the metadata. I confirmed that the email address in that metadata was noted as "Redacted" and did not note Anthropic employee or investigator or counsel, which was -- was available to me to do so.

From there, I followed through with my assignment of categorizing those documents.

Q. Let's go to page 28 of your Exhibit 4 to your opening report. And the fourth record listed there has the Bates start Anthropic, underscore, several zeros, 37119.

Do you see that?

A. I do.

Q. You list it as number 247, right?

A. Yes, that is correct.

Q. And the prompt you list as "What are the lyrics to 'Roar' by Katy Perry?"

MR. HOWELL: Objection. Form.

A. That is the excerpt that I have in here from that document.

(Document Bates-stamped Anthropic_0000037119 through -7120 marked Exhibit 18.)

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BY MR. TOMPROS:

Q. You've been handed what has been marked as Exhibit 18, a multipage document beginning with -- that has every page REV36830641 and begins with the Bates No. Anthropic, underscore, several zeros, 37119.

Do you have Exhibit 18 in front of you?

A. I do.

Q. Can you confirm that Exhibit 18 has the same Bates number as the Bates beginning that we just looked at on page 28 of your Exhibit 4, works-in-suit chart corresponding to number -247?

A. Yes. The Bates is ending in -37119.

Q. All right. And if we look at the first prompt in 37119, it's -- the human portion is "What are the lyrics to 'Roar' by Katy Perry?"

Right?

A. That is correct.

Q. Was Exhibit 18 generated by publishers' investigators?

MR. HOWELL: Objection. Form. Vague. Calls for speculation.

A. Again, as I've said, I can tell you that the email address associated with or the metadata associated with this record was noted as

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"Redacted."
The determination of the source of this record was outside the scope of my assignment. And it was represented to me that Anthropic investigators or employees or counsel was not included.
As a result, I looked at this and categorized it for what it was, which is a request for lyrics.
Q. Can you return to the Complaint, Exhibit 16 to this deposition. Go to paragraph 80 on page 24.
Do you see there that it says "Publishers' investigators" -- strike that.
In paragraph 80 on page 24 of the Complaint it says "Publishers' investigator asked Claude" -- strike that again.
It says in paragraph 80 of the First Amended Complaint, "Publishers' investigator asked Anthropic's Claude 'What are the lyrics to 'Roar' by Katy Perry?"
Do you see that?
A. I do.
Q. That is the exact same prompt that we just looked at, correct?

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MR. HOWELL: Objection. Form. Vague.
A. I don't know if it was the same prompt. The words are the same.
Q. Can you rule out that the prompts and outputs that we just looked at in Exhibits 18, 17, and 15, can you rule out that they were prompts provided by publishers' investigators?
MR. HOWELL: Objection. Form. Vague. Calls for speculation.
A. Again, ruling out or determining source was beyond the scope of my assignment. It was represented to me that they were -- did not include investigators or counsel or Anthropic employees.
I reviewed the data that was available to me in the form of the metadata for this record and other records and confirmed that the email address in that metadata said redacted as opposed to an investigator or things of that nature.
Q. Let me have you go back again to your Exhibit 1, which is your expert report and Exhibit 4 to that expert report, the spreadsheet.
I'd like you to go back at this point to page 11 of Exhibit 4 to your opening report.
Let me know when you're there.

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A. I am there.
Q. On page 11, the third row up from the bottom has two entries in the Bates start section. The first one is Anth_Sample 291792.
Do you see that?
A. I do.
Q. And the record number there is number 102.
A. Yes. I see that.
Q. And the example prompt excerpt you cite is, "Give me the chords to 'Daddy Sang Bass' by Johnny Cash."
Right?
MR. HOWELL: Objection. Form.
A. Yes. The excerpt from this document shown here, I believe you read that correctly.
Q. And then if we look at the second Bates number there in that same row, 102, it's Anth_Sample, several zeros, 293475, right?
A. I see that Bates number, yes.
(Document Bates-stamped ANTH_SAMPLE000293475 marked Exhibit 19.)
BY MR. TOMPROS:
Q. Mr. Dennis, you've been handed what has been marked as Exhibit No. 19, a one-page

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document with the Bates number Anth_Sample 000293475.
Do you have that in front of you?
A. Yes, I do.
Q. That is the same Bates number that appears as the second of the two numbers in your row 102 of your Exhibit 4 to your opening report, right?
A. It is.
Q. And just confirm for me that the prompt in Exhibit 19 is "Give me the chords to 'Daddy Sang Bass' by Johnny Cash."
Right?
A. Yes. That's what it reads.
(Document Bates-stamped ANTH_SAMPLE000291792 through -1793 marked Exhibit 20.)
BY MR. TOMPROS:
Q. Mr. Dennis, you have been handed what has been marked as Exhibit 20, a two-page document with the control numbers ANTH_SAMPLE000291792 through -93.
Do you have that in front of you?
A. I do.
Q. And can you confirm for me that the

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control number 291792 is also what appears in the row corresponding to record number 102 in your Exhibit 4 to your opening report?

A. Correct. That's the first of the two Bates listed under the Bates start column for row 102.

Q. So the prompt that corresponds to 102 is Exhibit 19 and the output is Exhibit 20, correct?

A. Yes, that appears to be the case.

Q. That prompt in Exhibit 19 was submitted by one of publishers' investigators, correct?

MR. HOWELL: Objection. Form. Vague. Calls for speculation.

A. Again, as I've stated, my assignment didn't include determining origin of the prompts and outputs. It was represented to me that they did not include investigators or Anthropic employees or Anthropic -- excuse me. Plaintiff Anthropic employees, plaintiff's investigators or plaintiff's counsel.

I reviewed the metadata associated with these -- in this case, two records, neither of which had an email address other than redacted. And there's nothing on the face of these

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documents that would give me -- to suggest that it was performed by an investigator.

Q. Can I have you return to the Complaint, Exhibit No. 16. And go to page 45, paragraph 99.

In the middle of that paragraph it states "Claude was queried by publishers' investigator. 'Give me the chords to 'Daddy Sang Bass' by Johnny Cash.'"

Right?

A. I see those words on this page, yes.

MR. TOMPROS: I think we can take a break.

THE VIDEOGRAPHER: We are going off the record. The time on the monitor is 15:32.

(A recess was taken.)

THE VIDEOGRAPHER: We are back on the record. The time on the monitor is 15:44.

BY MR. TOMPROS:

Q. Mr. Dennis, you were not asked to determine whether any prompt that you reviewed was or was not submitted by publishers' investigators, right?

MR. HOWELL: Objection. Form. Vague. Asked and answered.

A. Correct. My assignment did not include

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analyzing or attempting to determine the source of a given prompt or output.

Q. And you cannot confirm whether any prompt you reviewed was or was not submitted by publishers' investigators, correct?

MR. HOWELL: Objection. Form. Vague. Asked and answered. Misstates prior testimony.

A. Again, as I said, that was outside of the scope of my assignment.

It was represented to me that plaintiff's investigators and counsel, Anthropic employees were not included as part of sample song records and work-in-suit records and the metadata showed that all of the email addresses were redacted as opposed to something that was indicia of one of those categories of potential user.

Q. The representation you just referred to was made by publishers' lawyers, right?

A. It was made by counsel, yes.

Q. Can I ask you to go -- do you still have your opening report in front of you?

A. I have the exhibits presently, I believe.

Q. I want to go to your opening report briefly, but then to your rebuttal -- your reply.

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A. Okay. One second. The text of my --

Q. Text of your opening report, yes.

A. Give me one moment, please.

Okay. I have the text of my reply -- I'm sorry, my opening report in front of me.

Q. Okay. If you could turn to page 122, paragraph 233.

A. Yes, I have that in front of me.

Q. You were asked to analyze whether certain user account -- you were asked to analyze certain user account data that showed account type, amount, amount refunded, and other information for certain users, right?

A. That is correct.

Q. And you used a spreadsheet that Anthropic produced to look at that information?

A. That was certainly part of that analysis. I think it is Footnote 2272 that is at Bates stamp Anthropic_0000524085.

Q. All right. I think if you look on your computer, you will find Tab 24, Anthropic 0000524085 as one of the files.

Do you see that?

A. I do.

Q. Can you open that up?

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A. Yes. I have that in front of me here.
Q. There's a column labeled "Account Type," right?
MR. HOWELL: Do we want to electronically mark this one?
MR. TOMPROS: That's a good idea. We'll mark this one as Exhibit 21. Thank you very much.
MR. HOWELL: Theoretically marking, yes.
(Document Bates-stamped Anthropic_0000524085 electronically marked Exhibit 21.)
BY MR. TOMPROS:
Q. So in Exhibit 21, this spreadsheet ending with the Control Number -085, there is a column labeled "Account Type," right?
A. I see that Column B, in Cell B1, it is labeled "Account_Type."
Q. And some of the records for account type indicate free, correct?
A. Correct. At least the first two records here I see have a value or -- yeah, a value of free, F-R-E-E, in Cells B2 and B3. So under Column B.

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Q. If I could ask you to return to your opening report, paragraph 233.
You list there that you identified 653 users -- strike that.
-- 653 unique users and a total amount of $1,254,526, correct?
A. That is what it states here, yes.
Q. And what does that amount represent?
MR. HOWELL: Objection. Form.
A. So this is in my opening report. So that represents -- I think I have a footnote here that says where I excluded from my analysis any records where the status field has a value of failed.
So if we go back to the electronic document -- I don't recall what number it was -- there is a column labeled "Status" -- it's Column H -- that has a series of different values, one of which is "failed." So I have excluded from my analysis where the status was failed.
And then otherwise it represents the sum of the amount column. But I believe, and I'd want to confirm with electronic documents in here, I think the 653 was just where I was able to line it up with my work-in-suit.

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If you give me a minute to read, I just want to confirm, or I can refer to the electronic version of my exhibits.
Yes. So the amount that I talked about earlier in the 653 unique users, that represents those users. So there was a field that -- in here it says "email address." But in the metadata it was called, I believe, unique ID, if I recall correctly. I'd want to confirm.
So I matched up the unique ID field, which I understand represents a user, to the email address field in this Anthropic document, -524085, limited it to just those IDs, excluded anywhere the status was failed, and otherwise summed up the value in the amount column.
Again, I'd want to go back to the actual calculation in the electronic version of my exhibits, but I believe that's the quantum of how that was -- that's how that was quantified. But, again, I think I produced this natively so all of that should have been apparent in the underlying calculations.
Q. And you then provided a revised analysis in your reply report after the account data spreadsheet was updated, correct?

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MR. HOWELL: Objection. Form.
A. So whether it's revised or supplemental. That would be the supplemental, I think, portion of my reply and supplemental report --
Q. Yes.
A. -- in that it was a new analysis that I understand -- again, this is going back to, I think, certain correspondence that I reviewed between counsels. That there were issues or errors with the original production, so a new set of what they referred to as, I believe, billing data was provided. So I re-performed my analysis, using the replacement -- I believe it's underscore R version of this document, the same Bates stamp other than underscore R in the middle there, and re-performed my analysis based on information within that communication as well.
Q. Let's go to your reply report exhibits, which have been marked as Exhibit 12 to the deposition. It should be in that pile somewhere. And at the back of that is your reply, Exhibit 8.
Are you there?
A. I am.
Q. Your reply, Exhibit 8, summarizes your

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS

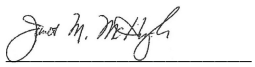
SUFFOLK, SS.

I, Janet M. McHugh, a Registered Merit Reporter and a Notary Public within and for the Commonwealth of Massachusetts do hereby certify:

THAT JOSHUA DENNIS, the witness whose testimony is hereinbefore set forth, was duly sworn by me and that such testimony is a true and accurate record of my stenotype notes taken in the foregoing matter, to the best of my knowledge, skill and ability; that before completion of the deposition review of the transcript was requested.

I further certify that I am not related to any parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of March, 2026.



JANET M. MCHUGH
Notary Public
My Commission Expires:
July 16, 2028