

***Eight Mile Style, LLC et al. v. Apple Computer Inc., et al.***  
**Case No. 2:07-CV-13164**

**EXHIBIT 4**

**Defendants' Expert Disclosure,  
dated August 12, 2008**

UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EIGHT MILE STYLE, LLC and  
MARTIN AFFILIATED, LLC,

Plaintiffs

vs.

Case No. 2:07-CV-13164  
Honorable Anna Diggs Taylor  
Magistrate Judge Donald A. Scheer

APPLE COMPUTER, INC. and  
AFTERMATH RECORDS d/b/a  
AFTERMATH ENTERTAINMENT,

Defendants.

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**DEFENDANTS' EXPERT DISCLOSURE, FED. R. CIV. PROC. 26(a)(2)**

Daniel D. Quick (P48109)  
Dickinson Wright PLLC  
38525 Woodward Avenue  
Suite 2000  
Bloomfield Hills, MI 48304  
(248) 433-7200  
dquick@dickinsonwright.com

Kelly M. Klaus  
Munger, Tolles & Olson LLP  
355 South Grand Avenue  
Suite 3500  
Los Angeles, CA 90071-1560  
(213) 683-9238  
kelly.klaus@mto.com

Attorneys for Defendants

## DEFENDANTS' EXPERT DISCLOSURE

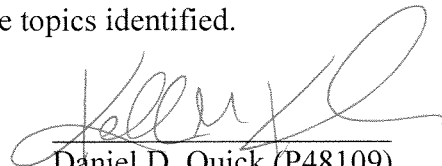
Pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure, Defendants Aftermath Records, doing business as Aftermath Entertainment ("Aftermath"), and Apple Inc. ("Apple") make the following expert disclosure:

At trial, Aftermath and Apple may call the following witnesses to present evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence:

- Peter Paterno, King, Holmes, Paterno & Berliner, LLP, counsel to Aftermath – Testimony regarding controlled composition clauses in artist recording agreements
- Steven Leung, Director of Finance, iTunes, Apple Inc. – Testimony regarding Apple's revenues and expenses, in the event damages testimony becomes relevant
- Charles C. Ciongoli, Executive Vice President, Chief Financial Officer, Universal Music Group North America – Testimony regarding Aftermath's revenues and expenses, in the event damages testimony becomes relevant<sup>1</sup>

This disclosure is without prejudice to Defendants' right to call any or all of these witnesses to testify as percipient witnesses on the topics identified.

August 12, 2008



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Bloomfield Hills, MI 48304  
(248) 433-7200  
dquick@dickinsonwright.com

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<sup>1</sup> Plaintiffs' Complaint contains no allegations of copyright infringement against intervening defendant Aftermath. Accordingly, Defendants believe that, regardless of the Court's ruling on the Defendants' motion for summary judgment, evidence regarding Aftermath's revenues and expenses is not relevant. Defendants reserve the right to call Mr. Ciongoli as a witness and to present evidence on this subject in the event that evidence of Aftermath's revenues and expenses is ruled relevant over Aftermath's objection.

Kelly M. Klaus  
Munger, Tolles & Olson LLP  
355 South Grand Avenue  
Suite 3500  
Los Angeles, CA 90071-1560  
(213) 683-9238  
kelly.klaus@mto.com  
Attorneys for Defendants

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**CERTIFICATE OF SERVICE**

I, Deborah Laws, declare as follows:

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 355 South Grand Avenue, Los Angeles, California 90071-3197, in said County and State. On August 12, 2008, I served the following document(s):

**DEFENDANTS' EXPERT DISCLOSURE, FED. R. CIV. PROC. 26(a)(2)**

on interested party(ies), by placing a true copy(ies) thereof in a sealed envelope(s) addressed as shown by the following means of service:

Richard Busch  
King & Ballow  
1100 Union Street Plaza  
315 Union Street  
Nashville, TN 37201


Howard Hertz  
Hertz Schram P.C.  
1760 South Telegraph Road  
Bloomfield Hills, MI 48302-0183

**BY FIRST CLASS MAIL:** I placed a true copy(ies)/the original(s) of said document(s) in a sealed envelope(s) addressed as indicated above, and deposited said envelope(s) in interoffice mail for collection and deposit with the United States Postal Service at 355 South Grand Avenue, Los Angeles, California, on the date indicated above. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service in the ordinary course of business with first class postage thereon fully prepaid on the same day it is placed for collection, processing, and mailing.

I am employed in the office of a member of the bar of this court, and that the foregoing document(s) was(were) printed on recycled paper.

**(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2008.

  
Deborah Laws