

EXHIBIT A

WALTER MURPHY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

BOURNE CO.,)	
)	
Plaintiff,)	
)	
vs.)	No. 07 CIV. 8580 (DAB)
)	
TWENTIETH CENTURY FOX FILM)	
CORPORATION, FOX BROADCASTING)	
COMPANY, TWENTIETH CENTURY FOX)	
TELEVISION, INC., TWENTIETH)	
CENTURY FOX HOME ENTERTAINMENT,)	
INC., FUZZY DOOR PRODUCTIONS,)	
INC., THE CARTOON NETWORK, INC.,)	
SETH MAC FARLANE, WALTER MURPHY,)	
)	
Defendants.)	
)	

DEPOSITION OF
WALTER MURPHY
TAKEN ON
TUESDAY, MARCH 11, 2008

Reported by:
Daryl Baucum, RPR, CRR, CBC, CSR No. 10356

WALTER MURPHY

1 clear and your best testimony today.

2 A. Right. I understand.

3 Q. Mr. Murphy, how long have you been a
4 professional musician?

5 A. Since I was a teenager in high school.

6 Q. How long ago was that?

7 A. Oh, see, probably late 60's.

8 Q. And am I correct that you're both a composer
9 and a recording artist?

10 A. Yes, I have been in the past a recording
11 artist. These days I am primarily a composer of
12 television and film scores.

13 Q. How long has it been since you released your
14 last recording as a recording artist?

15 A. Oh, early 80's, although I was involved with a
16 "Family Guy" album that was out a couple of summers ago.

17 Q. You played on that album?

18 A. I arranged music and conducted the orchestra
19 and wrote songs with Seth MacFarlane but I wasn't the
20 primary recording artist.

21 Q. What would you say your three biggest hits.

22 A. "A Fifth of Beethoven," that is my -- that's
23 the medley of my hit, so to speak.

24 Q. That one is bigger than any others?

25 A. Yeah, that was the largest one. I had a record

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1 of "Rhapsody and Blue" and a few others.

2 Q. How did you come to work for "Family Guy"?

3 A. I was contacted by Fox, a lady at Fox in the
4 music department for another matter, and I happened to
5 mention or ask what was new and pending in the TV
6 department and she put me in touch with Seth MacFarlane
7 who was in preliminary stages of developing "Family
8 Guy." And I met Seth and we hit it off very well, and
9 so I have been working with him ever since.

10 Q. And what's your business relationship with Fox
11 with respect to "Family Guy"?

12 A. I guess you would say I'm an independent
13 contractor. I am not an employee of Fox but when
14 they -- they hire me to compose music for television
15 shows at their discretion.

16 Q. And do they contract with you directly or
17 through a corporation?

18 A. I have a corporation.

19 Q. What's the name of that corporation?

20 A. Crabapple Enterprises.

21 Q. Are you aware that the plaintiffs in this
22 litigation requested documents from you?

23 A. Yes, I do.

24 Q. And what did you do to find documents for those
25 requests?

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1 A. I went through my files and my library of
2 scores and selected what was requested and sent them.

3 Q. And the two pieces of written music that you
4 produced, are those the only documents that you have in
5 your possession now related to this episode of "Family
6 Guy"?

7 A. Yes.

8 Q. Do you have any personal knowledge of the
9 writing of the nonmusical elements of the Weinstein
10 episode?

11 A. No, I am never involved in script writing. My
12 portion of the process of the "Family Guy" production
13 happens after the scripts are written and the editing is
14 done. All the post production begins and then I get
15 involved writing music.

16 Q. And do you have any personal knowledge of the
17 lyric for "I Need A Jew"?

18 A. No.

19 Q. When were you first asked to be involved in
20 writing "I Need A Jew"?

21 A. I don't remember the exact date. It was in the
22 year 2000 when we began post production on that episode.
23 Let's see. I think it was the spring of the year 2000.

24 Q. But it would be during the post production
25 phase?

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1 A. Let me correct that.

2 Q. Sure.

3 A. I scored with the orchestra in the spring of
4 the year 2000. The song was actually written probably
5 six or eight months prior to that so that the animators
6 could animate to a guide musical track, which is usually
7 the way it's produced.

8 Q. And what did you do to produce that version of
9 the song that was used six months before its early
10 version that you just discussed before you produced the
11 score for the orchestra?

12 A. I was sent a copy of the script and I read
13 through it, and when I came to the page that had the
14 song lyrics, the parody lyrics, I used that and sat down
15 and wrote a tune to fit those lyrics.

16 Q. And did you actually transcribe that tune at
17 that point?

18 Did you produce anything in writing for that
19 purpose?

20 A. Yes, I -- I am sure I wrote down -- I made a
21 pencil sketch of the melody that I composed.

22 Q. And what was done with that piece of writing?

23 How was it used in the production of "Family
24 Guy"?

25 A. I recorded a piano version of the melody that I

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1 had written and Seth MacFarlane sang a vocal -- a what's
2 called a rough vocal so that -- so I suppose he could
3 listen to it afterward and then play it for the other
4 producers of the show and that that's -- that's what I
5 did at first.

6 Q. And did you play piano on that recording?

7 A. Yes, I did.

8 Q. Does Seth MacFarlane read music?

9 A. Yes.

10 Q. How exactly were you approached with this
11 particular assignment to write "I Need A Jew"?

12 Who approached you from "Family Guy" and gave
13 you this assignment?

14 A. I believe it was Seth or someone in Seth's
15 office either called or just sent me the script, which
16 it happens either way when production schedules get
17 busy, sometimes, you know, there is an envelope in my
18 mail box and it's a script and it's obviously for me to
19 read.

20 Q. And were you given any particular instructions
21 with respect to the song on how to write the melody?

22 A. Not at first. I read the script. I realized
23 that this was a parody of a Disney-esque -- sweet
24 Disney-esque song and I just sat down and wrote that
25 tune and played it, made a copy of it and played it for

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1 Seth, and he liked it and then he came over and sang a
2 vocal demo.

3 Q. Do you know if -- did anybody from "Family Guy"
4 ever discuss with you using the exact music from "When
5 You Wish Upon A Star"?

6 A. No.

7 Q. When you were given your instructions to write
8 the song, were you instructed to write something that
9 would evoke the particular melody of "When You Wish Upon
10 A Star"?

11 A. Actually, after I -- afterwards. I wrote this
12 particular version of the melody and Seth sang it, and
13 sometime after that -- I can't remember the sequence of
14 events exactly -- either Seth or his partner, David
15 Zuckerman, mentioned to me that they would like the
16 melody to be even closer to the Disney song, and I said
17 that I had to be careful because I have an agreement
18 with Fox that I provide unique music, and so I didn't
19 want to use any portion of the Disney song.

20 And later on, Seth sang another version of it,
21 and changed a few notes here and there to make -- to
22 make the average person realize that this was going to
23 be a parody.

24 Q. And he did he do that by making the song closer
25 to "When You Wish Upon A Star," the melody of "When You

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1 Wish Upon A Star"?

2 A. Yeah, he changed a few notes at the beginning
3 of each verse that made it a little closer so that
4 the -- he felt that the average audience member would
5 realize that this is a parody.

6 Q. So Seth wrote that part of the final melody as
7 opposed to you?

8 A. Yes.

9 Q. In the process of writing the first version
10 that you produced, did you reference any -- did you look
11 at or reference any sheet music for "When You Wish Upon
12 A Star"?

13 A. No.

14 Q. Did you listen to any recordings of "When You
15 Wish Upon A Star"?

16 A. No.

17 Q. Did you have in your mind any recollection of
18 the melody line for "When You Wish Upon A Star"?

19 A. Yes.

20 Q. And was it your intent to even in your first
21 version evoke "When You Wish Upon A Star"?

22 A. My first intention was to try and write
23 something sweet and Disney-esque, without -- without
24 actually utilizing any material from "Wish Upon a Star"
25 to try and convey the joke in the script.

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1 Q. And what joke was that?

2 A. That it was a parody of a scene from a Disney
3 movie, and the sweet melody coupled with the ridiculous
4 lyrics and the absurd imagery on the screen would be
5 funny.

6 Q. And in your view, your first version of that
7 accomplished that goal.

8 A. Yes, I think my first version evoked the
9 feeling of a Disney song.

10 Q. As you were writing the melody for "I Need A
11 Jew," were you particularly using the same melodic
12 rhythm for "When You Wish Upon A Star"?

13 A. Melodic rhythm.

14 Q. Putting aside the pitch, just, you know, the
15 rhythm of the melody.

16 A. I wasn't aware of that or intending on doing
17 that.

18 Q. Can I have the folder for Exhibit 2, please.

19 I would like to show you a document we have
20 marked as Exhibit 2. This was a document that was
21 produced in discovery as MURPHY 2 through MURPHY 15.

22 (Plaintiff's Exhibit 2 was
23 marked for identification.)

24 BY MR. FAKLER:

25 Q. I will ask you to take a look at that and tell

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1 me what it is.

2 A. This is a copy of my original orchestration
3 right here. You have the conductor's score of my
4 original orchestration for the song as it appeared on
5 the soundtrack of the show.

6 Q. Okay. So was this the final version of the
7 score that you used for the recording session?

8 A. Yes.

9 Q. Is this an accurate notation of the song as you
10 wrote it -- I should say the final version of the song
11 as you wrote it?

12 A. As far as the orchestra parts, yes. The
13 melody, I would have to actually listen to a recording
14 to see if any of the rhythm or the notes were changed by
15 Seth vocal.

16 I mean I can't honestly say that without
17 listening to it, but I can tell you that the
18 orchestration part is exactly the way it appears on the
19 soundtrack.

20 Q. Did you play the piano on the recording?

21 A. No.

22 Q. Now, when you mentioned the possibility of the
23 vocal melody changing, that would be based on Seth's
24 performance of it?

25 A. Yes.

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1 Q. And what sort of changes would he typically
2 make?

3 A. Well, any singer performing a song generally
4 tries to make it his or her own by changing inflections
5 or length of notes or even actually changing notes. I
6 don't -- I haven't heard a recording of the song in
7 quite a while. So I can't honestly tell you this is
8 notated perfectly as to the way he actually sung it.

9 Q. Would that also include, for example, if he
10 didn't come in right on the first beat --

11 A. Sure.

12 Q. -- of a phrase?

13 A. Sure.

14 Q. Or if he slowed down a little bit or sped up a
15 little bit --

16 A. Right.

17 Q. -- in the portion of a song?

18 Do you view those sort of changes as changing
19 the -- substantially changing the song that you wrote?

20 A. Well, I guess it's a -- it's hard to say it's a
21 judgment call. Depends on how much someone changes the
22 melody. It's hard to quantify unless you are talking
23 about a specific recording of a specific song and then I
24 could tell you how differently, you know, it's performed
25 than the original. I don't think any song is performed

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1 precisely the way it's notated by any particular singer.

2 Q. And you don't -- do you remember what this
3 song -- whether there were significant changes?

4 A. The difference that I can tell you from memory
5 is that the beginning of every phrase --

6 Q. Right.

7 A. -- is different from my original.

8 Q. We're not -- we're on this document.

9 A. Right.

10 Q. Just from that to the recording --

11 A. To the recording.

12 Q. -- is what I am talking about.

13 A. I think it's -- I would honestly have to listen
14 to his final recording to tell you exactly what would be
15 different. I don't remember.

16 Q. If a performer changes -- makes significant
17 changes to the melody of a song like that in the process
18 of their performance, are they generally considered to
19 have authored a new version with you of the song?

20 A. No.

21 MR. ZAVIN: Objection only to the extent you
22 said "like that." There is no evidence that that exists
23 here.

24 MR. FAKLER: That's fair enough. That's fair
25 enough.

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1 BY MR. FAKLER:

2 Q. If a performer does change a melody
3 significantly in the course of performing it for a
4 recording, have you typically recognized that person as
5 being a joint creator with you of the song of the music?

6 MR. ZAVIN: Objection.

7 MR. FAKLER: You can answer my question.

8 THE WITNESS: I have never had that occasion in
9 anything I have written.

10 BY MR. FAKLER:

11 Q. So you have never had a performer change it so
12 much that you considered it a whole new version of the
13 song.

14 A. Let me think. Not that I can think of.

15 Q. So if somebody were to have done that, is that
16 something that would stand out in your mind, giving them
17 joint authorship credit?

18 A. I would imagine.

19 MR. ZAVIN: Objection.

20 BY MR. FAKLER:

21 Q. You can answer.

22 A. Well, it's never happened, so.

23 Q. That's a fair clarification.

24 Now, I would like to have you take a look at
25 what we have marked as Plaintiff's Exhibit 3, and that

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1 was produced in discovery as MURPHY 1.

2 (Plaintiff's Exhibit 3 was
3 marked for identification.)

4 BY MR. FAKLER:

5 Q. And I would like to ask you what this document
6 is.

7 A. This is a copy of my original, what's called a
8 lead sheet of the melody of the song from --

9 Q. And this document and also Exhibit 2 that we
10 just looked at, you retrieved these from your personal
11 files?

12 A. Yes.

13 Q. And you kept these in the ordinary course of
14 performing your --

15 A. Yes.

16 Q. -- composer services for "Family Guy"?

17 A. Yes.

18 Q. Okay. Is this the original version of the song
19 that you wrote that you talked about earlier?

20 A. Yes.

21 MR. ZAVIN: Objection; only I think he said the
22 original version was a pencil version. He's testified
23 to that.

24 MR. FAKLER: Fair enough.

25 BY MR. FAKLER:

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1 Q. When you discussed finally, you know,
2 presenting a version of the song to Seth to sing that he
3 eventually rejected and -- was this that version that
4 you presented to Seth?

5 A. Yes.

6 Q. And did you ever record a version of this?

7 Did you ever record, rather -- I am sorry, let
8 me start that over.

9 Did you ever record this version of "I Need A
10 Jew"?

11 A. Yes, with Seth MacFarlane -- this was the
12 first -- yes, this is the first version that we recorded
13 of just piano and voice.

14 Q. And what are the differences between this
15 version and the final version that was recorded?

16 A. Well, again, I think I would have to listen to
17 a recording of the final version to tell you all the
18 nuances of difference between this and what was recorded
19 on the soundtrack.

20 Q. Can you tell me the differences between that
21 and the score in Exhibit 2?

22 A. Well, yeah.

23 MR. ZAVIN: Objection; when you say "between
24 that," are you saying between the recording or between
25 Exhibit 3 and Exhibit 2?

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1 MR. FAKLER: No, no, between Exhibit 3 and any
2 Exhibit 2. Thank you.

3 THE WITNESS: Okay. Give me a minute and I
4 will look.

5 BY MR. FAKLER:

6 Q. Sure.

7 A. You have these stapled out of order.

8 Q. I apologize for that. We had them stapled in
9 the order they were Bates produced to us.

10 A. Well, the essential difference is the melody in
11 the first measure is changed in the score version,
12 and -- well, the bar numbers don't match up because
13 there is no introduction here, but this measure and --
14 the first and third measures of the melody are changed
15 each time the verse happens. That's the essential
16 difference. Now, there could be more minor inflections
17 or differences in his vocal recording which, you know, I
18 can't tell you that.

19 Q. Sure.

20 A. Yeah.

21 Q. Could you look in the folder for Exhibit 4,
22 please.

23 I would like to show you a document that we
24 have marked as Plaintiff's Exhibit 4. The document was
25 produced in discovery at FOX 256 through 259.

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1 (Plaintiff's Exhibit 4 was marked for
2 identification by the court reporter
3 and is attached hereto.)

4 BY MR. FAKLER:

5 Q. And can you tell me what this document is?

6 A. This is a copy of the musical cue sheet for
7 that particular episode.

8 Q. And what is this document used for?

9 A. It's used for royalty credit with the
10 performance rights society, either ASCAP or BMI, so that
11 composers and authors receive proper credit.

12 Q. And is that for when the episode is shown --
13 broadcast on TV --

14 A. Yes.

15 Q. -- or when it's publicly performed?

16 A. That's correct.

17 Q. Were you involved in the creation of this cue
18 sheet?

19 A. I didn't create the cue sheet but I looked at
20 it when it was completed.

21 Q. So did you approve it the form that it was sent
22 out in?

23 A. I did.

24 Q. If you look down at the entries for "I Need A
25 Jew", entry six through nine, can you tell me why the

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1 song is broken out in several different pieces.

2 A. Because I recorded the song in four pieces for
3 recording convenience. They're four segueing pieces of
4 music. I often do that just for expediency on the
5 scoring stage. And the two middle sections are actually
6 a musical -- I think maybe just the second section is a
7 musical interlude. I have to look and see.

8 Q. You are talking now line number seven?

9 A. Line number seven, yeah, doesn't have a vocal.
10 There was a sequence in the middle of the song on screen
11 where Peter goes out the window and tumbles and winds up
12 on the ground, and so I did a musical interlude with no
13 vocal during that section.

14 Q. And you gave that section a different title --

15 A. Yes.

16 Q. -- on that sheet?

17 A. Yes, I called it "Interlude."

18 Q. And why did you do that?

19 A. Just because it wasn't specific -- it was kind
20 of based on the -- a little bit on the song, but not
21 really. I mean a lot of the other material was new
22 material, musical material.

23 Q. So the way that it's notated on this music cue
24 sheet for the purpose of the performing royalties,
25 "Interlude" is treated as a different song than "I Need

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1 A Jew"?

2 A. Yes.

3 Q. And does breaking out the other parts of "I
4 Need A Jew" as separate pieces in six, eight and nine,
5 does that have any impact on the royalties you were
6 paid?

7 A. No.

8 Q. And do you know if there's -- if that is
9 consistent with BMI rules as far as creating cue sheets?

10 A. Sure.

11 Q. Your testimony is it is consistent?

12 A. It's consistent, yes.

13 Q. Could I have the Exhibit 5 folder, please.

14 A. Also, I might point out that the interlude was
15 notated as BI, which is background instrumental, and the
16 other sections of the song are notated as VV, which is
17 visual vocal, which is a different rate of payment from
18 BMI. So all the more reason to specify which portions
19 of the song have a visual vocal and which don't.

20 Q. And what's the difference in the rates?

21 A. I don't recall. It's less money if there's not
22 a visual vocal.

23 Q. I would like to show you this document which we
24 have premarked as Plaintiff's Exhibit 5. It was
25 produced in discovery at FOX 297.

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1 but I am asking you to answer that question.

2 Can you articulate how without the lyrics
3 this -- would the average listener, the nonspecialized
4 listener, would take the musically this as making fun of
5 "When You Wish Upon A Star"?

6 A. It's hard to answer. I mean I think people
7 that saw the show, got the joke, but comedy has to do
8 with context.

9 Q. Right.

10 A. Usually.

11 Q. But I am asking you now just musically, can you
12 explain to me any musical device that you used in this
13 that a casual listener would recognize as making fun of
14 "When You Wish Upon A Star"?

15 A. I think the melody would make someone make the
16 connection.

17 Q. But would they -- what connection?

18 A. The connection that this is a joke, a spoof, if
19 you want, of the song, the Disney song "Wish Upon A
20 Star".

21 Q. What part of the melody would do that?

22 A. I don't know if there is a specific part. I
23 mean it would be in its entirety. I mean how could you
24 excerpt these notes or these notes or these notes and
25 say those are the specific things that make somebody

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1 recognize, that you are making fun of something?

2 Q. I guess what I am asking --

3 A. It's hard to quantify.

4 Q. What is the funny part? I understand your
5 testimony that overall the song evokes "When You Wish
6 Upon A Star." I understand that, but I am not asking
7 about how the song evokes it.

8 I am asking specifically how would -- what part
9 of the song "I Need A Jew" would the listener recognize
10 as not just evoking but specifically ridiculing or
11 making fun of "When You Wish Upon A Star."

12 A. I would have to say the entire song.

13 Q. But not one particular phrase or part?

14 A. I think I would have to answer the whole song.
15 I don't know if you can excerpt certain portions of it
16 and say okay, that's it right there, that's the thing.

17 Q. But can you as you sit here excerpt a certain
18 part and point to it? It's just the whole song?

19 A. I would say the whole song, yeah.

20 Q. And how is the whole song making -- not just
21 saying evoking but particularly ridiculing the original?

22 Musically, how is it doing that?

23 MR. ZAVIN: Objection; I don't think he said
24 "ridiculing." I think that is your word.

25 MR. FAKLER: That is my question and he can

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1 answer it.

2 MR. ZAVIN: Then objection.

3 BY MR. FAKLER:

4 Q. Okay. Do you believe that the entire song in
5 addition to making fun also ridicules "When You Wish
6 Upon A Star"?

7 A. I don't know that. I don't know if that's the
8 right word. I mean, you know, that's also in the ear of
9 the listener and in the context of the show if people
10 think that this is satire or parody or ridicule.

11 Q. But, again, I am asking now -- not in the
12 context of the show, just musically, just musically, do
13 you believe that "I Need A Jew" musically, using just --
14 does it musically, alone, does it ridicule "When You
15 Wish Upon A Star"?

16 A. I would say parodies "When You Wish Upon A
17 Star."

18 Q. But does it ridicule "When You Wish Upon A
19 Star"?

20 A. Well, explain what you mean by "ridicule."

21 Q. Have you ever used the term "ridicule"?

22 A. Yes.

23 Q. What do you mean it to -- when you say it,
24 what does it mean?

25 A. Well, I mean I don't know the dictionary

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1 definition of it.

2 Q. I am asking what your -- when you have used it
3 in the past.

4 A. "Ridicule," I think it's not just makes fun. I
5 mean -- I think it's more negative, has a more negative
6 connotation.

7 Q. Okay.

8 A. So my -- I think that this song parodies and
9 spoofs, if you will, "Wish Upon a Star." I don't think
10 it ridicules "Wish Upon a Star," in my estimation.

11 Q. And by making fun of, you talk about evoking
12 it.

13 A. Well, it's making the viewer realize that this
14 song -- yes, evokes the memory of "Wish Upon a Star"
15 when they see it in the show and for all the reasons
16 that we talked about.

17 Q. Can I have the folder for Exhibit 1, please.
18 You can put that back.

19 (Plaintiff's Exhibit 1 was
20 marked for identification.)

21 BY MR. FAKLER:

22 Q. Are you aware that -- do you know who
23 Dr. Ferrara is, a musicologist?

24 A. No.

25 Q. Are you aware that an expert report has been

EXHIBIT PL 2

FG 2ACX05

$\text{♩} = 100$ (4 Free Clix)

rit 1M6

B. Blitt/W. Murphy (BM)
Rubato orch. W.M.

Clar.

Oboe

Clar.

Bas.

Flg 1

Flg 2

Flg 3

Tbn 1

Tbn 2

Tbn 3

Tbn 4

Pc.

Pno.
Tacet (Piano part on tape)
C C#dim.

Voc.
Noth - ing else has

Vins.
p

Vc.

Gtr.
Tacet

Bass

Drs.
Tacet

1

2

3

4

MURPHY-00002

Confidential

$\Delta \pi$ EXHIBIT 2

Deponent _____

Date _____ Rptr. _____

WWW.DEPOBOOK.COM

Cl.
Ob.
Cl.
Ban.
Flg 1
Flg 2
Flg 3
Tbn 1
Tbn 2
Tbn 3
Tbn 4
Pc.
Pno.
Voc.
Vlns.
Vc.
Ba.
Dr.

worked so far, So I'll wish up - on a star Won-'drous danc - ing speck of light |

5 6 7 8 9

rit *Moderato* (colla voce) *poco rit. Tempo*

Cl.
Ob.
CL
Bsn.
Fig 1
Fig 2
Fig 3
Tbn 1
Tbn 2
Tbn 3
Tbn 4
Pc.
Pno.
Voc.
Vlns.
Vc.
Bs.
Dr.

need a Jew. Lo - is makes me take the rap, 'Cause our check-book

10 11 12 13 14

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MURPHY-00004

Tempo poco rit *poco rit* *Tempo* *rit*

Cl.
Ob.
Cl.
Bsn.

Fig 1
Fig 2
Fig 3

Tbn 1
Tbn 2
Tbn 3
Tbn 4

Pc. *Bells*
p

Pno.
C sus/E C E7(16) Fmaj7 F#dim. C/G Dm7/GG7(10) C D/CC

Voc.
looks like crap. Since I can't give her a slap I need a Jew.

Vlns.
Vc.
Ba.
Dr. *p*

15

16

17

18

19

Piu Mosso

#205 - 1M6, P.5

CL
Ob.
CL
Ban.
Fig 1
Fig 2
Fig 3
Tbn 1
Tbn 2
Tbn 3
Tbn 4
Pc.
Pno.
Voc.
Vlns.
Vc.
Ba.
Dr.

Where to find a Baum or Steen or Stein

20 21 22 23

Detailed description: This is a page of a musical score for the piece 'Piu Mosso'. The score is arranged in a standard orchestral format with multiple staves. At the top, the title 'Piu Mosso' is written in italics, followed by the number '#205 - 1M6, P.5'. The instruments listed on the left include Clarinet (CL), Oboe (Ob.), Bassoon (Ban.), Flute (Fig 1, 2, 3), Trombone (Tbn 1-4), Percussion (Pc.), Piano (Pno.), Voice (Voc.), Violins (Vlns.), Viola (Vc.), Bass (Ba.), and Drums (Dr.). The vocal line includes the lyrics 'Where to find a Baum or Steen or Stein'. The piano part shows a series of chords: Dm9/GG(13), Em/G Eb9/G, Dm/G G7(9), Dm7(13)/G, B/C, and Cmaj7. The score is divided into measures 20, 21, 22, and 23. Dynamics such as *mp* and *p* are indicated throughout the score.

Confidential

MURPHY-00006

rit.

Cl.
Ob.
Cl.
Bsn.
Flg 1
Flg 2
Flg 3
Tbn 1
Tbn 2
Tbn 3
Tbn 4
Pc.
Pno.
Voc.
Vlns.
Vc.
Bs.
Dr.

To teach me how to whine and do my tax - es

24

25

26

27

$\text{♩} = 150$
6 Free Clix

FG 2ACX05

1M6-A
Interlude

Walter Murphy (BMI)
orch. W.M.

Flt.
Ob.
Clar.
Flute
F/CL
Tpt. 1
Tpt. 2
Tpt. 3
Tbn. 1
Tbn. 2
Tbn. 3
Tuba
Pc.
Pno.
Seq.
Vins.
Vc.
Guitar
Bass
Drums

Solo... espr.
Flugel.
Flugel.
Flugel.
Mark Tree
Hp.
Fender
Mallets - susp. cmb.

dim.
dim.
dim.
dim.
dim.
dim.
dim.
dim.
dim.
dim.
dim.

1 2 3 4 5

Confidential

MURPHY-00008

Solo ... *espr.*

IM6-A P.2

FL

Ob.

Cl.

FL (to clar.)

Solo ... *espr.*

Tpt. 1

Tpt. 2

Tpt. 3

Tbn. 1

Tbn. 2

Tbn. 3

Tbn.

Pc.

Pno.

Seq. Hp. gr. F7 Celest

Vins. Pizz. (div.) Pizz.

Vc. Pizz.

Gt.

Ba.

Dr.

6 7 8 9 10

Confidential

MURPHY-00009

FL
Ob.
Cl.
FL
Clar.
Tpt. 1
Tpt. 2
Tpt. 3
Tbn. 1
Tbn. 2
Tbn. 3
Tba.
Pc.
Pno.
Seq.
Hp. (A maj.)
Vlns. Arco
Vc.
Gt.
Bs.
Dr. (sticks) h.h.

11 12 13 14 15

A A aug. F#m F#dim.

The musical score is arranged in a standard orchestral layout. At the top, the instrument parts are: Flute (FL), Oboe (Ob.), Clarinet (Cl.), Flute (FL), Trumpet 1 (Tpt. 1), Trumpet 2 (Tpt. 2), and Trumpet 3 (Tpt. 3). Below these are the Trombone parts: Trombone 1 (Tbn. 1), Trombone 2 (Tbn. 2), Trombone 3 (Tbn. 3), and Trombone (Tbn.). The Percussion (Pc.) part is shown with a single staff. The Piano (Pno.) part is shown with a grand staff (treble and bass clefs). The Glockenspiel (Glock.) and Celesta (Celesta) parts are shown on a single staff. The Violin (Vlns.) and Viola (Vc.) parts are shown with a grand staff. The Guitar (Gt.) part is shown on a single staff with chord diagrams above it. The Bass (Ba.) and Drum (Dr.) parts are shown on a single staff. The score covers measures 16 through 19.

16

17

18

19

Confidential

MURPHY-00011

The image shows a page of a musical score for a symphony orchestra and a band. The score is arranged in a vertical stack of staves, each labeled with an instrument or section. The instruments listed from top to bottom are: Fl. (Flute), Ob. (Oboe), Cl. (Clarinet), Fl. (Flute), Tpt. 1 (Trumpet 1), Tpt. 2 (Trumpet 2), Tpt. 3 (Trumpet 3), Tbn. 1 (Trombone 1), Tbn. 2 (Trombone 2), Tbn. 3 (Trombone 3), Tbn. (Trombone), Pc. (Percussion), Pno. (Piano), Seq. (Sequencer), Vlns. (Violins), Vc. (Viola), Gt. (Guitar), Ba. (Bass), and Dr. (Drums). The score is written in a key signature of one sharp (F#) and a common time signature (C). The music is divided into measures, with bar lines indicating the end of each measure. The page is numbered 20, 21, and 22 at the bottom. The word 'Confidential' is printed in the center, and 'MURPHY-00012' is printed in the bottom right corner.

20

21

22

Confidential

MURPHY-00012

1M6-B p.2

A Tempo *rit.* *A Tempo* *rit.* *A Tempo* *accel.*.....

FL.

Ob.

Cl.

Cl.

Flg 1

Flg 2

Flg 3

Tbn. 1

Tbn. 2

Tbn. 3

Tbn. 4

Pc.

Pno.

Voc.

Vlns.

Vc.

Bs.

Dr.

Ev - en though they killed my Lord I need a Jew!

Bells

C E7(b9) Fmaj7 F#dim. C/G Dm7/GG(13) C D/C

5 6 7 8 9

FG 2ACX05

1M6-B

R. Blitt/ W. Murphy (BMI)
orch. W.M.

Clix = 95 (2 free)

Fl. *poco rit. A Tempo poco rit.*

Ob.

Cl.

Cl.

Flg1

Flg2

Flg3

Tbn 1

Tbn 2

Tbn 3

Tbn 4

Pc.

Pno. *Tacet - (on tape)* *C_{dim}* *Dm⁷* *G⁷* *Dm⁷* *D_{dim}* *C_{sus}²* *E*

Voc.
Though by man - y they're ab - hored, He - brew peo - ple I've a - dored.

Vins. *p*

Vc. *p*

Gtr. *Tacet*

Bass

Dra.

1.

2

3

4

Confidential

MURPHY-00014

1M6-B p.3

rit.

Fl.

Ob.

Cl.

Cl.

Flg 1

Flg 2

Flg 3

Tbn. 1

Tbn. 2

Tbn. 3

Tbn. 4

Pc.

Pno.

Voc.

Vlna.

Vc.

Bs.

Dr.

Mark Tree

10 11 12 13

Confidential

MURPHY-00015

EXHIBIT PL 3

FG 2ACX05

I Need A Jew

Lyrics by Ricky Blitt &
Seth Mac Farlane
Music by Walter Murphy

C C#dim Dm7 G7 Dm7 D#dim Em7 C E7#5

Noth-ing else has worked so far, so I'll wish up - on a star. Won-drous dan-cing

6 Fmaj F#dim C/G Dm7/G7b9 C Dm7 G7 C C#dim Dm7 G7 Dm7 D#dim

speck of light, I need a Jew. Lo - is makes me take the rap, cause our check-book

12 Em7 C E7#5 Fmaj F#dim C/G Dm7/G7b9 C Dm9/G G13(b9) Em7/Eb7/ G G

lookslike crap. Since I can't give her a slap, I need a Jew. Where to find

19 Dm7/G Fm/G C F E7sus E7 Am7 Dm7(b9) G13

a Baum or Steen or Stein to teach me how to whine and do my tax - es?

25 C C#dim Dm7 G7 Dm7 D#dim Em7

Though by man - y they're ab - hored, He - brew peo - ple I've a - dored.

29 C E7#5 Fmaj F#dim C/G Dm7/G G13(b9) C D/C C

E - ven though they killed my Lord, I need a Jew

Confidential

MURPHY-00001

EXHIBIT PL 4



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SERIES TITLE: FAMILY GUY
 EPISODE TITLE: WHEN YOU WISH UPON A WEINSTEIN
 PART NUMBER:
 SERIES TYPE: ANIMATED SERIES
 VERSION TYPE: EDITED FOR TV
 PRODUCTION NO.:
 EPISODE NO.: 2ACX05
 SYNDICATOR NO.:
 AIRDATE:
 LENGTH: 30:00
 NETWORK/STATION:
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 DISTRIBUTOR:

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TV Music Cue Sheet

USAGE LEGEND: VV=VISUAL VOCAL VI=VISUAL INSTRUMENTAL BV=BACKGROUND VOCAL
 BI=BACKGROUND INSTRUMENTAL SRC=SOURCE

SEQ #	CUE #	TITLE	COMPOSER/PUBLISHER	PERF SOC	OCC	%	USAGE	TIME
1	1M1	FAMILY GUY MAIN TITLE	C MURPHY, WALTER	BMI	1	50.00	VV	0:30
			C MACFARLANE, SETH	ASCAP		25.00		
			C ZUCKERMAN, DAVID	ASCAP		25.00		
			P TCF MUSIC PUBLISHING INC.	ASCAP		50.00		
			P FOX FILM MUSIC CORP.	BMI		50.00		
USAGE DESC:		MAIN TITLE THEME						
2	1M2	PLAYON	C MURPHY, WALTER	BMI	1	100.00	BI	0:05
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		BACKGROUND INSTRUMENTAL						
3	1M3	LIFETIME BUMPER 1	C MURPHY, WALTER	BMI	1	100.00	BI	0:04
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		BACKGROUND INSTRUMENTAL						
4	1M4	LIFETIME BUMPER 2	C MURPHY, WALTER	BMI	1	100.00	BI	0:03
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		BACKGROUND INSTRUMENTAL						
5	1M5	THE DRUNKEN CLAM	C MURPHY, WALTER	BMI	1	100.00	BI	0:05
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		BACKGROUND INSTRUMENTAL						
6	1M6	I NEED A JEW	C MURPHY, WALTER	BMI	1	50.00	VV	1:08
			C BLITT, RICKY	BMI		50.00		
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		VISUAL VOCAL						
7	1M6A	INTERLUDE	C MURPHY, WALTER	BMI	1	100.00	BI	0:30
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		BACKGROUND INSTRUMENTAL						
8	1M6B	I NEED A JEW	C MURPHY, WALTER	BMI	1	50.00	VV	0:34
			C BLITT, RICKY	BMI		50.00		
			P FOX FILM MUSIC CORP.	BMI		100.00		
USAGE DESC:		VISUAL VOCAL						
9	1M7	I NEED A JEW	C MURPHY, WALTER	BMI	1	50.00	VV	0:10
			C BLITT, RICKY	BMI		50.00		

FOX-00256



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SEO #	CUE #	TITLE	COMPOSER/PUBLISHER	PERF	SOC	OCC	%	USAGE	TIME
		USAGE DESC: VISUAL VOCAL	P FOX FILM MUSIC CORP.		BMI		100.00		
10	2M1	PLAYON	C MURPHY, WALTER		BMI	1	100.00	BI	0:03
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
11	2M2	WEINSTEIN FOOTCHASE	C MURPHY, WALTER		BMI	1	100.00	BI	0:19
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
12	2M3	DOWNTOWN TRANS.	C MURPHY, WALTER		BMI	1	100.00	BI	0:04
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
13	2M4	TRANS. TO HOUSE	C MURPHY, WALTER		BMI	1	100.00	BI	0:04
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
14	2M5	INDIANA KRAMDEN	C MURPHY, WALTER		BMI	1	100.00	BI	0:15
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
15	2M6	TEMPLE SOURCE	C MURPHY, WALTER		BMI	1	100.00	BI	0:33
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
16	2M7	RULER WIELDING NUNS	C MURPHY, WALTER		BMI	1	100.00	BI	0:11
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
17	2M8	SHATNER ON THE ROOF	C MURPHY, WALTER		BMI	1	100.00	BI	0:19
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		
18	2M9	TENDER WEINSTEIN	C MURPHY, WALTER		BMI	1	100.00	BI	0:11
		USAGE DESC: BACKGROUND INSTRUMENTAL	P FOX FILM MUSIC CORP.		BMI		100.00		

FOX-00257



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SEO #	CUE #	TITLE	COMPOSER/PUBLISHER	PERF	SOC	OCC	%	USAGE	TIME
19	2M10	UH-OH	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:06
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
20	3M1	TEMPLE PLAYON	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:04
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
21	3M2	CAR DRIVE	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:06
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
22	3M3	VEGAS	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:15
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
23	3M4	STAR SEARCH	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:13
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
24	3M5	STING ON LOIS	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:02
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
25	3M6	DETERMINED DRIVING	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:07
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
26	3M7	RABBI COPPERFIELD	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:05
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
27	3M8	MRS. RABINOWITZ	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:13
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		
28	3M9	ALL'S WELL, SORT OF	C MURPHY, WALTER P FOX FILM MUSIC CORP.	BMI		1	100.00	BI	0:24
	USAGE DESC:	BACKGROUND INSTRUMENTAL		BMI			100.00		

FOX-00258



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SEQ #	CUE #	TITLE	COMPOSER/PUBLISHER	PERF SOC	OCC	%	USAGE	TIME	
29	3M10	FAMILY GUY END CREDITS	C MURPHY, WALTER	BMI	1	50.00	BI	0:30	
			C MACFARLANE, SETH	ASCAP			25.00		
			C ZUCKERMAN, DAVID	ASCAP			25.00		
			P TCF MUSIC PUBLISHING INC.	ASCAP			50.00		
			P FOX FILM MUSIC CORP.	BMI			50.00		
USAGE DESC:	END TITLE THEME								
30	3M11	TWENTIETH CENTURY FOX FILM CORPORATION LOGO	C NEWMAN, ALFRED	ASCAP	1	100.00	BI	0:03	
			P TCF MUSIC PUBLISHING	ASCAP			100.00		
USAGE DESC:	LOGO THEME								

FOX-00259