

EXHIBIT T

342	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 melody; correct?</p> <p>3 A. Correct.</p> <p>4 Q. What did you mean at the time</p> <p>5 you wrote "melody?"</p> <p>6 A. When I did my declaration I</p> <p>7 confused myself with Celebrex. I was working</p> <p>8 on all three. I concentrated on Aparthenonia</p> <p>9 and Bust Dat Groove. But I also used the</p> <p>10 Celebrex commercial. Which has a melody.</p> <p>11 That is where I was confused as I was doing</p> <p>12 it. It was the first time as well as doing a</p> <p>13 declaration because I never went that far. I</p> <p>14 am sure I missed a couple of things.</p> <p>15 Q. But Aparthenonia itself does</p> <p>16 not have a melody; correct?</p> <p>17 A. No.</p> <p>18 Q. And Bust Dat Groove does not</p> <p>19 have a melody?</p> <p>20 A. No.</p> <p>21 MR. CHIN: Objection.</p> <p>22 Q. So, if you look at paragraph 19</p> <p>23 of your report -- your declaration rather on</p> <p>24 page 10.</p> <p>25 A. Yes.</p>	344	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 tones are the ones that initially told me they</p> <p>3 were the same record. If they were just flat</p> <p>4 snares I wouldn't have been able to tell.</p> <p>5 Q. Drums have pitch; right?</p> <p>6 A. Pitch, yes, tone when you pitch</p> <p>7 it up the tone changes, it is brighter,</p> <p>8 darker.</p> <p>9 Q. And you can adjust pitch on the</p> <p>10 MP3,000; right?</p> <p>11 A. Yes, you can.</p> <p>12 Q. You adjusted the pitch on Bust</p> <p>13 Dat Groove to make it higher so it sounds more</p> <p>14 like Aparthenonia in your edited version;</p> <p>15 correct?</p> <p>16 A. No. Incorrect. I adjusted it</p> <p>17 for speed. Not so that it could sound the</p> <p>18 same. It was moving a little bit slower</p> <p>19 because of the tempo of the new record. When</p> <p>20 you pitch it, it catches up in speed. If you</p> <p>21 pitch it drastically then you're affected.</p> <p>22 Q. Did that change the tone as</p> <p>23 well?</p> <p>24 A. Slightly.</p> <p>25 Q. Do you mean something different</p>
343	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 Q. Where you again say "same</p> <p>3 rhythm, melody and overall feel," were you</p> <p>4 again referring -- strike that.</p> <p>5 If you look at page 19 where</p> <p>6 melody is again mentioned.</p> <p>7 MR. CHIN: Page 19?</p> <p>8 MR. OLSON: Paragraph 19.</p> <p>9 Q. Let's start over. Paragraph</p> <p>10 19, where you use melody again --</p> <p>11 A. Yes.</p> <p>12 Q. -- is that the same as before</p> <p>13 where you are thinking of Celebrex?</p> <p>14 A. Yes.</p> <p>15 Q. So notwithstanding what 19</p> <p>16 says, paragraph 19 says of your declaration,</p> <p>17 Bust Dat Groove does not have a melody;</p> <p>18 correct?</p> <p>19 MR. CHIN: Objection.</p> <p>20 A. My opinion Bust Dat Groove does</p> <p>21 not have what you consider a common melody</p> <p>22 where there is bells ringing or things like</p> <p>23 that, but it has a tone of its own. That is</p> <p>24 what I consider a tone. There is a tone to a</p> <p>25 kick. There is a tone to the snare. Those</p>	345	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 when you say pitch than when you say tone?</p> <p>3 A. No. For me pitch and tone are</p> <p>4 pretty much the same.</p> <p>5 Q. So I understand there is drums</p> <p>6 can have pitch. That can be adjusted by</p> <p>7 tuning the drums?</p> <p>8 A. Correct. The skins.</p> <p>9 Q. And you adjusted the pitch by</p> <p>10 changing the timing on Bust Dat Groove snare</p> <p>11 hit; right?</p> <p>12 A. No. I adjusted the pitch not</p> <p>13 the timing. The pitch corresponds to timing.</p> <p>14 If you pitch something upward it moves a tad</p> <p>15 bit faster. Timing would just be timing,</p> <p>16 meaning you actually move the item.</p> <p>17 Q. I might have misheard before.</p> <p>18 I thought you said you made the snare hit a</p> <p>19 little faster which adjusted the pitch; is</p> <p>20 that correct?</p> <p>21 A. No. Backwards. I adjusted the</p> <p>22 pitch so it could be a bit faster.</p> <p>23 Q. Okay. So you adjusted the</p> <p>24 pitch of the snare from the original Bust Dat</p> <p>25 Groove; correct?</p>

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 A. Correct.
 3 Q. That made it a bit faster;
 4 correct?
 5 A. Slightly.
 6 Q. You've testified that when you
 7 say that you can use pitch or tone to mean the
 8 same thing; is that right?
 9 A. For me it can. I understand it
 10 that way.
 11 Q. When you been using it here
 12 with us today, did you mean different things
 13 when you said pitch than tone or do you mean
 14 the same thing?
 15 A. No, for me they mean the same.
 16 For you tone may be base and treble on a
 17 radio. For me it is not because I am working
 18 within a studio.
 19 Q. I want to understand how you
 20 are using it.
 21 A. Like someone says how do you
 22 like my tone? To me it is their pitch.
 23 Q. I understand about drums having
 24 pitch. But then let me ask does Bust Dat
 25 Groove have any melody?

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 A. Again, it is a difficult
 3 question because melody is different to us.
 4 Melody to you is like a song we sing. To me a
 5 drum kit has melody because it is a low tone,
 6 a low pitch with a high pitch, moves around
 7 and creates its own sort of rhythmic melody.
 8 But maybe to a trumpet player they may not see
 9 it that way, I don't know.
 10 Q. Just earlier you testified that
 11 Bust Dat Groove does not have melody. Are you
 12 now changing your testimony to say that it
 13 does have melody?
 14 MR. CHIN: Objection.
 15 A. No, I am not. I am saying it
 16 doesn't have melody in the way maybe you may
 17 consider it or someone else. I'm saying the
 18 Celebrex commercial had its own melody you can
 19 hear the whistling and flute, whatever was
 20 going on.
 21 But when you listen to
 22 Aparthenonia and Bust Dat Groove, they share
 23 the same tone. You can almost hum the low end
 24 and high end. It is not, again, a melody
 25 where it is recognized that way maybe by

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 certain musicians. I am sure drummers and
 3 other folks like myself consider it a form of
 4 melody. Maybe not written melody. But it is
 5 melody. It has got its own melody.
 6 Q. Can you hum the melody?
 7 A. Yeah, it goes "hum, hum, hum,
 8 hum," goes up and down. It doesn't go "hum,
 9 hum, hum" straight. There is a tone to the
 10 snare. Especially as bright as highly pitched
 11 as the snare was recorded that is what
 12 distinguishes, most snares are pretty flat.
 13 They don't have that high bite. They sound
 14 boxy.
 15 There are things called box
 16 snares, this snare was tuned high when he
 17 tuned the skins, that was the initial thing I
 18 knew was the same snare when I heard the roll
 19 and things of that nature I was able to. So
 20 that kit, that drum kit creates its own
 21 melody.
 22 Q. Have you ever heard a snare
 23 drum tuned tightly to have a high pitch like
 24 the one on Bust Dat Groove before?
 25 A. Yes. Or higher but not exact.

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 Q. You never heard one tightened
 3 to have exactly the pitch of Bust Dat Groove;
 4 is that correct?
 5 A. That is correct.
 6 Q. Would it be possible to tighten
 7 snare drum to have exactly the pitch of Bust
 8 Dat Groove?
 9 MR. CHIN: Objection.
 10 A. I believe you could somehow
 11 come close, but depending on the skin, the
 12 drum, the equipment. I can't say it would be
 13 exact.
 14 Q. If you had the same snare
 15 drum -- not the same but if you had a snare
 16 drum made by the same manufacturer, put out in
 17 the same production, etc., could you tighten
 18 that one to have the same pitch?
 19 MR. CHIN: Objection.
 20 A. Possible. Maybe accidently
 21 because you would have to know where he went
 22 how far he tightened it. It is individual
 23 taste in each drummer.
 24 Q. Thousands of drummers in the
 25 U.S.; right?

390	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 Q. They play equally on both</p> <p>3 speakers straight up the middle?</p> <p>4 A. Straight up the middle they</p> <p>5 fill both speakers, yes.</p> <p>6 (Track Playing.)</p> <p>7 Q. Did you adjust the pitch at all</p> <p>8 in making these two snare roll comparisons?</p> <p>9 A. I do not recall. I only recall</p> <p>10 the snare.</p> <p>11 Q. So you might have or you might</p> <p>12 not?</p> <p>13 MR. CHIN: Objection.</p> <p>14 A. I would probably say might not.</p> <p>15 Q. But you don't recall for</p> <p>16 certainty today?</p> <p>17 A. I don't recall for certainty,</p> <p>18 no, I do not.</p> <p>19 Q. Let's listen to track 2.</p> <p>20 (Track Playing.)</p> <p>21 Q. Can you describe what we are</p> <p>22 listening to on track 2?</p> <p>23 A. You are listening to samples of</p> <p>24 the closed hi-hat in Aparthenonia and closed</p> <p>25 hi-hat from Bust Dat Groove.</p>	392	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 A. Yes, I do.</p> <p>3 Q. Is it your opinion that using</p> <p>4 digital signal processing you could make those</p> <p>5 two sounds sound exactly the same?</p> <p>6 A. If I had the exact same</p> <p>7 settings I believe I can. Whatever the</p> <p>8 settings were that were used to brighten and</p> <p>9 equalize and process that hi-hat.</p> <p>10 Q. Could you do it on your own?</p> <p>11 A. Yes. But I couldn't be sure of</p> <p>12 the preset. There are literally thousands of</p> <p>13 reverbs, depending on what the defendant has</p> <p>14 in his collection. I would only be making a</p> <p>15 guess.</p> <p>16 Q. Given enough time can you make</p> <p>17 them sound, do you think in your professional</p> <p>18 opinion, the same through use of DSP?</p> <p>19 A. I think my current opinion of</p> <p>20 it being 98 percent the same I can bring it</p> <p>21 probably up to 99. I couldn't be 100 because</p> <p>22 I would have no knowledge what the reverb was</p> <p>23 so that it would be unquestionable. You</p> <p>24 couldn't tell the difference in the reverbs,</p> <p>25 but I don't know what that setting is.</p>
391	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 Q. Is the first sound from</p> <p>3 Aparthenonia?</p> <p>4 A. The first one is Aparthenonia.</p> <p>5 Q. Second one is from Bust Dat</p> <p>6 Groove?</p> <p>7 A. Correct.</p> <p>8 Q. Then do they repeat again A B,</p> <p>9 A B?</p> <p>10 A. Yes. That is the arrangements.</p> <p>11 Q. Is this the closed hi-hat you</p> <p>12 are referring to in 13 B of your declaration</p> <p>13 on page 6?</p> <p>14 A. Yes.</p> <p>15 Q. I am going to play that again</p> <p>16 from the beginning.</p> <p>17 (Track Playing.)</p> <p>18 Q. So those two don't sound</p> <p>19 exactly the same to me. One sounds a little</p> <p>20 flatter. Do you hear any difference?</p> <p>21 MR. CHIN: Objection.</p> <p>22 A. That is the DSP. That is what</p> <p>23 the signal processing does.</p> <p>24 Q. So you hear the difference,</p> <p>25 too?</p>	393	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 Q. Is it your testimony if you</p> <p>3 heard just this hi-hat from Bust Dat Groove</p> <p>4 used in another song you would know the hi-hat</p> <p>5 came from Bust Dat Groove?</p> <p>6 A. Not initially, no. I would</p> <p>7 have to be directed to, a client would have to</p> <p>8 tell me I believe this hi-hat is from my</p> <p>9 record. I couldn't just pick it out. No. I</p> <p>10 would have to look for it.</p> <p>11 Q. If you were directed to it. If</p> <p>12 you're just comparing hi-hats, say that's all</p> <p>13 that was taken, then would you be able to</p> <p>14 determine whether the hi-hat came from Bust</p> <p>15 Dat Groove?</p> <p>16 A. I believe I would.</p> <p>17 Q. Do you feel confident of that?</p> <p>18 A. To the extent that if I</p> <p>19 couldn't I would just say I can't. I am</p> <p>20 assuming we're talking about someone asking me</p> <p>21 to pick out a hi-hat from something. As I</p> <p>22 told Mr. Vargas, if I don't think it is there</p> <p>23 I am not even going to bother to look.</p> <p>24 Q. What is the basis for your</p> <p>25 feeling of confidence if you heard the Bust</p>

406	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 he requested it, even if I remember correctly</p> <p>3 Reasons wasn't even mentioned in the</p> <p>4 beginning. It was just a master. Reasons</p> <p>5 from what I understand came later.</p> <p>6 Q. Let's listen to the rest of</p> <p>7 these tracks quickly and get you on your way.</p> <p>8 Track number 3.</p> <p>9 (Track Playing.)</p> <p>10 Q. Can you describe what we are</p> <p>11 hearing there?</p> <p>12 A. We are hearing the kick drum</p> <p>13 that I mentioned was used as a filler kick</p> <p>14 that was pulled out of Bust Dat Groove and</p> <p>15 used in Aparthenonia. We hear, my opinion, a</p> <p>16 slight difference because of processing. Bit</p> <p>17 of a brighter edge but core of the kick is the</p> <p>18 same.</p> <p>19 Q. When you say filler kick, that</p> <p>20 is referring to the alternate kick that is</p> <p>21 described in 13 D of your declaration on</p> <p>22 page 6; correct?</p> <p>23 A. Correct.</p> <p>24 Q. I heard a difference in the 2</p> <p>25 tracks. Sorry, let's backup. What do we</p>	408	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 (Track Playing.)</p> <p>3 Q. What is track 3, what are we</p> <p>4 hearing?</p> <p>5 A. Track 3 is the kick that was</p> <p>6 sampled from the second beat going into the</p> <p>7 third.</p> <p>8 Q. Is that the kick splash?</p> <p>9 A. Splash.</p> <p>10 Q. Referred to at 13 C of your</p> <p>11 declaration?</p> <p>12 A. Correct. The differences</p> <p>13 you're hearing are in brightness, but you have</p> <p>14 the splash on the kick.</p> <p>15 Q. In both?</p> <p>16 A. In both. If you turn the</p> <p>17 speakers toward you you can hear it. That</p> <p>18 again was one of the reasons I was more and</p> <p>19 more convinced as I went by, because how would</p> <p>20 Reasons create a kick with Ralph's splash in</p> <p>21 it with the same tone of kick. It is just</p> <p>22 like twins almost. It is almost like twins.</p> <p>23 So how can they come from two</p> <p>24 different mothers if it is twins, it is from</p> <p>25 the same guy in my opinion. It was somehow</p>
407	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 hear, what is the first sound we hear played</p> <p>3 on that track 3?</p> <p>4 A. Do you want me to tell you</p> <p>5 before you play it?</p> <p>6 Q. Yes.</p> <p>7 MR. CHIN: Is it track 3 or 4.</p> <p>8 MR. OLSON: Track 3. We are</p> <p>9 on track 3.</p> <p>10 A. You are hearing this sample of</p> <p>11 Aparthenonia's kick hit first. Then you're</p> <p>12 hearing the Bust Dat Groove one hit.</p> <p>13 Q. Okay. I think Mr. Chin pointed</p> <p>14 something out here. So I am playing track 3.</p> <p>15 A. 4.</p> <p>16 MR. CHIN: That is what I</p> <p>17 thought.</p> <p>18 Q. Let me play again this is track</p> <p>19 3. In your declaration we are both looking at</p> <p>20 on page 8 here it says track 4 is the filler</p> <p>21 track; right?</p> <p>22 A. Correct.</p> <p>23 Q. Let's start again with track 3</p> <p>24 and have it fresh?</p> <p>25 A. I know where you are. Go on.</p>	409	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 sampled by someone and used as a kick in this</p> <p>3 song.</p> <p>4 Q. But you don't know or you can't</p> <p>5 personally say that it is impossible to use</p> <p>6 Reason to make a kick splash sound; is that</p> <p>7 correct?</p> <p>8 A. It is not impossible to make</p> <p>9 any kick and a splash. You know the degree</p> <p>10 that would have to be different was so small</p> <p>11 for me to go, oh, I'm out of here. It would</p> <p>12 be that small, but it just doesn't exist. If</p> <p>13 BT's friend was in the studio, BT didn't know,</p> <p>14 he loaded sounds, something like that, you</p> <p>15 could get me with that. Everyone is claiming,</p> <p>16 yeah, this is from a program that sounds</p> <p>17 exactly like this gentleman's record. It is</p> <p>18 virtually impossible to me.</p> <p>19 Q. I understand. I want to try to</p> <p>20 get through these.</p> <p>21 A. Forgive me. That is why I am</p> <p>22 saying it sounds the same where you go can it</p> <p>23 be happening with another? Sure anything</p> <p>24 could happen. But the possibilities that this</p> <p>25 guy in New York, that guy way over there did</p>

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 it the same, I don't believe him.
 3 Q. First on track 3 do we have
 4 Aparthenonia's kick; is that right?
 5 A. Correct. It is the brighter
 6 one.
 7 Q. Then second is Bust Dat Groove
 8 kick?
 9 A. Correct.
 10 Q. They repeat A B as before?
 11 A. Correct.
 12 Q. Let's listen one more time.
 13 A. Sure.
 14 (Track Playing.)
 15 Q. Is there a splash on that first
 16 one?
 17 A. There is a splashy sort of what
 18 we call gated sound. It is almost like a
 19 cough. You hear reverb hangs, it is like a
 20 "pa" but then a gate goes "chu, chu", it is a
 21 reverb gated and cut off. That is not exactly
 22 a gated reverb, but gated sounds. It is a
 23 splashy sound, it is absolutely identical on
 24 both other than brightness, the EQ. I believe
 25 if I bring that one up with the treble and add

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 whatever the reverb was on that it would be
 3 absolutely identical.
 4 Q. In your expert opinion what
 5 instrument is used to create the sound we are
 6 hearing on track 3?
 7 A. The complete sound?
 8 Q. Yeah.
 9 A. It is a kick drum with a cymbal
 10 hitting simultaneously on top of it.
 11 Q. Let's listen to track 4.
 12 (Track Playing.)
 13 Q. What are we hearing on track 4?
 14 A. You are hearing the filler kick
 15 being used in Aparthenonia, then in Bust Dat
 16 Groove.
 17 Q. Is that what is called the
 18 alternate kick in 13 D of your declaration?
 19 A. Correct.
 20 Q. Back to track 3 for a second.
 21 Did track 3 contain the kick splash that is
 22 referred to as 13 C in your declaration?
 23 A. Correct.
 24 Q. Which one do we hear first on
 25 track 4?

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 A. The first one you heard was
 3 Aparthenonia. The second was Bust Dat Groove.
 4 Q. Do they repeat A B?
 5 A. Yes, they do.
 6 (Track Playing.)
 7 Q. I am going to play it again.
 8 Wrong track. Okay.
 9 (Track Playing.)
 10 Q. Again I hear somewhat of a
 11 difference, do you hear a difference in those
 12 two?
 13 A. Slight.
 14 MR. CHIN: Objection.
 15 Q. What was your answer?
 16 A. My answer was I hear a slight
 17 difference.
 18 Q. What in your opinion creates
 19 that difference?
 20 A. EQ and DSP. Equalization,
 21 brighter top, and a digital signal processing
 22 to let it breath a little more.
 23 Q. Now I want to take you to track
 24 5. This is where we are going to hear
 25 Aparthenonia and then Bust Dat Groove;

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1 IVAN A. RODRIGUEZ - CONFIDENTIAL
 2 correct?
 3 A. Yes.
 4 Q. Then it says in your
 5 declaration, the third you hear both playing
 6 at the same time and both hear the audio
 7 flange; is that right?
 8 A. Correct.
 9 Q. Let's listen to that.
 10 (Track Playing.)
 11 Q. Right there. Did they just
 12 start playing at the same time?
 13 A. They are flanging, yes, they
 14 are playing together.
 15 Q. Before we get to them playing
 16 together so the two sounds somewhat different
 17 to me, do they sound somewhat different to
 18 you?
 19 MR. CHIN: Objection.
 20 A. In my professional opinion
 21 outside of the DSP they are absolutely exact.
 22 Q. Right. But I am not asking
 23 about outside the DSP. I am saying as we
 24 listen to them?
 25 A. Yes. The DSP is lacking the

414	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 breath it seems to cut off short because of</p> <p>3 breathing the reverb.</p> <p>4 Q. I understand you think some</p> <p>5 things could be done to make them sound the</p> <p>6 same.</p> <p>7 A. Correct.</p> <p>8 Q. As we listen to them here do</p> <p>9 they sound different to you?</p> <p>10 MR. CHIN: Objection.</p> <p>11 A. Slightly.</p> <p>12 Q. I can hear difference. Can you</p> <p>13 hear a difference?</p> <p>14 A. Slight, very small.</p> <p>15 Q. To me it sounds like</p> <p>16 Aparthenonia sounds a little, I don't know,</p> <p>17 would brighter be the term?</p> <p>18 A. Right. It is brighter and</p> <p>19 airier. Again, no disrespect, I don't</p> <p>20 understand the law. My audio the way I</p> <p>21 understand audio you don't understand it. Of</p> <p>22 course it sounds different. That is why I</p> <p>23 have to continue to say slight because if</p> <p>24 someone of the same caliber of me would sit</p> <p>25 there he would understand what I mean by</p>	416	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 Q. -- moved things around to try</p> <p>3 to make it sounds like Aparthenonia?</p> <p>4 A. My statement would be moved</p> <p>5 things around to create what was done, to</p> <p>6 create Aparthenonia. I am not trying to make</p> <p>7 my record sound like theirs. I am trying to</p> <p>8 show how they used our record to sound like</p> <p>9 that. Because then it makes it sound like I</p> <p>10 am trying to emulate their record. I'm not.</p> <p>11 Q. You were trying to make it</p> <p>12 sound like Aparthenonia; right?</p> <p>13 A. Right because I knew</p> <p>14 Aparthenonia was the defendant -- the</p> <p>15 plaintiffs' record. I knew he didn't use it</p> <p>16 in that form. I had to put it, I had to edit</p> <p>17 it and move things around as was done to</p> <p>18 initially to create Aparthenonia.</p> <p>19 Q. As you think it was done?</p> <p>20 A. Because if I tried to</p> <p>21 manipulate it, it would sound nothing like</p> <p>22 Aparthenonia. If the elements were different.</p> <p>23 If we were absolutely different, no matter</p> <p>24 what I did here it would clash, it would</p> <p>25 absolutely not flange. My point being is that</p>
415	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 slight. He would say you're missing reverb,</p> <p>3 correct. Otherwise if I weren't to consider</p> <p>4 reverb I am listening to the same exact record</p> <p>5 in my world with musicians. Musicians would</p> <p>6 pick that up instantly.</p> <p>7 Q. They would pick up how it could</p> <p>8 be similar. They can hear what I can hear</p> <p>9 which is differences too; right?</p> <p>10 A. True. But as a professional</p> <p>11 they would know all it lacks is reverb,</p> <p>12 someone that has that profession, someone like</p> <p>13 yourself especially if your job is to defend</p> <p>14 the product you are going to notice some</p> <p>15 differences maybe sounds that way to you but</p> <p>16 to me or maybe even someone sitting in that</p> <p>17 desk out there, I think they would think it is</p> <p>18 exactly the same thing.</p> <p>19 Q. When we are talking about track</p> <p>20 5 here and talking about Bust Dat Groove, this</p> <p>21 is your edited version of Bust Dat Groove?</p> <p>22 A. Correct.</p> <p>23 Q. The one you took from a sample</p> <p>24 of the original Bust Dat Groove --</p> <p>25 A. Correct.</p>	417	<p>1 IVAN A. RODRIGUEZ - CONFIDENTIAL</p> <p>2 I guess the opinion is what I think. But in</p> <p>3 my testimony what I believe in my heart,</p> <p>4 Aparthenonia is not what I think, I know</p> <p>5 Aparthenonia was made from this record in my</p> <p>6 heart. That's what I believe.</p> <p>7 Q. That's what you believe based</p> <p>8 on analysis you described in this declaration?</p> <p>9 A. Correct.</p> <p>10 Q. Not based on any personal</p> <p>11 knowledge you have of how Aparthenonia was</p> <p>12 made?</p> <p>13 A. No. By the way it sounds and</p> <p>14 by the analysis.</p> <p>15 Q. Let's try to hear the flanging,</p> <p>16 I am not sure I heard that.</p> <p>17 A. You have to point it to</p> <p>18 yourself. It is hard in stereo.</p> <p>19 Q. Can you hear it?</p> <p>20 A. Yes.</p> <p>21 MR. CHIN: Where are we on</p> <p>22 time?</p> <p>23 VIDEOGRAPHER: We are at 7</p> <p>24 hours and 6 minutes.</p> <p>25 A. It will be a bit difficult but</p>