

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ANDREA BARTZ and KIRK WALLACE
JOHNSON, individually, and ANDREA
BARTZ, INC., CHARLES GRAEBER, and
MJ + KJ, INC., individually and as
representatives of the class,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case No. 3:24-cv-05417-WHA

**DECLARATION OF CHARLES
GRAEBER**

DECLARATION OF CHARLES GRAEBER

Pursuant to 28 U.S.C. § 1746, I, Charles Graeber, declare:

1. I am an author and a class representative in this action. I am over twenty-one (21) years of age and am fully competent to testify about the matters contained herein. The following statements are made within my personal knowledge and are true and correct.
2. When I started writing my first non-fiction book, I had no idea how hard it would be. Reticient sources, whistleblowers, research, the writing and rewriting and organizing facts into a good yarn—the process took nearly a decade.
3. But it resulted in a book I was proud of, protected by copyright. I could never have afforded that book, or the next one, or the profession itself, without that protection.

4. For this reason, when I heard about Anthropic's piracy, I immediately understood the threat that unchecked piracy posed to those protections, and the harm already done to myself and many thousands of others who depend on them. I immediately called, offering to join this case. If I could help, I wanted to.

5. Like the book-writing process, I have come to discover that involvement in a civil suit, especially one of this size, involves even more work than I'd imagined. And like book writing, that work has been exhausting, fascinating, and essentially important.

6. I'll innumerate some of that it here:

7. It started with calls and emails at all hours of the day from counsel requesting information and paperwork, and my own calls and emails volunteering anything potentially relevant. Then came the attorney meetings to educate me about the intricacies of the case and my obligations should the class be certified and I be certified as a class representative. Those obligations included representing the interests of the full class, a group of hundreds of thousands of authors and publishers. Non-fiction writers live in research, and my preparation for this role was no exception. It became my job.

8. I'm based on the east coast, which meant numerous redeye cross-country flights for critical meetings and depositions. I also traveled to major court hearings, as I believe part of my obligation is to bear witness, and ensure that our human work had a human presence in court. Attending these hearings indeed proved essential, providing a direct and unique airing of case aspects and perspectives, especially those of the Court.

9. In between were hours of process and preparation; reviewing thousands of pages of documents to ensure accuracy; reviewing major filings so that I could sign in good faith; and ultimately, scrutinizing and signing the settlement agreement. Each of these processes was accompanied by a steady back-and-forth of questions to my patient and unslept legal team.

10. One surprising element of this process was how personal my involvement in this case would become. This was my first time in deposition preparation, my first deposition, and those days were, I admit, daunting, grueling and, at times, invasive. As was the request to hand over the keys to my personal email account and other communications, so that they could be scrutinized by a third party, and ultimately searched by the defense counsel for discovery. I complied of course, fully and exhaustively following up on each new

request. But putting my personal communication history in the hands of opposing counsel for an A.I. company that had already pirated my books made me feel rather vulnerable, especially as an investigative journalist who would fight to protect those same communications in order to protect whistleblowers and other sources.

11. When other aspects of my life, including my work as a writer, took a back seat, I was comforted by memories of a former editor, an old hand magazine veteran who'd spent his life coaching young writers overwhelmed by crushing deadlines.

12. To keep me on track for a big story, he often evoked the line repeated by Paul Newman's character in the film *The Verdict*: "There is no case but this case". Whatever my previous deadlines, there was no case but this civil case; my top job now was to represent all stakeholders in this critical class action to the best of my ability. This responsibility continues to be an honor, whatever it takes.

13. That work multiplied with the order certifying the class and appointing me as class representative. I sank myself into details for the proposed plan of allocation. I placed myself in the shoes of the thousands of class members who would be coming to this settlement cold, without the benefit of hundreds of hours of intimate involvement.

14. Would they understand their options on the claim form? Was the notice packet clear as to their options and rights? Did it clearly explain the process by which this settlement was reached? Would they be discouraged from participating by any of the language? Was there jargon that might mislead authors or discourage participation? Was it clear what they were signing off on, and what they weren't? And were the proposed allocations as fair as possible to all members of the class and reflective of the Court's specific admonitions?

15. By Zoom, text, email and phone, the discussions were urgent, and they started early and went late. I hope my intimate involvement helped keep the various working groups focused on the big picture while hammering out critical details. I believe the careful participation of the class representatives at every step produced a fair result.

16. In many ways, our work is only just begun. I'm already hearing from other authors, many with questions. This case has international attention, and it will be our duty to represent the settlement to

authors, our fellow stakeholders, and the public at large, further reinforcing this important ruling on the inviolability of copyright, and the inviolability of laws regarding piracy.

17. I look forward to that work, as I'm extremely pleased with the settlement and glad to be able to have helped authors and publishers recoup for the harm caused.

18. I'm especially proud of the plain fact that despite significant challenges, this group of stakeholders was able to help preserve the sanctity of copyright.

19. If you believe books are essential to a culture, this settlement is essential. It continues to be my privilege to be involved, whatever it takes.

Executed in Nantucket, Massachusetts on September 22, 2025.

DocuSigned by:

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Charles Graeber