



SUSMAN GODFREY L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP



March 24, 2025

VIA ECF

Judge William H. Alsup
Phillip Burton Federal Building & U.S. Courthouse
450 Golden Gate Avenue, 16th Floor Clerk's Office
San Francisco, CA 94102

RE: *Bartz, et. al. v. Anthropic PBC*, No. 3:24-cv-05417 (N.D. Cal.) Letter
Motion to Compel Discovery Responses

Dear Judge Alsup:

Plaintiffs write briefly to raise one additional, highly time-sensitive, issue regarding Anthropic's recent productions of previously undisclosed pirated datasets. Plaintiffs respectfully request an order compelling Anthropic to provide a declaration presenting the results of an ISBN search of these previously undisclosed pirated datasets and indicating whether Named Plaintiffs' works are present by Wednesday, March 26.

Last Thursday night, Anthropic provided updated discovery responses where, for the first time, it disclosed downloading additional pirated datasets.

These previously undisclosed datasets are sourced from [REDACTED] Anthropic made these datasets available to download via an FTP as had been the parties' prior practice. *See* Ex. 1.

Plaintiffs immediately began to download the pirated datasets from the FTP link to search for Named Plaintiffs' works. However, due to the limited speed of transfer of the FTP, Plaintiffs have serious concerns regarding their ability to obtain the datasets sufficiently in advance of this Thursday's deadline for class certification. Plaintiffs sought to work with Defendants for alternative production methods including via Amazon Web Services or encrypted hard drive, however neither has a guarantee of success before Plaintiffs' Thursday deadline.

As a consequence, Plaintiffs have asked Anthropic to provide a declaration presenting the results of an ISBN search of these pirated datasets indicating whether Named Plaintiffs' works are present. This declaration would mirror the information provided at the 30(b)(6) deposition which this court ordered regarding Anthropic's [REDACTED]. *See* Dkt. 46. Anthropic has not agreed to provide this information or the requested declaration. *See* Ex. 2.

Given the late-breaking nature of this dispute and its materiality to Plaintiffs' upcoming class certification brief, we respectfully request an order compelling Anthropic to provide such a

Judge William H. Alsup
March 24, 2025
Page 2

declaration by Wednesday, March 26 and will be prepared to discuss this issue at tomorrow's hearing.

Respectfully submitted,

LIEFF CABRASER HEIMANN &
BERNSTEINS LLP

SUSMAN GODFREY LLP

COWAN, DEBAETS,
ABRAHAMS & SHEPPARD
LLP

/s/ Rachel Geman
Rachel Geman

/s/ Rohit Nath
Rohit Nath

/s/ Scott J. Sholder
Scott J. Sholder