

EXHIBIT H

PART 2

EXHIBIT C

Exhibit C (Declaration by A. Ricigliano)

List of drum method books reviewed in order of year of copyright.

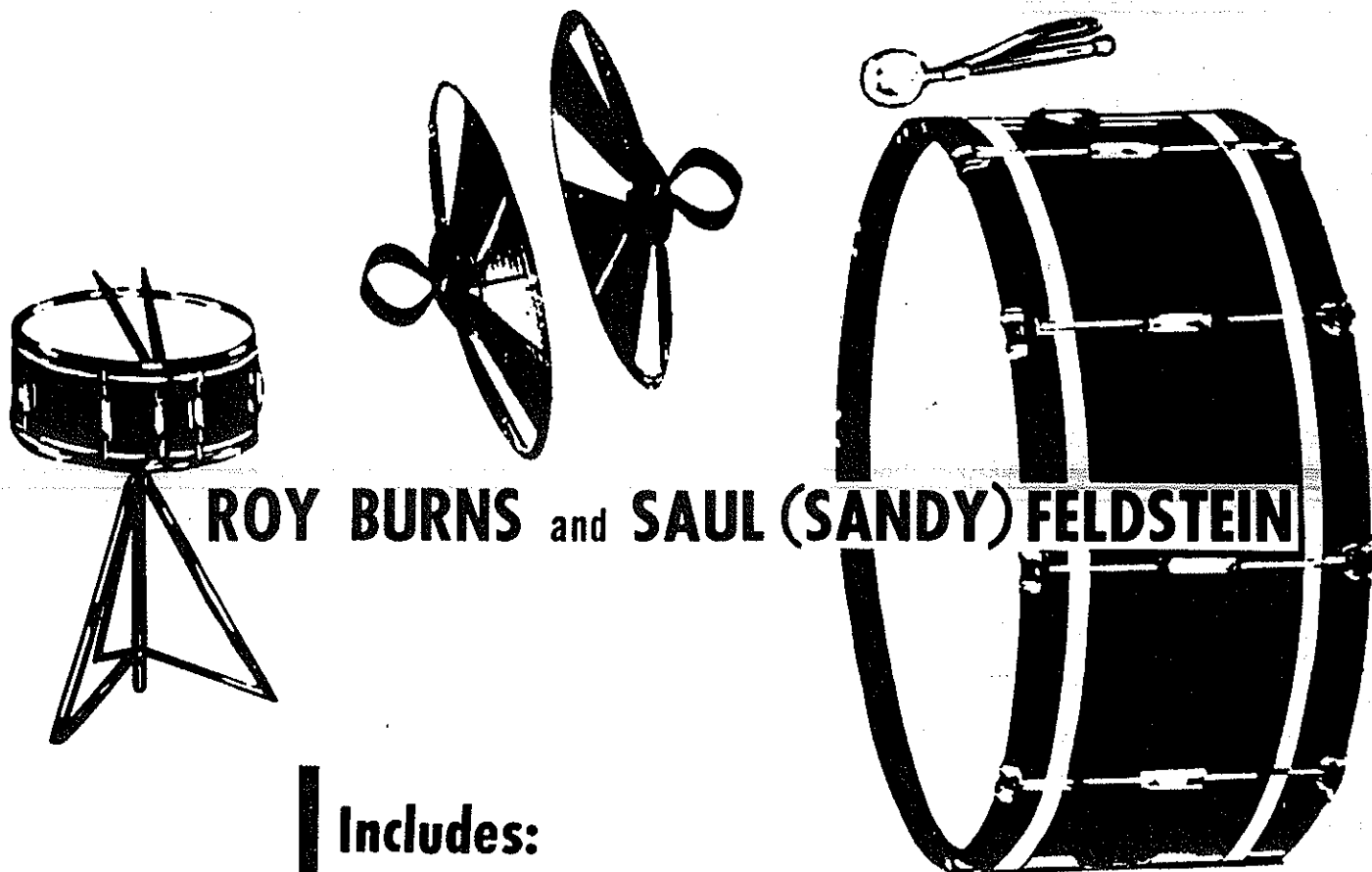
1. Burns, Roy, and Feldstein Saul (Sandy). *Intermediate Drum Method*. Belwin-Mills Publishing Corp. 1967.
2. Burns, Roy and Halpern, Howard. *Elementary Rock and Roll Drumming*. Belwin, Inc., Rockville Centre, NY, 1968.
3. Cusatis, Joe. *Rudimental Patterns (Full Drum Set Studies for the Modern Drummer)*. Belwin-Mills Publishing Corp. 1968.
4. Appice, Carmine. *Ultimate Realistic Rock Drum Method*. Warner Bros. Publications, Miami, FL, 1972.
5. Wilson, Patrick. *Basix Rock Drum Method*. Alfred Publishing Co., Inc. U.S.A. 1996.
6. Morgenstein, Rod and Mattingly, Rick. *The Drumset Musician*. Hal Leonard Corporation, Milwaukee, WI 1997.
7. Ernest, Bob. *The Phunky Hip-Hop Drummer*. Carl Fischer, New York, NY 1999.
8. Rothman, Joel. *Step One: Play Rock Drums*. Amsco Publications, New York, 1999.
9. Zubraski, Dave. *Absolute Beginners Drums*. Amsco Publications, New York, 1999.
10. Schroedl, Scott. *Play Drums Today!* Hal Leonard Corporation Milwaukee, WI, 2001.
11. Schroedl, Scott. *Hip-Hop and Rap Drum Beats & Loops*. Hal Leonard Corporation Milwaukee, WI, 2001.

1

INTERMEDIATE DRUM METHOD - BURNS - FELDSTEIN

INTERMEDIATE DRUM METHOD

IDM




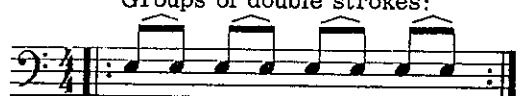
ROY BURNS and SAUL (SANDY) FELDSTEIN

Includes:

- *RUDIMENTAL STUDIES*
- *ROLL STUDIES*
- *READING EXERCISES*

Each drum rudiment, except for those employing grace notes, is a combination of single and double strokes. The rudiment is the sticking pattern.

Example:

<p>Groups of single strokes:</p>  <p>R L R L R L R L or: L R L R L R L R</p>	<p>Groups of double strokes:</p>  <p>R R L L R R L L or: L L R R L L R R</p>
---	--

For example, by combining one group of singles $\begin{pmatrix} R & L \\ L & R \end{pmatrix}$ and one group of doubles $\begin{pmatrix} R & R \\ L & L \end{pmatrix}$, we form the rudiment known as the single paradiddle $\begin{pmatrix} R & L & R & R \\ L & R & L & L \end{pmatrix}$

Accents may be added to this rudiment.

Example:



R L R R L R L L R L R R L R L L R L R R L R L L

The fingering of a rudiment may also be subjected to permutation.

Example:



R R L R L L R L

Since all standard rudiments are formed by combining groups of singles and groups of doubles, it is impossible to play anything on a drum that is not a variation of some rudiment.

A RUDIMENT IS (SHOULD BE) A MOST PRACTICAL FINGERING TO EXECUTE A MOST POPULAR RHYTHM. When fingerings are written in they are to be strictly observed. In the exercises below, it should be noted that each fingering produces a different sound, even though the rhythm remains unchanged. Each of these sounds will have its proper place under some future musical condition.

Practical Rudiment:



R L R L
L R L R
R R L L
L L R R
R L R R
L R L L

Effect Rudiment:



R L L L
L R R R
R R R L
L L L R
R R R R
L L L L

The "effect rudiment" is appropriate at times (especially when playing on a drum set), but it is difficult to execute smoothly and cleanly.

The "practical rudiment" can be played faster, with less effort and with a flowing rhythmic feeling. The practical rudiment, except for those incorporating grace notes, never has more than two beats in a row in one hand.

8.

 L R R R L L L R R R L R L R L L R L R R L L L R L R R L R L

9.

 L R L R L R L R L R L R L L L R L R L L R L R L R L L R L R L R L L

10.

 L R R L L R L R L L L R L R R L R L L R L R L L R L R L L R L R L L

L R R L L R L R L L L R L R R L R L L R L R L L R L R L L

THE RUFF

(Review)

A "ruff" is a combination of two or more single-stroked grace notes and a main note. The grace notes are much softer than the main note, and are always to be played as delicately as possible.

Examples:

The 3 Stroke Ruff:

 grace notes main note grace notes main note

The 4 Stroke Ruff:

 grace notes main note grace notes main note

The 3 Stroke Ruff:
(Single Strokes)

R L R L R L R L R L

IDM

Exercises for developing the Three Stroke Ruff

R L R L R L R L R L R L

R L R L R L R L R L R L

The 4 Stroke Ruff:
(Single Strokes)

R L R L L R L R R L R L L R L R

Exercises for developing the Four Stroke Ruff

R L R L R R L R L L R L R R L R

R L R L L R L R R L R L L R L R

The 5 Stroke Ruff:
(Single Strokes)

R L R L R L R L R L R L R L L R L R

Exercises for developing the Five Stroke Ruff

R L R L R L R L R L R L R L R L R L

R L R L R L R L R L R L R L R L R L

2

ELEMENTARY ROCK and ROLL DRUMMING

By **ROY BURNS** and **HOWARD HALPERN**

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	7	Playing the Hi-Hats
	8	Ride Cymbal, Bass Drum and Hi-Hat Exercises
	10	Ride Cymbal, Bass Drum, Hi-Hat and Snare Drum Exercises
	12	Eighteen Exercises Introducing Eighth Notes on Snare Drum against the Rock & Roll Cymbal Rhythm
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	18	Adding the Hi-Hat
	19	Fill-ins

After you have practiced all exercises from page 6 to 16 inclusive, using the R.C. Beat as written, practice them again and substitute the Quarter note R.C. Beat wherever applicable.

Example: Ex. 1 as written below:

Ex. 1 using Quarter note R.C. Beat:

1 & 2 & 3 & 4 &

RIDE CYMBAL and BASS DRUM EXERCISES

1 1 & 2 & 3 & 4 & 2

3 4

5 6

7 8

9 10

11 12

13 14

Elementary R & R Drum.

7 8

R.C.
S.D.
B.D.
H.H.

→ 9 10

R.C.
S.D.
B.D.
H.H.

11 12

R.C.
S.D.
B.D.
H.H.

13 14

R.C.
S.D.
B.D.
H.H.

3

Rudimental **PATTERNS**

Full Drum Set Studies for the Modern Drummer

by **JOE CUSATIS**

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Cover Design: Debbie Johns Lipton

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RULES

- 1. Practice slowly at first without Hi-Hat and Bass Drum.
- 2. Memorize each exercise.
- 3. Add Hi-Hat and then Bass Drum.
- 4. Note sticking.

CODE

Small Tom Tom
 Snare Drum
 Large Tom Tom
 Bass Drum
 Hi-Hat



THE FOUR STROKE RUFF

The following Patterns contain almost all of the possible drum set applications of the Four Stroke Ruff. Patterns 1 through 3 are each presented in three version: A) right hand lead; B) left hand lead; C) combination, using alternating Four Stroke Ruffs.

PATTERN 1.


A

B

C

4

U l t i m a t e REALISTIC ROCK




This new edition is dedicated to my mother, Mary N. Appice

Project Manager: Ray Brych • Editor: Rick Gratton • Inside poster photo: Robert Knight • Original oil painting of cover design: Arlene Lawin

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Some exercises, such as polyrhythms, cannot be varied because the ride cymbal or Hi-Hat hand is playing set patterns. For polyrhythms, play the A, B and C patterns on the Hi-Hat (worked by foot).

Part 2

CD 1



TRK 1

Quarter Notes

1.

Cym

SD

BD

2.

Cym

SD

BD

3.

Cym

SD

BD

4.

Cym

SD

BD

Realistic Rock page 17

8.
Cym
SD
BD
1 e + a 2 e + a 3 e + a 4 e + a

9.
Cym
SD
BD

10.
Cym
SD
BD

11.
Cym
SD
BD

→ **12.**
Cym
SD
BD

13.
Cym
SD
BD

14.
Cym
SD
BD

Changing Bass Drum Patterns**Sixteen Bar Solo Using Hand On 2 And 4**

The musical score is organized into five systems, each containing three staves: Cym (Cymbal), SD (Snare Drum), and BD (Bass Drum). The notation uses standard drum notation symbols: 'x' for cymbal hits, vertical lines for snare hits, and notes with stems for bass drum hits. The first system shows a consistent pattern of cymbal hits and snare hits on beats 2 and 4, with a bass drum pattern of quarter notes. The second system introduces a change in the bass drum pattern, featuring eighth notes and quarter notes. The third system continues with the new bass drum pattern and includes asterisks at the end of the system. The fourth system shows further variations in the bass drum pattern, including sixteenth notes and eighth notes, also marked with an asterisk. The fifth system concludes the solo with a final bass drum pattern, marked with an asterisk and three dots below it, indicating the end of the solo.

This section contains three staves of musical notation for a drum set. Each staff has a top line with 'x' marks representing cymbal hits and a bottom line with notes and rests representing other drum parts. The notation includes various rhythmic patterns, accents (marked with 'v'), and dynamic markings. The first two staves end with an asterisk (*), and the third staff begins with an asterisk (*).

Steady Four On The Snare

This section contains four staves of musical notation for a drum set. The first staff is labeled with 'Cym', 'SD', and 'BD' on the left side. The notation includes various rhythmic patterns, accents, and dynamic markings. The first staff begins with a double bar line and a repeat sign. The notation is consistent with the 'Steady Four On The Snare' title, showing a steady four-beat pattern on the snare drum.

5



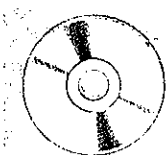
Rock Drum Method

Patrick Wilson

It's not easy learning a musical instrument, even for those who seem to have a natural ability or talent. It takes time to develop skills through practice and patience. While playing rock drums may seem easier than, perhaps, keyboard or guitar, it takes real dedication to become a virtuoso!

The ideal situation in learning any instrument is to find a great teacher. Very, very few of today's awesome players made it without someone's help. If you find you really love playing drums, you'll also find a way to study with an experienced drummer who has talent and the ability to help you do what you love: laying down great grooves and monster drives!

ABOUT THE CD



The CD that is available with the book features play-along pieces, so you can learn without having all your musician friends come over, watching and waiting while you work on playing! The right channel of the recording can be turned off, which has the drum track. Look for the CD logo throughout the book . . . it indicates where there are companion recorded examples!



Play Now!

The opening of the optional CD (Tracks 1-12) does not require use of the book. By just listening, it will take you step-by-step through the instruction needed to play a simple rock beat in less than 20 minutes! By the end of this session, you will be ready to play along with studio musicians laying down a basic rock beat!!!

Featured drummer: Dave Tull

Keyboards: Greg Hilfman

Bass: Tre Henry

Guitar: Steve Hall



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Cover photo courtesy of Yamaha Corporation of America

DIGGING IN!

Here are some basic rock-oriented patterns using sixteenths and dotted rhythms. Fills are played in the fourth bar. *The right hand*

plays on a closed hi-hat, read from the ride-cymbal line. (Because of this, the hi-hat has been omitted here.) These are

tricky, so it may take extra effort until you feel comfortable with them. Also, watch for dynamic markings (see the previous page).

♩ = 84-112 (all lines)

HH
S>

1. *f* *ff*

2. *mf* *f* *ff*

3. *mf* *f* *ff* (3 e+ ah 4 e+ ah)

4. *f* *ff*



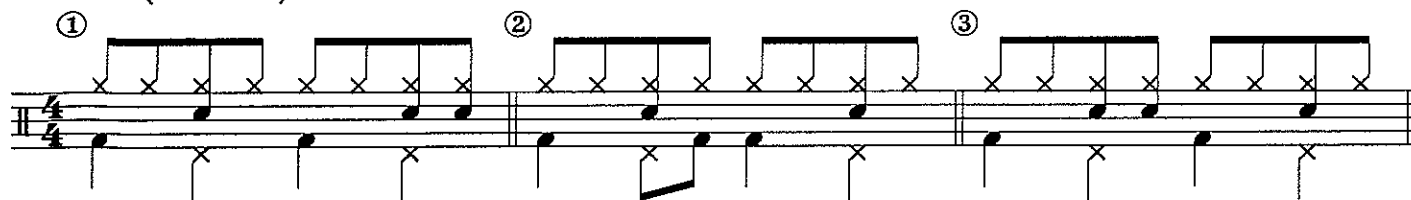
◀ **Keith Moon** (The Who)
Photo: Courtesy of M.C.A.

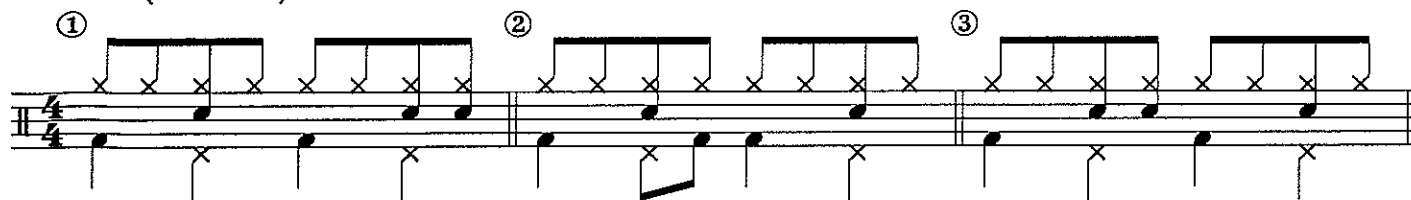
Keith Moon of The Who was one of the most influential rock drummers of all time; his often wild, expressive style reflected the general attitude of freedom and intensity that characterized the best classic rock of the 1960s and 1970s.

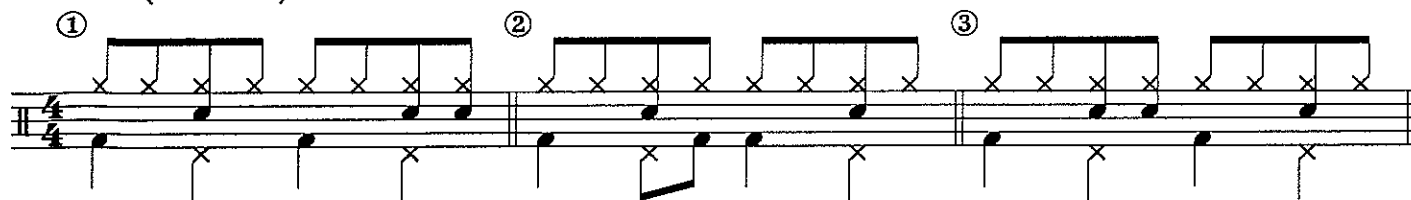
Early Rock as in *Johnnie B. Goode* (Chuck Berry) and *Proud Mary* (Creedence Clearwater Revival)

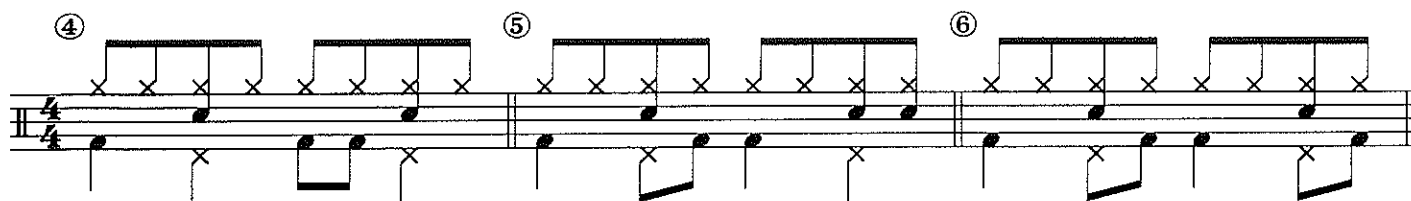
♩ = 100-160

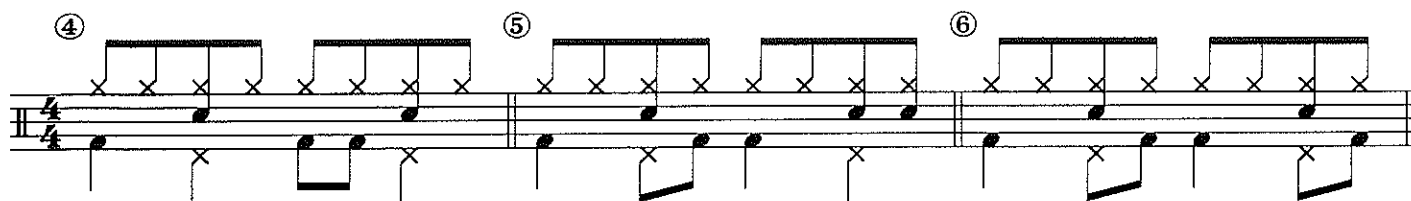
Patterns (One-bar)

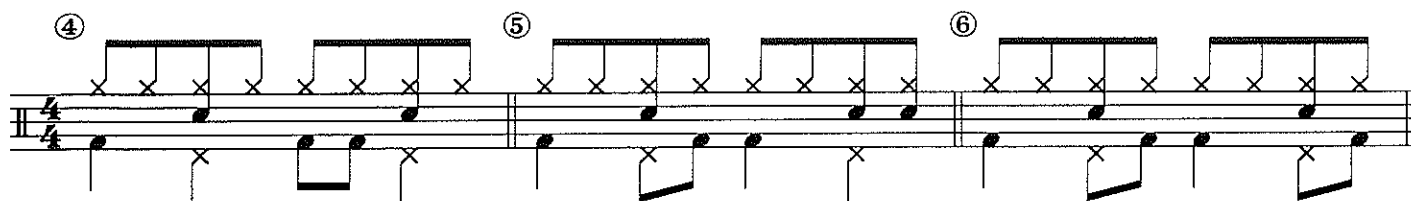
① 

② 

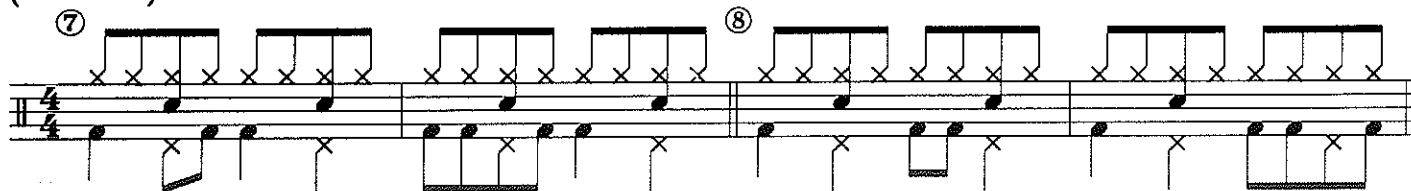
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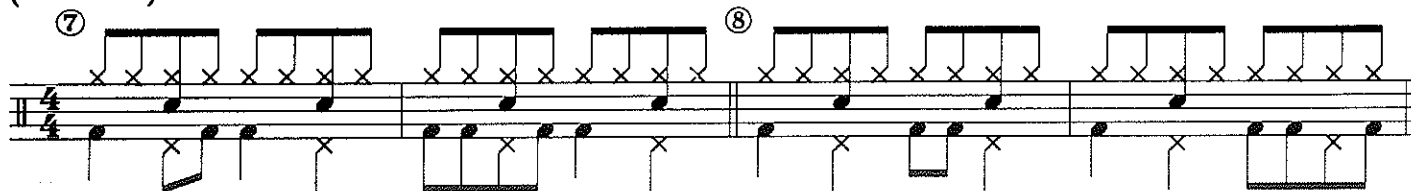
④ 

⑤ 

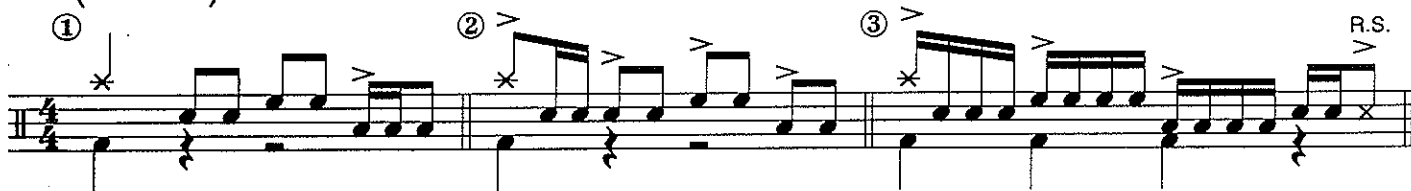
⑥ 

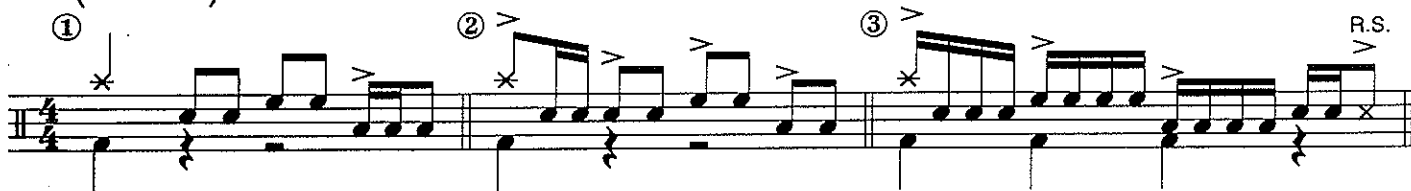
(Two-bar)

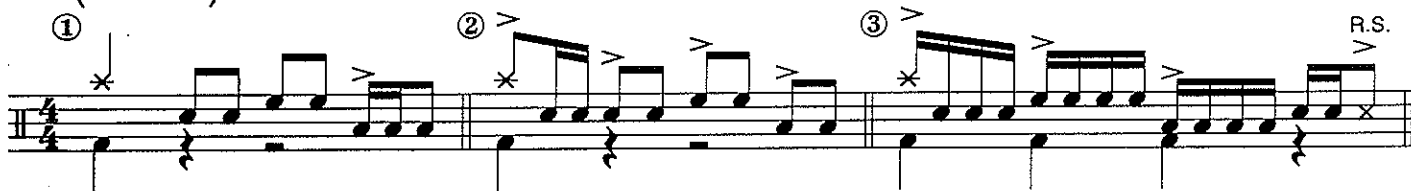
⑦ 

⑧ 

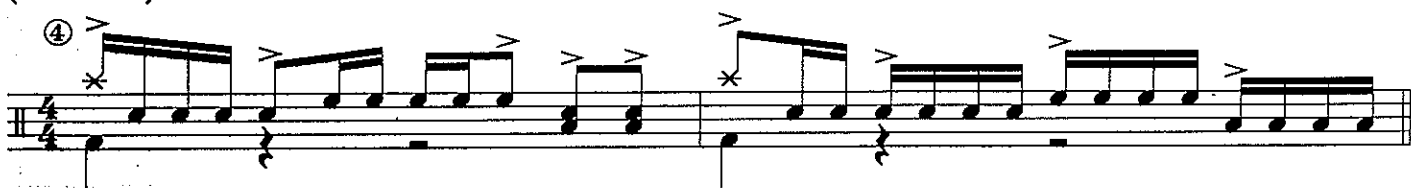
Fills (One-bar)

① 

② 

③ 

(Two-bar)

④ 

VARIATIONS

- A Try rim shots on the snare for an extra "kick."
- B Play the hi-hat on all four beats or play the ride cymbal part on closed hi-hat.
- C Instead of constant eighth notes on the ride cymbal, occasionally mix in quarter notes.

6

THE Drumset MUSICIAN

by Rod Morgenstein and Rick Mattingly

ISBN 0-7935-6554-5



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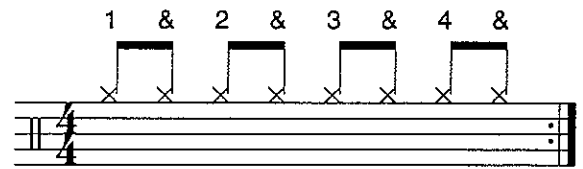
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CHAPTER ONE

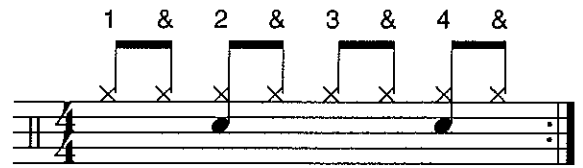
8th-note beats

This chapter begins with rock beats featuring both 8th-note and quarter-note ride patterns. The examples in this section are all in 4/4 time, which is the most common time signature used in rock music. In fact, 4/4 is also known as “common time” and instead of the 4/4 time signature you’ll sometimes see a large C at the beginning of the staff.

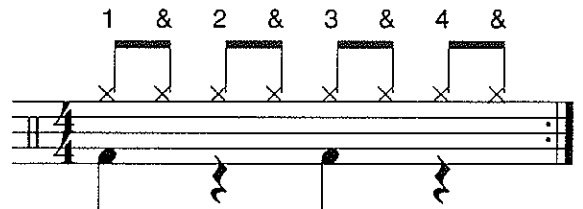
We will start with an 8th-note ride pattern. Since we are in 4/4 time, the 8th notes are dividing each beat in half, and so they are counted “1 & 2 & 3 & 4 &.” To begin, play straight 8th notes over and over on the ride cymbal or closed hi-hat with one hand, counting as in the example at right.



Next, play the ride pattern with one hand on the ride cymbal or hi-hat, and also play the snare drum with the other hand on counts 2 and 4, as shown in the example at right.



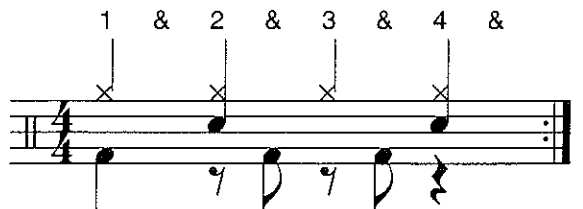
Now, try playing the bass drum along with either the ride cymbal or hi-hat. The bass drum notes should be played on counts 1 and 3, as in the example at right.



When you are comfortable with that, try playing ride cymbal (or hi-hat), snare drum and bass drum together, as in pattern 1a on page 11.

On the following pages, the left column consists of patterns with an 8th-note ride. Although the notation shows the 8th notes on the hi-hat, the examples should also be practiced with ride cymbal. Use the 8th-note ride as a framework and keep it very steady. Practice slowly at first so you can concentrate on accuracy and precision. Once you are playing a pattern correctly, you can work on playing it at faster tempos.

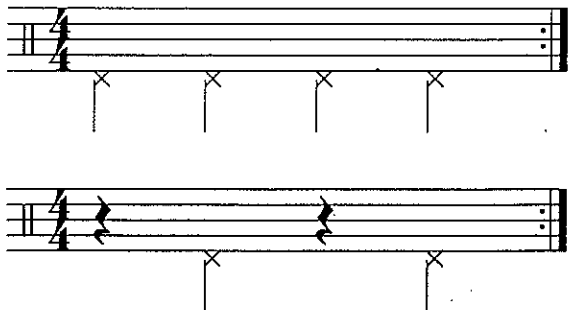
The right-hand columns on the following pages feature beats with a quarter-note ride. In each example, the bass drum and snare drum are playing the same pattern as you go across the page. The only difference is in the ride pattern. Even though you will not be playing 8th notes on every beat, you should still count “1 & 2 & 3 & 4 &” throughout the pattern so that when you do have an 8th on the second part of a beat in the bass drum or snare drum part, you will be able to place it precisely. Remember that the spaces between notes are just as important as the notes you play.



Listen to track 1 on the CD to hear how selected beats from this chapter should sound. Once you are comfortable with the patterns on a page, try playing them along with tracks 3, 5, 7 and 9 on the CD.

Left-foot hi-hat

When playing the ride cymbal, many drummers keep a pulse with the left foot on the hi-hat pedal. Two common hi-hat patterns are shown at right that can be used with the patterns in Chapter One. Be sure to bring the two hi-hat cymbals together sharply so as to produce a “chick” sound. Adding a fourth limb is a challenge, so be patient.



7



The Rhythmic Hip-Hop Drummer

By
the Beat Professor,
Bob Ernest

INCLUDES CD
with 6 play-along grooves
featuring DJ Tonee McGuire

Art Work Inspiration and Collaboration: Zachary Ernest. Audio produced and recorded by Chris Christensen at Mad Labs Studio. Special thanks to Richard Wilson, Scott Rosner, Stan Iceland, Chris Christensen, George Marsh, Chris and Eric at Chronic Music, Andrea, Berta, Matt, Alec, Zachary, Jim Long and Sandy Feldstein. Also, thanks to Jack Verga aka Cactusjack for the inspiration and technical assistance.

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The Basic Beat. Pattern number 1 is a must if you're going to play Hip-Hop or Funk. You've got to play it at all tempos and make it groove! Patterns 2-7 are simple variations of pattern number 1.

CD
2

1.
ice

1 + 2 + a 3 + 4 +

HH
SD
BD

2.

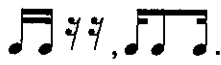
3.

4.

5.

Be
Appa 6.

7.

New Rhythms.  Some new sixteenth note patterns to break-up between the Snare Drum and the Bass Drum.



1. 1 + a 2 e + 3 + 4 +

HH
SD
BD

2.

3.

4.

5.

6.

* 7.

New Rhythms. Don't forget the accents in pattern twelve.

8.

9.

10.

11.

12.

13.

14.

8

STEP ONE:

Play **Rock Drums**

by Joel Rothman

Everything you need to know to play rock drums like a pro.

No previous knowledge of drums necessary.

Packed with solid instruction and useful photos to help you every step of the way.

Cover photography by Randall Wallace

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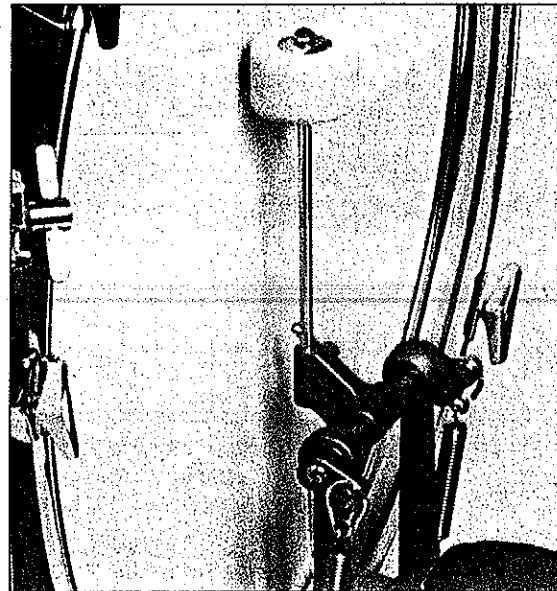
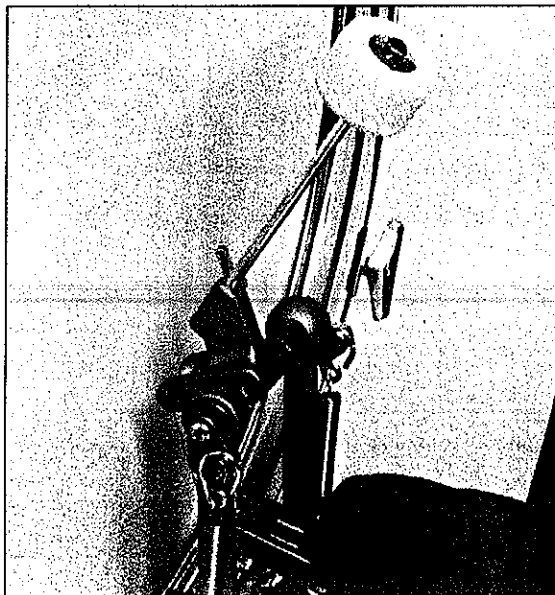
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Notice that the hi-hat rhythm is played continually, while the left stick strikes the snare only on the counts of two and four. This is the simplest, most basic pattern in rock drumming.

Elementary Rock Beats

The following group of exercises shows various possibilities for playing the bass drum, while the hi-hat and snare drum are played exactly as indicated in the last exercise.



Notes for the bass drum have their stems facing down, and the staff will now include a second line specifically for the bass drum part.

count: 1 + 2 + 3 + 4 +

hi-hat
snare
bass

1 + 2 + 3 + 4 + 1 + 2 + 3 + 4 +

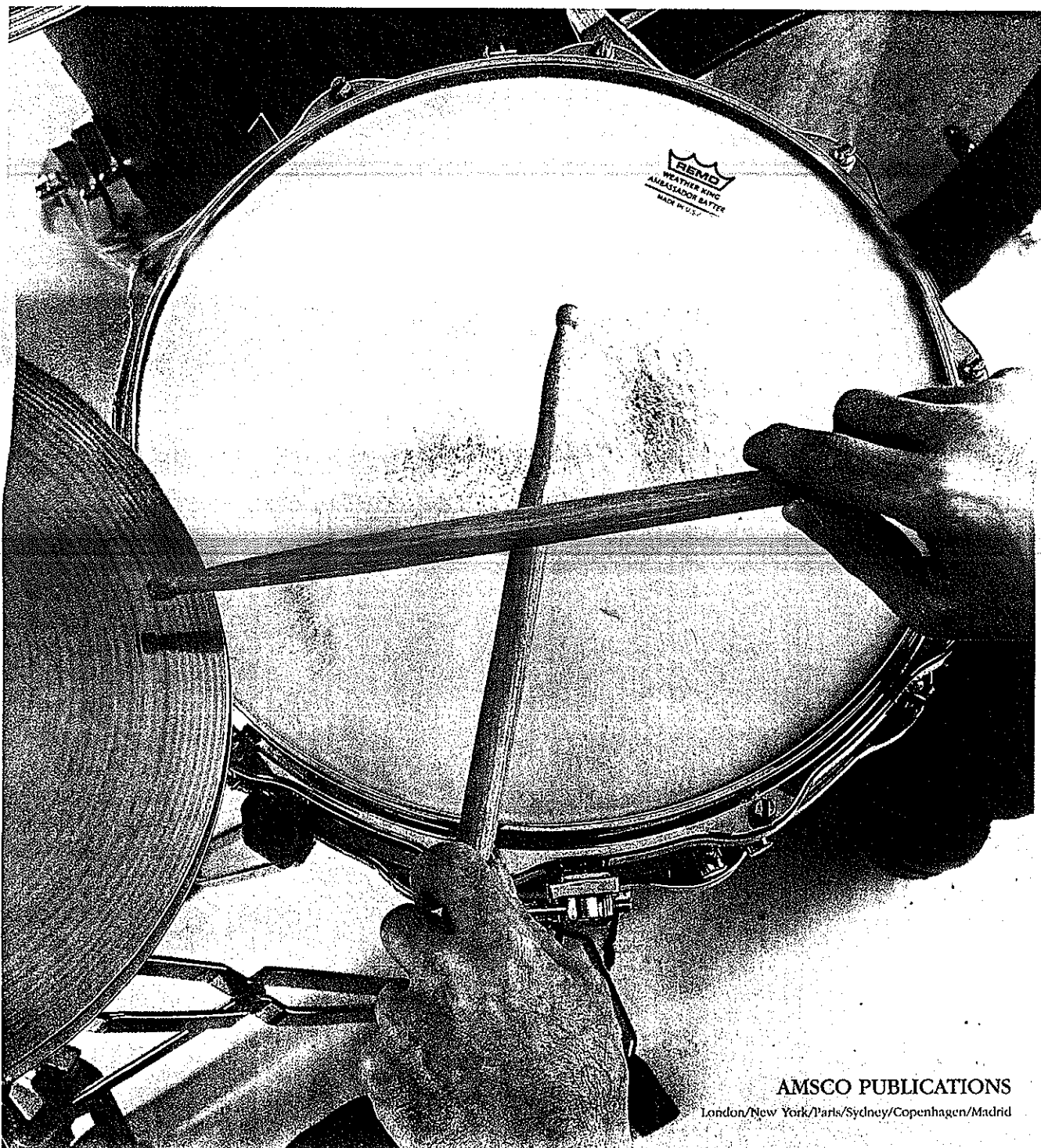
1 + 2 + 3 + 4 + 1 + 2 + 3 + 4 +

The musical notation consists of three systems of drum notation in 4/4 time. Each system has three staves: hi-hat, snare, and bass. The hi-hat part is represented by a single line with 'x' marks for hits on counts 1, 2, 3, and 4. The snare part is represented by a single line with dots for hits on counts 2 and 4. The bass part is represented by a two-line staff with stems facing down. The first system shows a basic pattern with bass drum hits on counts 1, 2, 3, and 4. The second system shows a variation with bass drum hits on counts 1, 2, 3, and 4, but with a different snare pattern. The third system shows another variation with bass drum hits on counts 1, 2, 3, and 4, and a different snare pattern. Each system is marked with a double bar line and repeat dots at the end.

9

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Model & drum consultant Jim Benham

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Basic rock rhythms

Now let's try playing a basic rock rhythm. We'll break it down into three stages:

Stage 1 Play the following eighth-note rhythm on the closed hi-hat with your right hand.

Say the count as you play: 1 & 2 & 3 & 4 & etc.

1 & 2 & 3 & 4 & etc.

H.H.

Keep practicing this exercise until you can play it with smoothness and ease.

Track 2 demonstrates this rhythm slowly, and

Track 3 speeds it up a bit.

Stage 2 Play the hi-hat rhythm as before, but now also play the snare drum with your left hand on beats 2 and 4. This means that on beats 2 and 4 you are playing both the snare and hi-hat simultaneously.

If you have trouble putting the snare and hi-hat parts together, isolate the snare part and just play on beats 2 & 4. Once you've got that rock steady, add the eighth-note hi-hat part.

Track 4 is a slower example of this rhythm.


Track 5 is slightly faster.

1 & 2 & 3 & 4 & etc.

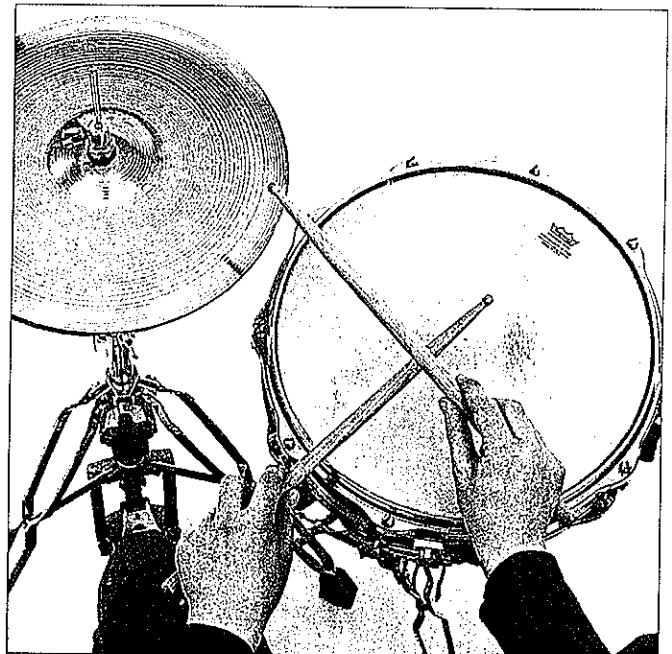
H.H.

Snare

Tip

This symbol  is called a repeat sign and it means you play all the bars that fall between two such signs twice. The first repeat sign is usually left out if it comes at the beginning of a piece.

When playing the closed hi-hat and snare drum your right hand crosses over your left hand as shown in the photograph.



10

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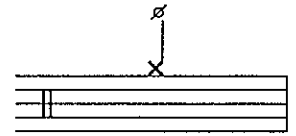
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Half-Open (Sloshy) Hi-Hat

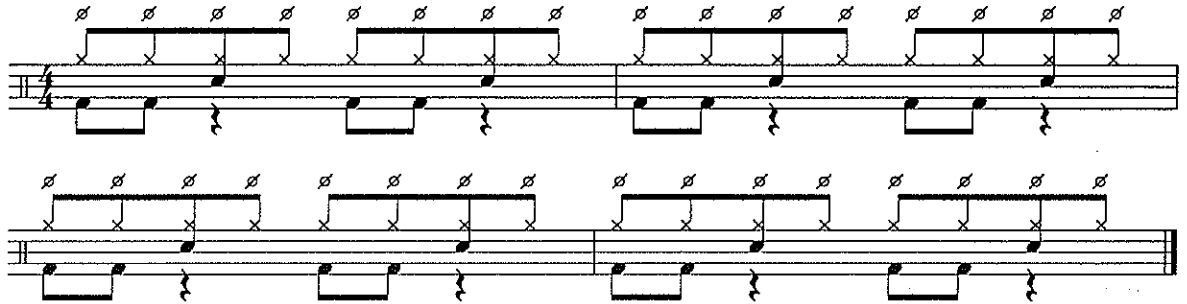
Half-open (sloshy) hi-hat notes is written on the top space above the staff, but has an "o" with a line through it above each note.



To achieve the half-open "sloshy" sound, release some pressure on the pedal so that, when you hit the cymbals, you hear a "sizzle." You can also think of this as sort of "sloppy" closed hat sound.

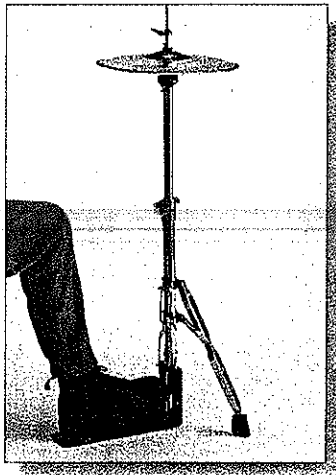


Sloshy Hat

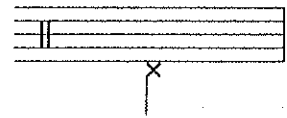


Foot Hi-Hat

You can also play the hi-hats without hitting them—by stepping on the pedal with your left foot.



■ Hi-hat played with the foot is written just below the staff, stem down.



Starting position for this technique is with your foot on the pedal, holding the cymbals closed. Just before the note to be played, open the cymbals by lifting your foot. Close the cymbals on the beat to be played, and hold them closed until you need to play them again. This way, you're not holding the cymbals open waiting for the next note. It's also easier to keep your balance on the stool.

11



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By Scott Schroedl

Produced by John Machnik

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East Coast

1

$\text{♩} = 95$

+

R L R L R

R L R L R

2

$\text{♩} = 91$

+

3

$\text{♩} = 91$

+

o

+

o

4

$\text{♩} = 97$ ($\text{♩} = \text{♩} = \text{♩}$)

+

$\text{♩} = \text{♩} = \text{♩}$

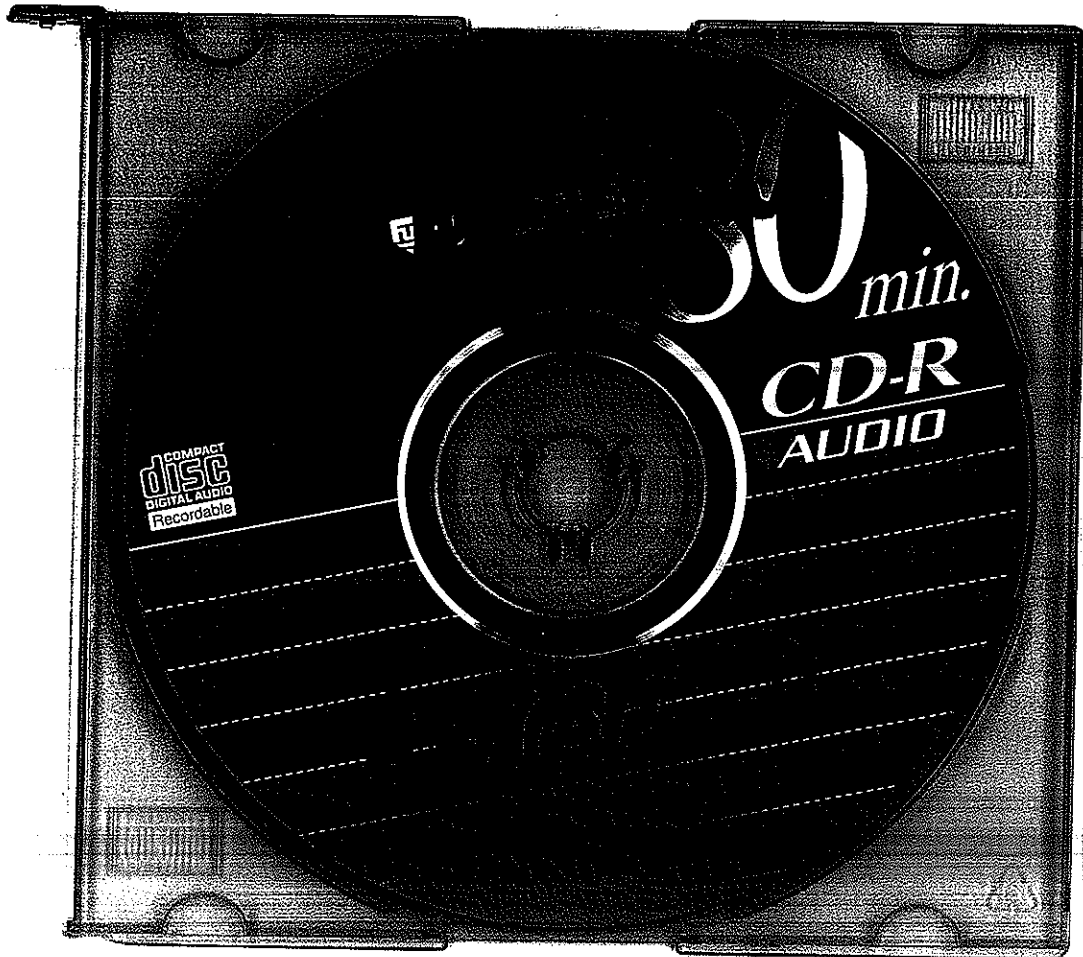
EXHIBIT D

Exhibit D (Declaration by A. Ricigliano)

List of prepared music tracks on compact disc.

Track	Title
1	<i>Bust Dat Groove</i>
2	Celebrex
3	<i>Aparthenonia</i>
The next three tracks were prepared by Donato Music from the <i>Ultimate Realistic Rock Drum Method</i> by Joe Cusatis.	
4	Basic hi-hat/snare patterns
5	Page 17 number 12
6	Page 17 number 14
The next five tracks are excerpts taken from commercially available recordings. Corresponding musical transcriptions of each excerpt are attached.	
7	<i>Stomp Em Out</i> (excerpt) recorded by Mobb Deep, currently available on the album titled "Juvenile Hell" released 1995.
8	<i>It's A New Day</i> (excerpt) recorded by The Skill Snaps 1974 (currently available on the album titled "Mastercuts Breaks" Various Artists).
9	<i>Love and Happiness</i> (excerpt) recorded by Al Green originally recorded 1972 (currently available on the CD titled "Al Green Greatest Hits).
10	<i>Float On</i> (excerpt) recorded by The Floaters 1977 (currently available on The Floaters album titled "Float On").
11	<i>Gatur Bait</i> (excerpt) recorded by The Gaturs 1994 (currently available on The Gaturs album titled "Wasted."

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30 min.

CD-R
AUDIO

Stomp Em Out

Exhibit D Track 7 (Declaration A. Ricigliano)

Excerpt from 0:15 to 0:34

The musical score is presented in a multi-stem format. The top stem is for Vocal I, with lyrics: "mid-night mur-der of two cop bod-ies on my heat Walk the street with a moth-er-fuck-in straight face". The second stem is for Vocal II, which is mostly silent. The third stem is for Sound Effects, showing a series of horizontal lines. The fourth stem is for Brass, also showing horizontal lines. The fifth stem is for High-hat, with a rhythmic pattern of 'x' marks. The sixth stem is for snare, with a rhythmic pattern of vertical lines. The seventh stem is for Bass Dr. I, with a rhythmic pattern of 'x' marks. The eighth stem is for Bass Dr. II, with a rhythmic pattern of 'x' marks. The bottom stem is for Bass, with a melodic line in bass clef. The score is divided into four measures by vertical bar lines.

The musical score is arranged in a multi-stem format. The tracks from top to bottom are: Vocal I, Vocal II, Sound Effects, Brass, High-hat, Snare, Bass Dr. I, Bass Dr. II, and Bass. The lyrics for Vocal I are: "lit-tle brown skin budd-ha suck-er, lit-tle moth-er - fuck-er I dwell, in Ju-ven-ile Hell yea yea I got the shit that make you wan-na catch a bo-dy quick Fuck em up, bust em down, Queensbridge style". The score includes rhythmic notation such as eighth notes, quarter notes, and rests, along with dynamic markings like accents and slurs. The Bass track features a complex melodic line with many accidentals.

"It's a New Day"

Exhibit D Track 8 (Declaration A. Ricigliano)

Excerpt from 0:00 - 0:34

guitar enters D7

Vocal I
Vocal II
Crash Cymbal
High-hat
Snare
Bass Dr.
Bass

whoa well now

Detailed description: This musical score system covers the first four measures of the excerpt. It features seven staves: Vocal I, Vocal II, Crash Cymbal, High-hat, Snare, Bass Dr., and Bass. The key signature is one sharp (F#) and the time signature is common time (C). The vocal parts are in treble clef. The instrumental parts are in bass clef. The guitar enters in the fourth measure with a D7 chord. The lyrics 'whoa well now' are under the notes in the fourth measure. The drum parts include a consistent high-hat pattern and a snare pattern. The bass drum part features triplet patterns in the second, third, and fourth measures.

Vocal I
Vocal II
Crash Cymbal
High-hat
Snare
Bass Dr.
Bass

ahh now now well gon - na be a new day
hey what's that's you say it's a

Detailed description: This musical score system covers the next four measures of the excerpt. It features the same seven staves as the first system. The vocal parts continue with the lyrics 'ahh now now' in the first measure, 'well gon - na be a new day' in the second measure, 'hey what's that's you say' in the third measure, and 'it's a' in the fourth measure. The instrumental parts continue with the same patterns as in the first system, including the high-hat, snare, and bass drum parts with triplet patterns.

Vocal I
well now who ya gon - na trust
yeah

Vocal II
new day and a bet - ter day's com - in can't ? gon

Crash Cymbal

High-hat

Snare

Bass Dr.

Bass

Vocal I
whoa no no
yeah
it's

Vocal II
make a bust just step to the back of the bus

Crash Cymbal

High-hat

Snare

Bass Dr.

Bass

"Love and Happiness"

Exhibit D Track 9 (Declaration A. Ricigliano)

Excerpt from 0:35-1:00

The musical score is arranged in a standard multi-stem format. The tracks from top to bottom are: Vocal, Guitar, Hammond, Brass, High-hat, Snare, Bass-Dr., and Bass. The key signature is one sharp (F#) and the time signature is 4/4. The vocal line contains the lyrics: "love and hap - pi - ness", "wait a min - ute some - thing's", and "go - in wrong some - one's". The guitar part features a triplet of eighth notes in the first measure of the second system. The Hammond and Brass parts provide harmonic support with chords and sustained notes. The percussion tracks (High-hat, Snare, Bass-Dr.) maintain a steady rhythmic pattern throughout the excerpt.

3

Vocal
on the phone
three o'clock in the morn - in
yeah
talk - in
bowl
how
she can make it right
yeah

Guitar

Hammond

Brass

High-hat

Snare

Bass-Dr.

Bass

3

Detailed description: This is a multi-stem musical score for the song "Love and Happiness". The score is arranged in a standard Western format with the vocal line at the top and the instrumental accompaniment below. The vocal line is written in a treble clef with a key signature of one sharp (F#) and a 4/4 time signature. The lyrics are: "on the phone", "three o'clock in the morn - in", "yeah", "talk - in", "bowl", "how", "she can make it right", "yeah". There are two triplet markings (the number 3) above the vocal line, one at the beginning of the first phrase and one at the end of the final phrase. The instrumental parts include: Guitar (treble clef), Hammond (treble clef), Brass (treble clef), High-hat (percussion line with 'x' marks), Snare (percussion line with vertical tick marks), Bass-Dr. (percussion line with vertical tick marks), and Bass (bass clef). The bass line features a prominent walking bass pattern. The Hammond and guitar parts provide harmonic support with chords and melodic lines. The percussion parts (High-hat, Snare, Bass-Dr.) create a steady, rhythmic accompaniment.

"Float on" Exhibit D Track 10 (Declaration A. Ricigliano)

Excerpt Starting at 3:05

This musical score is for the track "Float on" and covers an excerpt starting at 3:05. The score is arranged in a multi-stem format with the following parts from top to bottom:

- Vocal:** Features a melodic line with lyrics "Float on" repeated. A "P" (piano) dynamic marking is present in the fifth measure.
- Effects:** A track with a few notes and a "P" dynamic marking in the fifth measure.
- Synth I:** A synthesizer line with a complex, rhythmic pattern.
- Synth II:** A synthesizer line with a complex, rhythmic pattern.
- Guitar I:** A guitar line with a complex, rhythmic pattern.
- Guitar II:** A guitar line with a complex, rhythmic pattern. Chord diagrams for G Maj 7 and D Maj 7 are provided below the staff.
- Triangle:** A track with a complex, rhythmic pattern.
- High-hat:** A track with a complex, rhythmic pattern.
- Snare:** A track with a complex, rhythmic pattern.
- Bass Dr.:** A track with a complex, rhythmic pattern.
- Bass:** A bass line with a complex, rhythmic pattern.

The score is written in 4/4 time and includes various musical notations such as notes, rests, and dynamic markings.

Gatur Bait

Exhibit D Track 11 (Declaration A. Ricigliano)

Excerpt from 0:00 to 0:27

The musical score is presented in a multi-stem format with the following instruments and parts:

- Electric Piano:** Treble clef, playing a melodic line with chords and single notes.
- Guitar:** Bass clef, playing a rhythmic accompaniment.
- Tambourine:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- Bongos:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- High-Hat:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- Hand-Claps:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- Snare:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- Bass Dr.:** Treble clef, marked with 'x' symbols indicating rhythmic hits.
- Bass:** Bass clef, playing a melodic line.

The score is divided into two main sections. The first section (0:00 to approximately 0:15) features a steady, repetitive rhythmic pattern across all instruments. The second section (approximately 0:15 to 0:27) introduces a change in the electric piano and guitar parts, with the electric piano playing a more complex melodic line and the guitar playing a more active accompaniment. The percussion instruments continue their rhythmic pattern throughout.

Gatur Bait

Exhibit D Track 11 (Declaration A. Ricigliano)

This musical score is for the track "Gatur Bait" and is presented as a multi-stemmed score. The instruments and their parts are as follows:

- Electric Piano:** The top staff, written in treble clef, features a melodic line with various chords and rests.
- Guitar:** The second staff, written in bass clef, provides a rhythmic accompaniment with a mix of eighth and sixteenth notes.
- Tambourine:** The third staff uses a rhythmic notation of vertical lines with asterisks to represent the characteristic "chick" sound.
- Bongos:** The fourth staff uses a rhythmic notation of vertical lines with asterisks to represent the bongo drum's sound.
- High-Hat:** The fifth staff uses a rhythmic notation of vertical lines with asterisks to represent the high-hat drum's sound.
- Hand-Claps:** The sixth staff uses a rhythmic notation of vertical lines with asterisks to represent the sound of hand claps.
- Snare:** The seventh staff uses a rhythmic notation of vertical lines with asterisks to represent the snare drum's sound.
- Bass Dr.:** The eighth staff uses a rhythmic notation of vertical lines with asterisks to represent the bass drum's sound.
- Bass:** The bottom staff, written in bass clef, provides the bass line with a mix of eighth and sixteenth notes.

The score is organized into measures across the top, with vertical lines separating the stems. The overall style is that of a professional music manuscript.

EXHIBIT E

Celebrix

Exhibit E (Declaration A. Ricigliano)

Musical score for the first system of 'Celebrix'. The score is in 4/4 time and the key signature has three sharps (F#, C#, G#). The instruments and their parts are:

- Synth:** Remains silent throughout the system.
- Guitar:** Remains silent until the second measure, then plays a short melodic phrase with a *Ritardando* marking.
- High-hat:** Plays a steady eighth-note pattern.
- Snare Dr.:** Plays a pattern of quarter notes and eighth notes.
- Tom-tom:** Plays a pattern of quarter notes and eighth notes, including triplet markings (indicated by a '3' below the notes).
- Bass Dr.:** Plays a pattern of quarter notes and eighth notes.
- Bass:** Plays a simple eighth-note bass line.

Musical score for the second system of 'Celebrix'. The instruments and their parts are:

- Synth:** Enters in the second measure with a melodic line.
- Guitar:** Enters in the first measure with a melodic line.
- High-hat:** Continues with the eighth-note pattern.
- Snare Dr.:** Continues with the quarter and eighth note pattern.
- Tom-tom:** Continues with the quarter and eighth note pattern, including triplet markings.
- Bass Dr.:** Continues with the quarter and eighth note pattern.
- Bass:** Continues with the eighth-note bass line.

wind gust
Glissando

This musical score system includes seven staves: Synth, Guitar, High-hat, Snare Dr., Tom-tom, Bass Dr., and Bass. The Synth part begins with a melodic line in treble clef, marked with *wind gust* and *Glissando*. The Guitar part has a whole rest in the first two measures, followed by a chord in the third measure. The High-hat, Snare Dr., and Bass Dr. parts feature a consistent rhythmic pattern of 'x' marks. The Tom-tom part includes a triplet of eighth notes in the first two measures, marked with a '3' below. The Bass part provides a steady bass line in bass clef.

This musical score system includes seven staves: Synth, Guitar, High-hat, Snare Dr., Tom-tom, Bass Dr., and Bass. The Synth part continues with a melodic line in treble clef. The Guitar part features a series of chords and melodic fragments in treble clef. The High-hat, Snare Dr., and Bass Dr. parts maintain the same rhythmic pattern as the first system. The Tom-tom part includes a triplet of eighth notes in the second and third measures, marked with a '3' below. The Bass part continues with a steady bass line in bass clef.

The first system of the musical score consists of seven staves. From top to bottom, they are: Synth, Guitar, High-hat, Snare Dr., Tom-tom, Bass Dr., and Bass. The key signature is three sharps (F#, C#, G#) and the time signature is 4/4. The Synth part has a melodic line with eighth notes. The Guitar part plays a steady eighth-note accompaniment. The High-hat and Snare Dr. parts provide a consistent rhythmic pattern. The Tom-tom part features a triplet of eighth notes in each measure. The Bass Dr. part has a pattern of eighth notes and rests. The Bass part provides a simple bass line with quarter and eighth notes.

The second system of the musical score consists of seven staves, identical in layout to the first system: Synth, Guitar, High-hat, Snare Dr., Tom-tom, Bass Dr., and Bass. The key signature and time signature remain the same. The Synth part continues its melodic line. The Guitar part maintains its eighth-note accompaniment. The High-hat and Snare Dr. parts continue their rhythmic patterns. The Tom-tom part continues with its triplet eighth-note pattern. The Bass Dr. part continues its eighth-note pattern. The Bass part continues its bass line.

The first system of the musical score consists of seven staves. The top staff is for Synth, followed by Guitar, High-hat, Snare Dr., Tom-tom, Bass Dr., and Bass. The key signature is three sharps (F#, C#, G#) and the time signature is 4/4. The Synth part begins with a melodic line in the second measure. The Guitar part features a steady eighth-note accompaniment. The High-hat, Snare, and Bass Dr. parts provide a consistent rhythmic pattern. The Tom-tom part includes triplet patterns in the second and fourth measures. The Bass part provides a low-frequency accompaniment.

The second system of the musical score continues the arrangement with the same seven staves. The Synth part continues its melodic line. The Guitar part maintains its eighth-note accompaniment. The High-hat, Snare, and Bass Dr. parts continue their rhythmic patterns. The Tom-tom part features triplet patterns in the second and fourth measures. The Bass part continues its low-frequency accompaniment.