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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

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

DECLARATION OF ANDREW GUERRA IN SUPPORT OF PLAINTIFFS' MOTION TO PARTIALLY EXCLUDE THE OPINIONS OF DR. ETHAN LUSTIG

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

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

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

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

3. I submit this declaration in support of Publishers' Motion to Partially Exclude the Opinions and Testimony of Defendant Anthropic PBC's Expert Dr. Ethan Lustig.

4. Attached hereto as **Exhibit A** is a true and correct copy of the January 23, 2026 Expert Report Re: Anthropic of Ethan Lustig, Ph.D.

5. Attached hereto as **Exhibit B** is a true and correct copy of the February 13, 2026 Reply Expert Report of Ethan Lustig, Ph.D.

6. Attached hereto as **Exhibit C** is a true and correct copy of the excerpted transcript to the March 4, 2026 deposition of Dr. Ethan Lustig.

7. Attached hereto as **Exhibit D** is a true and correct copy of the complaint filed in *AOM Music, Inc. v. Ocasio*, No. 2:21-cv-7691 (C.D. Cal.) along with Exhibit A to the complaint, filed September 27, 2021.

8. Attached hereto as **Exhibit E** is a true and correct copy of the February 13, 2026 Reply Expert Report of Robert Leonard, Ph.D.

9. Attached hereto as **Exhibit F** is a true and correct copy of R. Kreyer & J. Mukherjee, *The Style of Pop Song Lyrics: A Corpus-Linguistic Pilot Study,* 125 ANGLIA 1 (2007).

10. Attached hereto as **Exhibit G** is a true and correct copy of L. Squires, *Genre and linguistic expectation shift: Evidence from pop song lyrics,* 48 LANGUAGE IN SOCIETY 1 (2018).

11. Attached hereto as **Exhibit H** is a true and correct copy of Savage, et al., *Quantitative Evaluation of Music Copyright Infringement*, PROCEEDINGS OF THE FOLK MUSIC ANALYSIS WORKSHOP (2018).

12. Attached hereto as **Exhibit I** is a true and correct copy of the webpage Random Song Generator, available at www.randomsonggenerator.com.

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

Executed in New York, NY, this 31st day of March, 2026.

/s/ Andrew Guerra

Andrew Guerra

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

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

Dated: March 31, 2026

/s/ Timothy Chung
Timothy Chung