

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SAM KOGON, DAVID WOULARD,
ATTACK THE SOUND LLC, an
Illinois limited liability company,
STAN BURJEK, JAMES BURJEK,
BERK ERGOZ, HAMZA JILANI,
MAATKARA WILSON, ARJUN
SINGH, MAGNUS FIENNES, and
MICHAEL MELL, each individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

GOOGLE LLC, a Delaware limited
liability company,

Defendant.

Case No. 26-cv-2582

Honorable Sunil R. Harjani

**DECLARATION OF ANDREW H. SCHAPIRO IN SUPPORT OF
GOOGLE LLC'S MOTION TO DISMISS COMPLAINT**

I, Andrew Schapiro, hereby declare as follows:

1. I am a Partner at the law firm Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC ("Google"). I submit this declaration in support of Google's Motion to Dismiss.
2. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify competently to them.
3. Attached hereto as **Exhibit A** is a true and correct copy of YouTube's Terms of Service ("TOS") as of January 24, 2008.
4. Attached hereto as **Exhibit B** is a true and correct copy of the TOS as of April 10, 2012.

5. Attached hereto as **Exhibit C** is a true and correct copy of the TOS as of December 10, 2019.

6. Attached hereto as **Exhibit D** is a true and correct copy of the TOS as of January 5, 2022.

7. Attached hereto as **Exhibit E** is a true and correct copy of the TOS as of December 15, 2023 and which is operative today.

8. Attached hereto as **Exhibit F** is a true and correct copy of the ProducerAI Privacy Notice, which is referenced in ¶¶ 116 and 250 of the Complaint.

9. Attached hereto as **Exhibit G** is a true and correct copy of “MusicLM: Generating Music From Text,” which is referenced in ¶¶ 4, 82, 96 and 156 of the Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 8, 2026.

/s/ Andrew H. Schapiro
Andrew H. Schapiro