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

CONCORD MUSIC GROUP, INC., ET AL.,

Plaintiffs,

vs.

ANTHROPIC PBC et al.,

Defendants.

Case No. 5:26-cv-00880-EKL-SVK

**STIPULATION AND [PROPOSED]
ORDER REGARDING DISMISSAL OF
VICARIOUS INFRINGEMENT CLAIM
(COUNT IV)**

Civ. L.R. 7-12

Judge Eumi K. Lee
Magistrate Judge Susan van Keulen

1 Plaintiffs Concord Music Group, Inc. et. al. (“Publishers”) and Defendant Anthropic
2 PBC, (“Anthropic”) (collectively, the “Parties”), by and through their respective counsel of
3 record, hereby stipulate and request that the Court order, as follows:

4 WHEREAS, on January 28, 2026, Publishers filed a Complaint in this action against
5 Defendants Anthropic, Dario Amodei, and Benjamin Mann, Dkt. 1;

6 WHEREAS, on March 10, 2026, Defendants moved to stay proceedings in this case, *see*
7 Dkt. 59, pending resolution of *Concord Music Group, et al. v. Anthropic PBC*, 5:24-cv-03811-
8 EKL-SVK (N.D. Cal.) (“*Concord I*”), or in the alternative, until the parties’ motions for
9 summary judgment and any subsequent appeal are resolved;

10 WHEREAS, on April 6, 2026, after the Parties met and conferred regarding Defendants’
11 anticipated motions to dismiss and the bases thereof, Publishers filed a First Amended
12 Complaint, withdrawing Publishers’ claim for contributory infringement as to Anthropic, Dkt.
13 75;

14 WHEREAS, on April 24, 2026, the Court entered an Order Regarding Temporary Stay
15 of Related Actions, noting, *inter alia*, that “although it relates to different works, the vicarious
16 infringement claim (Count IV) asserted in [this case] appears to rest on the same legal theory
17 and nearly verbatim allegations as the vicarious infringement claim that Plaintiffs seek to dismiss
18 with prejudice from” *Concord I*, and directing the parties to confer regarding a “stipulated
19 dismissal or withdrawal with prejudice” of the vicarious infringement claim in this case and file
20 a dismissal or status report by May 15, 2026, Dkt. 88;

21 WHEREAS, pursuant to the Court’s April 24, 2026 order, the parties met and conferred
22 by videoconference on May 5, 2026 regarding dismissal of the vicarious infringement claim
23 (Count IV);

24 WHEREAS, Publishers are willing to voluntarily dismiss without prejudice their claim
25 for vicarious infringement (Count IV);

26 WHEREAS, Anthropic consents to dismissal without prejudice of Publishers’ claim for
27 vicarious infringement (Count IV), without prejudice to Anthropic’s right to answer, move, or
28 otherwise respond to the Second Amended Complaint, and without waiving any arguments,

claims, or defenses;

WHEREAS, the Parties have entered a stipulation in *Concord I* through which the Parties agree to the dismissal with prejudice of Publishers' claims for contributory infringement and vicarious infringement claims with certain conditions;

NOW, THEREFORE, IT IS HEREBY STIPULATED, pursuant to Federal Rule of Civil Procedure 15(a)(2) and Civil Local Rule 7-12, by and among the parties through their respective counsel, as follows:

1. Publishers will file a Second Amended Complaint removing Count IV and making no other changes (except as necessary to conform the pleading to those deletions),
2. Anthropic's deadline to respond to the Second Amended Complaint remains the deadline set in the Court's April 24, 2026 order.

IT IS SO STIPULATED.

Date: May 15, 2026

Respectfully submitted,

By: /s/ Corey Miller

By: /s/ Sonal Mehta

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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 the document was obtained from the document's signatories. I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 15, 2026

/s/ Corey Miller

Corey Miller

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. Publishers' claims for vicarious infringement (Count IV) are voluntarily dismissed without prejudice.
2. Publishers are granted leave under Federal Rule of Civil Procedure 15(a)(2) to file the Second Amended Complaint removing Count IV and making no other changes (except as necessary to conform the pleading to those deletions).
3. Publishers shall file the Second Amended Complaint within 7 days upon entry of this Order.
4. Anthropic's deadline to respond to the Second Amended Complaint remains the deadline set in the Court's April 24, 2026 order.

IT IS SO ORDERED.

DATED:

THE HONORABLE EUMI K. LEE
UNITED STATES DISTRICT JUDGE