

EXHIBIT B

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9

10 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
11

12 GEORGE CLINTON, an individual,

13 Plaintiff,

14 v.
15

16 WILL ADAMS, p/k/a will,I,am
17 individually and d/b/a will.i.am music
publishing , et al.,
18

19 Defendants.
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Case No. CV 10-09476-ODW-PLA

The Honorable Otis D. Wright II

**GEORGE CLINTON'S RESPONSES
TO DEFENDANTS' FIRST SET OF
REQUESTS TO ADMIT**

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PRELIMINARY STATEMENT

Each of the responses to the Requests for Admission herein incorporates and is subject to this preliminary statement. The preliminary statement forms a part of the response to each request and is set forth in this manner to avoid repetition. While the preliminary statement may be referred to specifically in response to an individual request, the failure to do so is not and should not be construed as a waiver thereof.

RESPONDING PARTY has not completed his factual investigation, discovery, or trial preparation. Consequently, these responses are based only upon such information and documents presently available, known to or understood by RESPONDING PARTY. RESPONDING PARTY reserves the right to rely on any facts, documents, or other evidence which may be developed or subsequently come to RESPONDING PARTY's attention and to assert additional objections or supplemental responses should additional grounds for objections or information be discovered. RESPONDING PARTY's responses are not in any way to be deemed an admission or representation that there are not further facts, documents or witnesses having knowledge relevant to the subject matter of these requests.

RESPONDING PARTY's responses are made solely for the purposes of this action. Except for express admissions set forth herein, no incidental or implied admissions are intended by these responses.

RESPONDING PARTY does not concede the relevance, materiality, propriety

1 or admissibility of any document produced in response to these requests or the subject
2 matter to which it relates. These responses are made by RESPONDING PARTY
3 subject to, and without in any way waiving or intending to waive:
4

- 5 1. Any objections as to competency, materiality, privilege, relevancy, propriety,
6 admissibility and/or any other objections on grounds which would require
7 exclusion of any information contained herein or document produced in
8 response to these requests;
9
- 10 2. The right to object to other discovery proceedings involving or relating to the
11 same subject matter as the requests; or
12
- 13 3. The right at any time to revise, correct, add to, or clarify any of the responses
14 set forth herein. Furthermore, these responses are given subject to correction
15 of any omissions or errors.
16

17 RESPONDING PARTY will make reasonable efforts to respond to every
18 request, to the extent it has not been objected to, as RESPONDING PARTY
19 understands and interprets the request, provided that the request is not so vague and
20 ambiguous that a response is impossible. If RESPONDING PARTY subsequently
21 asserts an interpretation of the request that differs from that of RESPONDING
22 PARTY, RESPONDING PARTY reserves his right to supplement his objections and
23 responses as necessary.
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2 **REQUEST NO. 1:**

3 Admit that YOU authorized the use of a sample of the sound recording
4 "(NotJust) Knee Deep" in the Black Eyed Peas' song "Shut The Phunk Up Remix."
5 (As used in these requests for admission, the terms "YOU" and "YOUR" shall mean
6 and refer to Plaintiff George Clinton.)
7

8
9 **RESPONSE TO REQUEST NO. 1:**

10 Deny.

11
12 **REQUEST NO. 2:**

13 Admit that YOU spoke with Eban Kelly regarding a license for the use
14 of the sound recording "(Not Just) Knee Deep" in the Black Eyed Peas' song "Shut
15 the Phunk Up Remix."
16

17 **RESPONSE TO REQUEST NO. 2:**

18 Object as to overly broad in time and scope. At what point and in what context did
19 Clinton speak with Eban Kelly. Therefore deny.
20

21 **REQUEST NO.3:**

22 Admit that YOU authorized Eban Kelly to negotiate on YOUR behalf
23 regarding a license for the use of the sound recording "(Not Just) Knee Deep" in the
24 Black Eyed Peas' song "Shut the Phunk Up Remix."
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1 **RESPONSE TO REQUEST NO. 3:**

2 Deny.

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4 **REQUEST NO. 4:**

5 Admit that YOU authorized Eban Kelly to communicate to
6 representatives of the Black Eyed Peas that YOU agreed to the terms of a license for
7 use of the sound recording "(Not Just) Knee Deep" in the Black Eyed Peas' song
8 "Shut the Phunk Up Remix."
9

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11 **RESPONSE TO REQUEST NO. 4:**

12 Deny.

13
14 **REQUEST NO. 5:**

15 Admit that in 2009, Eban Kelly was authorized to negotiate on YOUR
16 behalf for licenses to use sound recordings owned by YOU.

17
18 **RESPONSE TO REQUEST NO. 5:**

19 Deny.

20
21 **REQUEST NO.6:**

22 Admit that YOU executed the LICENSE AGREEMENT. (The term
23 "LICENSE AGREEMENT" shall mean and refer to that license agreement attached
24 hereto as Exhibit A.)
25
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1 **RESPONSE TO REQUEST NO. 6:**

2 Deny.

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4 **REQUEST NO.7:**

5 Admit that YOU approved the terms of the LICENSE AGREEMENT.

6
7 **RESPONSE TO REQUEST NO. 7:**

8 Deny.

9
10 **REQUEST NO.8:**

11 Admit that YOU authorized Eban Kelly to tell representatives of the Black
12 Eyed Peas that YOU agreed to the terms of the LICENSE AGREEMENT.

13
14 **RESPONSE TO REQUEST NO. 8:**

15 Deny.

16
17 **REQUEST NO.9:**

18 Admit that YOU authorized the execution of the LICENSE AGREEMENT
19 on YOUR behalf.

20
21 **RESPONSE TO REQUEST NO. 9:**

22 Deny.

23
24 **REQUEST NO.10:**

25 Admit that the song "Shut the Phunk Up Remix" contains a licensed
26 sample of the sound recording "(Not Just) Knee Deep."
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28

1 **RESPONSE TO REQUEST NO. 10:**

2 Deny.

3
4 **REQUEST NO.11:**

5 Admit that the song "Shut Up Remix" contains a licensed sample of the
6 sound recording "(Not Just) Knee Deep."
7

8 **RESPONSE TO REQUEST NO. 11:**

9 Deny.

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11 **REQUEST NO. 12:**

12 Admit that YOU are a member of C Kunspyruhzy, LLC.

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14 **RESPONSE TO REQUEST NO. 12:**

15 Admit.

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17 **REQUEST NO. 13:**

18 Admit that YOU have an ownership interest in C Kunspyruhzy, LLC.

19 **RESPONSE TO REQUEST NO. 13:**

20 Admit.

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22 **REQUEST NO. 14:**

23 Admit that, in 2009, YOU authorized your son to sign contracts on YOUR
24 behalf.
25

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27 **RESPONSE TO REQUEST NO. 14:**
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1 Object as overbroad and ambiguous, which contract does this refer to and which
2 putative "son" of the Plaintiff? When? Overly broad in scope and time. Therefore
3 deny.
4

5 **REQUEST NO. 15:**

6 Admit that defendants used the sound recording "(Not Just) Knee Deep"
7 with YOUR permission.
8

9 **RESPONSE TO REQUEST NO. 15:**

10 Deny.
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12 **REQUEST NO. 16:**

13 Admit that defendant Cherry Lane Music Publishing Company, Inc. did not
14 know that the song "Shut Up Remix" included an unauthorized sample of the sound
15 recording "(Not Just) Knee Deep."
16

17 **RESPONSE TO REQUEST NO. 16:**

18 Clinton does not know that, and therefore deny.
19

20 **REQUEST NO.17:**

21 Admit that defendant Cherry Lane Music Publishing Company, Inc. did not
22 know that the song "Shut The Phunk Up Remix" included an unauthorized sample of
23 the sound recording "(Not Just) Knee Deep."
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25 **RESPONSE TO REQUEST NO. 17:**

26 Clinton does not know that, and therefore deny.
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1 **REQUEST NO. 18:**

2 Admit that defendant George Pajon did not know that the song "Shut Up
3 Remix" included an unauthorized sample of the sound recording "(Not Just) Knee
4 Deep."
5

6 **RESPONSE TO REQUEST NO. 18:**

7 Clinton does not know that, and therefore deny.
8

9 **REQUEST NO.19:**

10 Admit that defendant George Pajon did not know that the song "Shut The
11 Phunk Up Remix" included an unauthorized sample of the sound recording "(Not Just)
12 Knee Deep."
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15 **RESPONSE TO REQUEST NO. 19:**

16 Clinton does not know that, and therefore deny.
17

18 **REQUEST NO.20:**

19 Admit that defendant El Cubano Music, Inc. did not know that the song
20 "Shut Up Remix" included an unauthorized sample of the sound recording "(Not Just)
21 Knee Deep."
22

23 **RESPONSE TO REQUEST NO. 20:**

24 Clinton does not know that, and therefore deny.
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1 **REQUEST NO. 21:**

2 Admit that defendant El Cubano Music, Inc. did not know that the song
3 "Shut The Phunk Up Remix" included an unauthorized sample of the sound recording
4 "(Not Just) Knee Deep."
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6 **RESPONSE TO REQUEST NO. 21:**

7
8 Clinton does not know that, and therefore deny.

9 **REQUEST NO. 22:**

10 Admit that defendant EMI Blackwood Music, Inc. did not know that the
11 song "Shut Up Remix" included an unauthorized sample of the sound recording "(Not
12 Just) Knee Deep."
13
14

15 **RESPONSE TO REQUEST NO. 22:**

16 Clinton does not know that, and therefore deny.

17 **REQUEST NO. 23:**

18 Admit that defendant EMI Blackwood Music, Inc. did not know that the
19 song "Shut The Phunk Up Remix" included an unauthorized sample of the sound
20 recording "(Not Just) Knee Deep."
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23 **RESPONSE TO REQUEST NO. 23:**

24 Clinton does not know that, and therefore deny.
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1 DATED: February 10, 2012

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