



Sandy Wilbur, President

QUALIFICATIONS OF SANDY WILBUR (May 2017)

Sandy Wilbur, President of Sandy Wilbur Music, Inc., DBA Musiodata, first served as an expert witness in a copyright infringement case in 1981 and has been working extensively as a musicologist since 1989. She has compared and analyzed thousands of musical pieces and samples, has created charts and exhibits, has done public domain and prior art searches, copyright valuation research and has consulted on a wide range of musical issues for law firms, advertising agencies, film, television, and record companies, music publishing and production companies. Unless available in public records, all work done is completely confidential. In 2012 alone, she cleared approximately 335 pieces of original music for release or broadcast, performed approximately 112 preliminary musicological analyses of which 5 were extensive reports involving potential or pending litigation and 15 required recommended changes before release or broadcast. She also performed 18 sample analyses mainly for record companies about half of which concerned potential litigation. Additionally, she did 8 prior art research reports and determined the public domain status of 29 songs. Over the last several years, she has been consulted on an average of 10 - 15 potential litigation matters per year, about three of which are ongoing at any given time and most of which settle.

Recognized as a leading expert in the field of forensic musicology, Ms. Wilbur has worked as an expert in several litigations and consulted on major music albums and a Grammy award winning movie soundtrack.

- In 1981, Ms. Wilbur testified as an expert on behalf of the defendants in *Creme Records v. Benton & Bowles Advertising, Schlitz Brewing Co. and J.J. Johnson* (Federal California case).
- In the trial of *Rene Santrail, et al. v. Kirk Burrell p/k/a M.C. Hammer*, she gave a deposition in 1995, and in 1998 she appeared as an expert witness on behalf of the plaintiff (Federal New York case).
- In 1996, she served as a court-appointed expert for the Central District of California, *Frank Gari Productions v. Coca-Cola Co., Mercenary Productions, et al.*
- In 1999, she was the musicology expert for the plaintiff in *Smithkline Beecham Consumer Healthcare, L.P. v. Watson Pharmaceuticals, Inc.*, No. 99 Civ. 9214 (DC), US District Court for the Southern District of New York.
- She was the musicologist and song researcher for the 2000 Coen Brothers' film and soundtrack album "O Brother Where Art Thou," which won a Best Album Grammy in 2001.
- In 2001, she was an initial musicology expert for the plaintiffs in *Nel Wyclef Jean, Jerry Duplessis, et al v Bug Music, Inc. R & B Music, LLC*, No. 00 Civ. 4022 (DC), US District Court for the Southern District of New York.
- In 2006, she was the musicology expert for the plaintiff in *Douglas Berlent v Focus Features, LLC, The Verve Music Group, et al*, 06 CIV. 2834 (SCR) US District Court for the Southern District of New York.
- In 2006, she was the musicology expert on behalf of several defendants in *Armour v. Beyonce Knowles et al.*
- In 2007-08, she was the musicology expert for the plaintiff in *Bourne Co. v Twentieth Century Fox Film Corp., Fox Broadcasting Co., Twentieth Century Fox Television, Inc. et al.*
- In 2010, she was deposed in the case of *Willis v Sixuvus Ltd.* for the plaintiff.
- In 2013, she was the musicology expert for the plaintiff in *Anne Bryant v Sunbow Productions* in the Supreme Court, State of New York.
- In 2014, she was musicology expert for defendants in Civil Action No. 6;12-cv-00042; *Jose Guzman v. Hacienda Records and Recording Studio, Inc.* In the US District Court for the Southern District of Texas, Victoria Division.
- In 2014, she was deposed in the CASE NO. CV13-06004-JAK *Pharrell Williams and Robin Thicke "Blurred Lines" v Bridgeport Music Inc., Marvin Gaye III and Gaye siblings* for defendants.
- In 2014, she was musicology expert for the plaintiff in CASE 12 CIV. 9473 *Sugarhill Music Publishing v Trevor Smith and T'ziah's Music (Busta Rhymes)* in US District Court Southern District of New York.



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- In 2015, she was deposed again and testified for defendants Pharrell Williams and Robin Thicke in “Blurred Lines” v Bridgeport Music Inc., Marvin Gaye III and Gaye siblings for defendants.
- In 2015 - 2016, she was the musicologist for Martin Harrington, co-writer of “Amazing,” and ultimately all plaintiffs in Halosongs, Inc. et al v Ed Sheeran’s song “Photograph” Case No. 8:16-cv-01062 JVS-JCG

Ms. Wilbur is also an accomplished songwriter, composer, arranger, lyricist, and producer with over forty recorded songs and five chart singles to her credit. Her biggest hit single, “Hit and Run Lover” performed by Carol Jiani, was released in 1981, was in the top 10 Hit Parade in France for nine months, #1 on charts in the UK, Italy and France, peaked at #3 in the US on the Billboard Dance charts, has been in over forty compilations, and in one film.

An ongoing educational music and documentary video project for grades K-8, “Learning History Through Music,” composed and produced by Wilbur, includes educational music videos entitled “We The People” which sings the Preamble to the Constitution (released in 2011 and now over 554,000 views on YouTube), “Four Score and Seven Years Ago” which includes part of the Gettysburg Address, and “She Still Carries A Torch” about the Statue of Liberty and Immigration. The book “Learning History Through Music,” released on Oct 21, 2014, includes all eight videos with documentary footage, three CDs of the full songs and instrumental tracks, history chapters, core-aligned lesson plans grades 4-8, and sheet music. A new project entitled “Happiness (The Declaration of Independence song) is currently should be released by year end 2017. These materials were designed as teaching and performing tools for grades K – 8 across the curriculum (available through www.sandywilburmusic.com).

In June, 2015, she released the children’s book “Goodnight My Honey Bunnies” (#TheGoodnightBook) including a free downloadable album with sixteen original and traditional lullabies produced, played, composed and/or arranged by Wilbur and sung by Diane Green. Original paintings and murals by Kim Ray were adapted for the book (concept and story by Wilbur and available through several bookstores and www.sandywilburmusic.com).

She also composed and produced hundreds of jingles and scores for major corporate clients, including: Proctor & Gamble, AT&T, Coors, Wendy's, Hardees, Tyco, and UNICEF, among others. Some of the artists who have performed Ms. Wilbur's jingles include: Lee Greenwood, Teddy Pendergrass, Kool and the Gang, Janis Ian, Patti Austin, The Platters, Gap Band, Dr. Hook, Tony Bennett and Kermit the Frog. From 1980 to 1982, Ms. Wilbur was Associate Music Director at Benton & Bowles Advertising Agency, later DMB&B and now part of Publicis.

Ms. Wilbur received a B.A. from Sarah Lawrence College, and an M.A. in Ethnomusicology from the University of California at Los Angeles, with emphasis on African, Indonesian, and Native American music and culture. Her M.A. dissertation was entitled “Music of the Pawnee Indians; With Special Reference To Present Day Oklahoma Practices.” She has taught music courses at several universities and institutes, including Rutgers University, The Songwriter’s Guild of America and the State University of New York.

Ms. Wilbur has received awards from ASCAP, CLIO, The New York International Film Festival and The American Song Festival, among others. She is or has been a member of ASCAP, SAG, AFTRA, AFM, Women in Music (previous board member), the Songwriters Guild of America (previous board member), the Copyright Society of the USA, and the American Board of Forensic Examiners, among others. Her company, Sandy Wilbur Music, Inc. dba Musiodata, is certified as a woman-owned business by the Women’s Business Enterprise National Council (WBENC).