

ETHAN LUSTIG, Ph.D.

Forensic Musicology Services

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EthanLustig.com/Forensic-Musicology



BIO

Dr. Ethan Lustig specializes in systematically comparing and analyzing musical passages, holding three degrees in music theory: a Ph.D. and M.A. from the Eastman School of Music, University of Rochester; and a B.A. from the University of British Columbia. He currently teaches at the Faculty of Music at UNAM (widely considered the top university in Latin America) and Anáhuac University (consistently ranked in the top 5 private universities in Mexico). Dr. Lustig's research has been published in academic peer-reviewed journals, where he used statistical approaches to vocal melody, rhythm, and groove in popular music; and he writes Expert Analysis columns for *Law360*. He has presented his research internationally and has been recognized by the Social Sciences and Humanities Research Council, receiving their prestigious Fellowship for his research contributions. Dr. Lustig was the editor for the music theory encyclopedia, *The Architecture of Music* and has provided forensic musicology and copyright consultation for numerous law firms (see list below), with his work featured in Rolling Stone, Stereogum, and more. A seasoned educator, Dr. Lustig has taught music theory, production, composition, audio engineering, and ear training to hundreds of students. Dr. Lustig has provided his music-analytical opinion on TV networks including ABC and CBS. Dr. Lustig also has extensive experience as a professional composer and audio engineer, with his music featured by companies such as Adobe.

CLIENTS & CASES WORKED

- *Johnson and Johnson, LLP Law Firm* (Beverly Hills, CA): In 2020, I was the musicology expert in the Bad Bunny “Safaera” case, which settled out of court (*AOM Music, Inc. v. Benito Antonio Martínez Ocasio et al.*, 2:21-cv-07691, US District Court, Central District of California). Client: Neville L. Johnson.
- *Billionaire Burke* (NYC): 2021, alleged infringement in hip-hop songs. Client: Billionaire Burke.
- *Heninger Garrison Davis, LLC Law Firm* (Birmingham, AL): In 2022, I provided an in-depth report on music in a Fortune Top 5 company's TV commercial. Client: W. Lewis Garrison, Jr.
- *McLaughlin & Stern, LLP Law Firm* (NYC): In 2023, I was retained to produce an opinion letter on alleged infringement in rap music. Client: Chester R. Ostrowski.

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- *Landry Legal, PLLC* (NYC): In 2023, I opined on the similarity of two R&B songs. Client: James Landry.
- *DelValle Studios* (Los Angeles): In 2024, I reported on interpolation in New Orleans bounce rap songs re: a blockbuster movie franchise. Client: Jade DelValle.
- *Law Offices of Kelly D. Shapiro* (Los Angeles, NYC): In 2024, I conducted audio & compositional analysis of an Emmy award-winning gospel record. Client: Kelly Shapiro.
- *Law Offices of Marc Jacobson, PLLC* (NYC): In 2024, musicology consulting involving music used in an advertisement by a major global brand. Client: Marc Jacobson.
- *Parness Law Firm* (NYC): In 2024, I opined on a lawsuit involving Mary J. Blige among others (TufAmerica, Inc. v. Universal Music Publishing, Inc., 1:24-cv-02585, US District Court, Southern District of New York). Client: Hillel Parness.
- *Gravy Films* (West Hollywood, CA): 2024 clearance consulting (comparing an original composition to a temp track). Client: Brent Stoller.
- *Caldwell Law Firm* (Los Angeles): In 2024, I consulted on a lawsuit involving the band YES (Rudolph Zahler v. Stephen Howe et al, 2:24-cv-09818, US District Court, Central District of California). My work was mentioned in *Rolling Stone*, *Stereogum*, *mxdwn*. Client: Larry Caldwell.
- *Werge & Corbin Law Group* (Denver, CO): In 2026, I testified as an expert witness for Plaintiff in the jury trial over Billboard #1 hit song, "Savage Love" (Matthew Spatola v. Jason Desrouleaux et al., 2:23-cv-06191, US District Court, Central District of California). Client: Tom Werge.
- *WilmerHale* (Boston, MA): In 2026, I was deposed for Defendant in the lawsuit, Concord Music Group, Inc., et al. v. Anthropic PBC, 5:24-cv-03811, US District Court, Northern District of California. Client: Louis Tompros.

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ADDITIONAL INFORMATION

I offer a unique set of assets:

- My educational background in Music Theory (B.A., M.A., and Ph.D.) gives me a systematic way to compare melodies, rhythms, and chords (I have published on the subject in academic journals: see tinyurl.com/EthanLustigPublications).
- I have over a decade of experience teaching & communicating music theory concepts to students of all ages, including many who lack formal training and can't read music. This lets me communicate advanced concepts clearly to laypersons.
- Instructor in the Faculty of Music at UNAM (the top university in Mexico and often considered the top in Latin America as well) and the Faculty of Music at Anáhuac University (consistently ranked in the top five best private universities in Mexico) - ¡se habla español!
- I'm not just an academic: I also work in the music industry as a producer, songwriter, and audio engineer for film & TV.

My forensic musicology services include:

- A brief expert opinion letter or "preliminary assessment" using musicological analysis to confirm or refute whether two pieces of music are significantly similar, outlining the pros and cons of the case from a musicological perspective.
- An initial expert listen with verbally reported findings (quick initial expert opinion).
- A detailed, full musicological report using in-depth, systematic musicological expert analysis comparing the works in question for similarities and differences (in line with Rule 26 and Federal Rule of Evidence 702).
- Comparing temp tracks or scores in film, TV, and advertising to the new version.
- Consulting and appearing in trials or depositions as an expert witness.
- An intensive, systematic "prior art" search of my database of thousands of pieces (classical, pop, rock, and more) to find out the prevalence of a given musical pattern in the existing repertoire.