EXHIBIT 174

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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CONCORD MUSIC GROUP, INC., ET AL., :
:Case No.
Plaintiff, :24-CV-03811-EKL (SVK)
v. :
ANTHROPIC PBC, :
Defendant.

- - - - - - - - - - - - - -x

*** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***

VOLUME 2

Videotaped Deposition of MICHAEL SMITH

CONDUCTED VIRTUALLY

Thursday, April 9, 2026

9:35 a.m.

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Brooklyn E. Schweitzer, RPR, CRR, CA CSR No. 14612

Videotaped Deposition of MICHAEL SMITH, conducted virtually.

*** ALL PARTIES ATTENDED REMOTELY. ***

Pursuant to Notice, before Brooklyn E. Schweitzer, Registered Professional Reporter, Certified Realtime Reporter, Notary Public in and for the Commonwealth of Pennsylvania, and California CSR No. 14612.

A P P E A R A N C E S

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Liz Kim, Esquire
Natalie Naugle, Anthropic

C O N T E N T S

EXAMINATION		PAGE
By Ms. Mehta		384

E X H I B I T S

EXHIBIT		PAGE
Exhibit 2	Second Supplement to December 19, 2025 Expert Opinion Of Professor Michael D. Smith	385
Exhibit 3	Interviewer Data	390
Exhibit 4	Excel Spreadsheet - Creatives	392
Exhibit 5	Anthropic Labor market impacts of AI: A new measure and early evidence	413
Exhibit 6	Declaration of Dr. Michael D. Smith In Support of Plaintiffs Motion For Partial Summary Judgment	438
Exhibit 7	Nagaraj 318 Characterizing Detectability and Impact of AI-generated Music On Streaming Platforms	442
Exhibit 8	Universal Music Group Q4-Fiscal Year 2025 Earnings Call Transcript	452

382

E X H I B I T S

EXHIBIT		PAGE
Exhibit 9	Universal Music Group N.V. (UNVGY) Presents at BNP Paribas Exane TMT Conference Transcript	464
Exhibit 10	Amendment No. 27 to Publishing License Agreement	472

383

P R O C E E D I N G S

VIDEOGRAPHER: Here begins Media Number 1 in the videotaped deposition of Michael Smith in the matter of Concord Music versus Anthropic, in the United States District Court for the Northern District of California, San Jose Division, Case Number 24-cv-03811-EKL (SVK).

Today's date is April 9th, 2026. The time on the video monitor is 9:35 a.m. Eastern time. The videographer today is Harold Rodriguez, representing Planet Depos, headquartered at 451 Hungerford Drive, Suite 400, Rockville, Maryland 20850.

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 today are my colleagues, Christina Luo and Lydia Bailey, and we also have in-house counsel from Anthropic, Liz Kim and Natalie Naugle on the line.

MR. MILLER: Good morning. Corey Miller from O+Z on behalf of the Plaintiff Music Publishers. Also on the line is my colleague, Michelle Gomez-Reichman.

384

VIDEOGRAPHER: The court reporter today is Brooklyn Schweitzer, representing Planet Depos. Will the witness now be sworn in please.

MICHAEL SMITH,
was called, and having been duly sworn,
testified as follows:

EXAMINATION

BY MS. MEHTA:

Q Good morning, Professor Smith.

A Good morning, Counsel. How are you doing?

Q Good. How are you?

A Doing well.

Q We've done this before together, so I'll skip the preliminaries. I just want to ask: You understand you are still testifying under oath today just as you would before the judge and a jury in a courtroom in San Jose, correct?

A I do. I understand.

Q Any -- any reason you wouldn't be able to provide your most truthful and accurate testimony here today?

A No.

Q I'm going to try to ask you to do your best not to talk over me, and I'll do my best not to talk over you today. If at any point you don't

385

understand the question, please ask me for clarification. All right?

A I will.

Q And if you don't ask for clarification, I'm going to assume that you understood the question and you're providing your most truthful and accurate testimony in response. Fair?

A I understand.

MS. MEHTA: Okay. Let's go ahead and mark, if we could, Exhibit Number 2, Smith Exhibit 2, which will be Tab 1.

(Exhibit 2 was marked for identification and is attached to the transcript.)

Q And that will be dropped in the chat, Mr. Smith, and you can just pull it up like we did last time.

A Sounds good.

TECHNICIAN: I'm sorry, this is the tech. Do you need me to share that?

MS. MEHTA: No, you can just put it in the chat. We don't need to share the screen. Thank you.

TECHNICIAN: One moment.

THE WITNESS: Give me a sec to download that.

422

Arts & Media, which includes lyricists, and then when I combine that with the text in the AI interviews, there's evidence that -- that lyricists today are worried about this capability and worried about this in -- in the future.

Q Okay. Let me break that down a little bit.

I'm not asking about the future. I'm asking about up through April 9th, 2026.

Up through April 9th, 2026, can you identify any instance in which song lyrics generated by Claude have displaced any songwriting opportunity for any songwriter or lyricist?

A What I'm saying in my report is that based on the -- Anthropic's report, the observed AI coverage in the Arts & Media category, which includes lyricists, is 20 percent, and the observed theoretical is -- is a little above 80 percent.

And, again, this is a quote from Anthropic. As capabilities advance, adoption spreads, and deployment deepens, the red area -- which is 20 percent today -- will grow to cover the blue, which is a little above 84 -- a little above 80 percent.

423

Q Okay. Let me ask the question again. I'm not asking about the future. I understand your testimony about what may happen and what the report says about what may happen.

I'm asking a very specific question: If the judge and the jury in this case wanted to know, are you able to identify any songwriter or a lyricist that has lost a songwriting opportunity or had a songwriting opportunity displaced by a song generated by Claude? Up to now, up to April 9th, 2026. Can you identify any such opportunity?

A I'm not sure that was my assignment -- go ahead, Corey.

MR. MILLER: Objection; form, asked and answered. It's also borderline beyond the scope of the permitted subjects for this deposition, Counsel.

I'm giving you a little bit of leeway, but that's not going to extend much further if you continue down this road.

BY MS. MEHTA:

Q You can answer, Professor Smith.

A I'm not sure that's part of my task today.

Q If you could -- going back to the -- to

424

the Anthropic report that you just referenced in that -- the answer right before this one, other than the Anthropic report and the 20 percent that you're citing there for the Arts & Media category, have you yourself done any empirical study or assessment of what the actual observed AI displacement is in Arts & Media or in songwriting or lyricists' work in particular?

MR. MILLER: Object to form.

Go ahead.

A I've got a doctoral student who's working on this question in a different context, different doctoral student than we talked about previously. So I think technically the answer is yes.

Q I'm talking about -- it's a fair -- it's a fair clarification. I'm talking about in terms of your work in this case.

So other than relying on the 20 percent in the Arts & Media category in this Economic Index report, have you done, for this case, any empirical assessment or quantification of the actual or observed displacement, if any, based on AI usage that would apply to songwriters or lyricists?

MR. MILLER: Object to form.

425

Go ahead.

A I think I'm prepared to answer what's -- what's in my report today, which was really just trying to discuss what's in Anthropic's report, and I think its implication for the -- the plaintiffs in this case. That's -- that's -- that's what I'm trying to discuss in this report.

Q Right. But what I'm trying to -- what I'm trying to understand is I didn't see in this report, or in your other report, any analysis that you yourself did.

In other words, you're only relying on the Anthropic Economic Index report. You're not relying on any work that you yourself did to evaluate or quantify the observed impact of AI in that -- in that field; fair?

MR. MILLER: Object to form.

A My understanding is this deposition's about -- about this particular report. This particular report, I think, is quite clear. I'm talking about the Anthropic -- Anthropic-produced reports.

Q Okay. And you haven't done any independent analysis of those questions beyond relying on the Anthropic-produced report, right?

482

ACKNOWLEDGMENT OF DEPONENT

I, MICHAEL D. SMITH, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the attached errata sheet signed by me.

_____ _____
(DATE) (SIGNATURE)

483

CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

I, Brooklyn E. Schweitzer, 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 not 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 notarial seal this 12th day of April, 2026. My commission expires: May 20th, 2026.



Brooklyn E. Schweitzer, RPR, CRR