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16 Attorneys for Plaintiff
BRYAN PRINGLE
17

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**
20 **SOUTHERN DIVISION**

21 BRYAN PRINGLE, an individual,
22 Plaintiff,
23 v.
24 WILLIAM ADAMS, JR.; STACY
25 FERGUSON; ALLAN PINEDA; and
26 JAIME GOMEZ, all individually and
collectively as the music group The Black
Eyed Peas, *et al.*,
27 Defendants.

) Case No. SACV 10-1656 JST(RZx)
) **DECLARATION OF JEREMY T.**
) **KATZ IN OPPOSITION TO**
) **DEFENDANT RISTER EDITIONS'**
) **MOTION TO DISMISS**
)
) DATE: April 25, 2011
) TIME: 10:00 a.m.
) CTRM: 10A

DECLARATION OF JEREMY T. KATZ

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I, Jeremy T. Katz, declare as follows:

1. I am an associate of the law firm of HamptonHolley LLP, counsel of record for plaintiff Bryan Pringle in this action. If called as a witness, I could and would testify competently to the facts set forth below, as I know each to be true based upon my own personal knowledge or based upon my review of the files and records maintained by HamptonHolley LLP during the regular course of its representation.

2. On or about February 24, 2011, I visited defendant Shapiro Bernstein & Co., Inc's ("Shapiro Bernstein") website, located at <http://www.shapirobernstein.com>. Using the "site search" function on Shapiro Bernstein's website, I performed a search for the term "Rister Editions." My search returned a link to a news post—titled "Shapiro Bernstein Representing Square Rivoli Music and Rister Editions" (the "News Post")—located at the website address <http://www.shapirobernstein.com/newspost/2/Shapiro-Bernstein-Representing-Square-Rivoli-Music-and-Rister-Editions>. The News Post states that "Shapiro Bernstein is representing Square Rivoli Music and Rister Editions of France for the USA." A true and correct copy of contents of the News Post is attached hereto as Exhibit "A." An enlarged and highlighted copy of the contents of the News Post is attached hereto as Exhibit "B."

3. Also on or about February 24, 2011, I reviewed the liner notes for the album "The E.N.D." by the Black Eyed Peas which contains the song "I Gotta Feeling" that is at issue in this lawsuit. The liner notes contain, among other things, a description of the producers, writers, publishers, and those administrating the rights relating to the song "I Gotta Feeling." The liner notes expressly state that:

1 Square Rivoli Publishing and Rister Editions [are]
2 administered in the United States by Shapiro, Bernstein &
3 Co., Inc. (ASCAP).

4 A true and correct copy of the liner notes that I reviewed is attached hereto as Exhibit
5 "C." An enlarged and highlighted copy of the relevant portion of the liner notes is
6 attached hereto as Exhibit "D."

7 4. The proof of service of the summons and First Amended Complaint on
8 Rister Editions states that the "Manner of service [is] in compliance with: 3.a Federal
9 Rules of Civil Procedure." [Docket Entry Number ("Doc.") #117 at page 3 thereto].
10 This text is based upon United States District Court for the Central District of
11 California's form CV-01 (08/09) ("Form CV-01") which directs the filing party to
12 mark the box numbered "3.a" to indicate that service complied with the Federal
13 Rules of Civil Procedure, or alternately, to mark the box numbered "3.b" to indicate
14 that service complied with the California Code of Civil Procedure. A true and
15 correct copy of Form CV-01 is attached hereto as Exhibit "E."

16
17 I declare under penalty of perjury that the foregoing is true and correct.
18 Executed on this 4th day of April, 2011, at Corona del Mar, California.

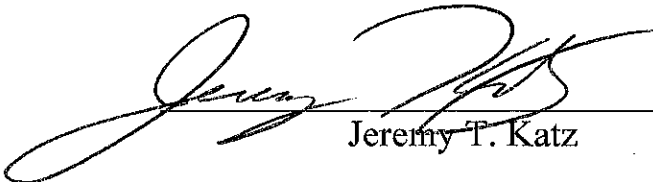
19
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21 
Jeremy T. Katz

EXHIBIT A

site search

My saved songs (0) Listen to SB playlists

Subn

Home > Newsposts Archive > View a News Post



- [Song Search](#) [Featured Songs](#)
- [Featured Artists](#) [Historic Hits](#)
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- [Archive](#) [Royalties](#)

- About Us**
- Company History
- News Archive**
- Royalties

Shapiro Bernstein Representing Square Rivoli Music and Rister Editions

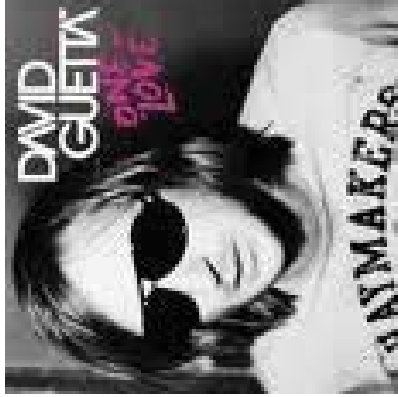


Shapiro Bernstein is representing Square Rivoli Music and Rister Editions of France for the USA that includes the songs of renowned DJ David Guetta. Building on the success of last years` hit LOVE IS GONE (featuring Whistling Angel singer/songwriter Chris Willis) and his World Music Award for World`s Best DJ, Astralwerks will be releasing the next David Guetta album in the Fall 2009. The fist single is WHEN LOVE TAKES OVER featuring Kelly Rowland and is in rotation on NYC`s Z100 and WKTU.

488 Madison Avenue New York, NY 10022-5718 - p:212.588.0878 - f:212.588.0620
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EXHIBIT B

Shapiro Bernstein Representing Square Rivoli Music and Editions



Shapiro Bernstein is representing Square Rivoli Music and Rister Editions of France for the USA that includes the songs of renowned DJ David Guetta. Building on the success of last years hit **LOVE IS GONE** (featuring Whistling Angel singer/songwriter Chris Willis) and his World Music Award for World`s Best DJ, Astralwerks will be releasing the next David Guetta album in the Fall 2009. The first single is **WHEN LOVE TAKES OVER** featuring Kelly Rowland and is in rotation on NYC`s Z100 and WKTU.

EXHIBIT C



THE BLACK
EYED PEAS

THE END

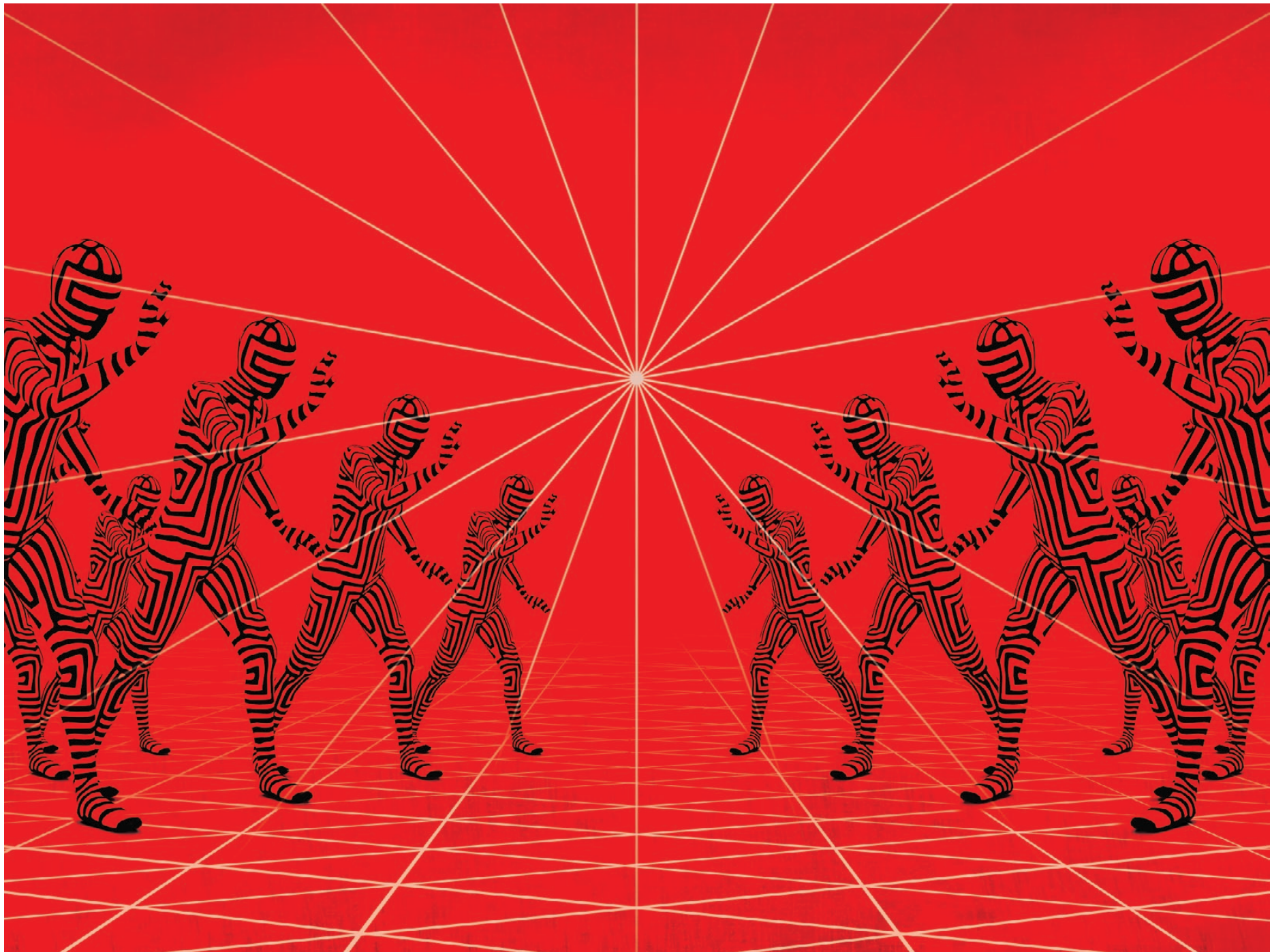
THE E·N·D

1. BOOM BOOM POW 5:08 / 2. ROCK THAT BODY 4:29 / 3. MEET ME HALFWAY 4:44
4. IMMA BE 4:16 / 5. I GOTTA FEELING 4:49
6. ALIVE 5:03 / 7. MISSING YOU 4:35 / 8. RING-A-LING 4:33
9. PARTY ALL THE TIME 4:44 / 10. OUT OF MY HEAD 3:52 / 11. ELECTRIC CITY 4:08
12. SHOWDOWN 4:27 / 13. NOW GENERATION 4:06 / 14. ONE TRIBE 4:41
15. ROCKIN TO THE BEAT 3:45

www.blackeyedpeas.com
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THE E·N·D





BOOM BOOM POW Produced by will.i.am / Co-Produced by Jean Baptiste and Poet Name Life / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP) / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Drum Programming and Synths by will.i.am

ROCK THAT BODY Produced by David Guetta and will.i.am / Co-produced by Mark Knight and Funkagenda
Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, David Guetta, Mark Knight, Adam Walder, Jean Baptiste, Jaime L. Munson, Robert Ginyard, Jr. / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Square Rivoli Publishing (SACEM), Shapiro, Bernstein & Co., Inc. (ASCAP), Toolroom Publishing (MCPS), Copyright Control (MCPS), Rabasse Music Ltd. (PRS)/ WB Music Corp ASCAP, Listen Deep Music / Razor and Tie Music Publishing (BMI) / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP), Square Rivoli Publishing administered in the United States by Shapiro, Bernstein & Co., Inc. (ASCAP), Our 315 Music, Administered by Cherry River / Contains elements of "It Takes Two" written by Robert Ginyard Jr. and published by Rabasse Music Ltd. (PRS) all rights administered by WB Music Corp (ASCAP). Used by permission. All rights reserved. / "Rock Your Body" contains a sample from "It Takes Two" as performed by Rob Base & DJ EZ Rock used courtesy of RCA/JIVE, a Label Group of Sony Music Entertainment. / This track contains a sample of the recording "Think (About It)" as performed by Lynn Collins. Courtesy of Universal Records under license from Universal Music Enterprises. Used by permission. All rights reserved. / Keyboards by Mark Knight and Adam Walder / Additional Guitar, Keyboards and Vocals by Hal Ritson at ReplayHeaven.com / Arrangement by will.i.am / Recorded at Square Prod in Paris, France and Recorded at Metropolis Studios in London, England

MEET ME HALFWAY Produced by Keith Harris and will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Keith Harris, Jean Baptiste, Sylvia Gordon / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Broke, Spoke and Gone Publishing (BMI), Frau Pink Music/DLJ Songs (ASCAP), Our 315 Music (ASCAP), Administered by Cherry River / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Keys, Synths, Bass Guitar and Drum Programming by: Keith Harris / Guitars: George Pajon and Tim "Izo" Orindgreff / Synth Bass: Printz Board / Recorded at Metropolis Studios in London, England

IMMA BE Produced by Keith Harris and will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Keith Harris, J. Tankel, D. Foder, T. Brenneck, M. Deller / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Broke, Spoke and Gone Publishing (BMI), Defend Songs / Songs of Kobalt (BMI). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), All rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Contains a sample of "Ride or Die" as performed The Budos Band, courtesy of Daptone Records.

I GOTTA FEELING Produced by David Guetta / Co-produced by Frederick Riesterer / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, David Guetta, Frederick Riesterer / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Square Rivoli Publishing (SACEM), Rister Editions (SACEM), Shapiro, Bernstein & Co., Inc. (ASCAP). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP), Square Rivoli Publishing and Rister Editions administered in the United States by Shapiro, Bernstein & Co., Inc. (ASCAP). / Synths: will.i.am / Recorded at Square Prod in Paris, France and Metropolis Studios in London, England

ALIVE Produced by will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Jean Baptiste / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Our 315 Music (ASCAP), Administered by Cherry River / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Guitar: Josh Lopez / Bass: Caleb Speir / Piano and Synths: will.i.am / Recorded at Jeepney Music Studio and Ethernet Studio in Los Angeles, CA

MISSING YOU Produced by Printz Board and will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Printz Board, Jean Baptiste / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), Music Publishing, Inc. (ASCAP), Printz Polar Publishing/Songs Of Universal (BMI), Our 315 Music (ASCAP), Administered by Cherry River / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP) / Keys and Synths: Printz Board / Synths and Drum Programming: will.i.am / Guitar: George Pajon, Jr. / Recorded at Metropolis Studios in London, England

RING-A-LING Produced by Keith Harris / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Keith Harris / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Broke, Spoke and Gone Publishing (BMI). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Synths, Keys and Drum Programming: Keith Harris / Arrangement: will.i.am

PARTY ALL THE TIME Produced by will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP) Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Synths and Drum Programming: will.i.am

OUT OF MY HEAD Produced by Printz Board and will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Printz Board, Keith Harris, George Pajon, Tim "Izo" Orindgreff / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Printz Polar Publishing/Songs of Universal (BMI), Broke, Spoke and Gone Publishing (ASCAP), El Cubano Music/EMI Publishing (BMI), O'Lucky Music (BMI). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Drum Programming: will.i.am and Printz Board / Bass: Caleb Speir / Synth: Printz Board / Horns: Tim "Izo" Orindgreff / Drums and Percussion: Keith Harris / Recorded at Metropolis Studios in London, England

ELECTRIC CITY Produced by will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Bert Berns, Robert Feldman, Gerald Goldstein, Richard Gottlehrer / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Sloopy II Music (BMI) / Sony/ATV Songs LLC (BMI) / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Contains elements of "I Want Candy" written by Bert Berns, Robert Feldman, Gerald Goldstein, Richard Gottlehrer and published by Sloopy II Music (BMI) and Sony/ATV Songs LLC (BMI). Used by permission. All rights reserved. Contains excerpts from "I Want Candy" performed by Bow Wow Wow. Courtesy of Sony Entertainment UK. / Synths and Drum Programming: will.i.am

SHOWDOWN Produced by apl.de.ap and DJ Replay / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Ryan Buendia / Published by will.i.am music, will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Arrangement: will.i.am / Recorded at Jeepney Music Studio and Ethernet Studio in Los Angeles, CA

NOW GENERATION Produced by will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, George Pajon, Tim "Izo" Orindgreff / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), El Cubano Music/EMI Publishing (BMI), O'Lucky Music (BMI). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). / Keys and Synths: will.i.am / Bass Guitar: Keith Harris / Guitar: George Pajon / Acoustic and Harmonica: Tim "Izo" Orindgreff / Drum Programming: will.i.am

ONE TRIBE Produced by: will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Printz Board / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Printz Polar Publishing / Songs Of Universal (BMI) / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP) / Bass: Caleb Speir / Guitar: George Pajon, Jr.

ROCKIN TO THE BEAT

Produced by will.i.am / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, Printz Board, George Pajon, Jr. / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Printz Polar Publishing/Songs Of Universal (BMI), El Cubano Music / EMI Publishing (BMI) Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI) / All rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP) / Synths and Drum Programming: will.i.am / Keys: Printz Board / Guitar: George Pajon, Jr.

Executive Producer: will.i.am

Management: David Sonenberg and William Derella for DAS Communications, Ltd.
and Polo Molina for Grassroots Productions, Inc.

Product Manager: Julie Hovsepian

Creative A&R: Dante Santiago

Additional A&R Coordination: Jean Baptiste, Neil Jacobson

Production Coordinator: Padraic "Padlock" Kerin

Legal Representation: Fred Goldring and Rachel Rosoff for Goldring, Hertz & Lichtenstein, LLP

Business Management: Sean Larkin for Larkin Business Management

Interscope Creative: Ianthe Zevos

Photography: Dimitri Daniloff

Art Direction: Mark Kudsi and Mathew Cullen of Motion Theory and will.i.am

Logo Design: Eddie Axley and Dante Santiago

Interscope Production: Andrew Van Meter

Interscope Video Commissioner: Kathy Angstadt

Publicist: Dennis Dennehy and Hillary Siskind

Additional Production Coordination: Polo Molina and Rachel Rosoff

Interscope Legal: Craig Marshall and Todd Douglas

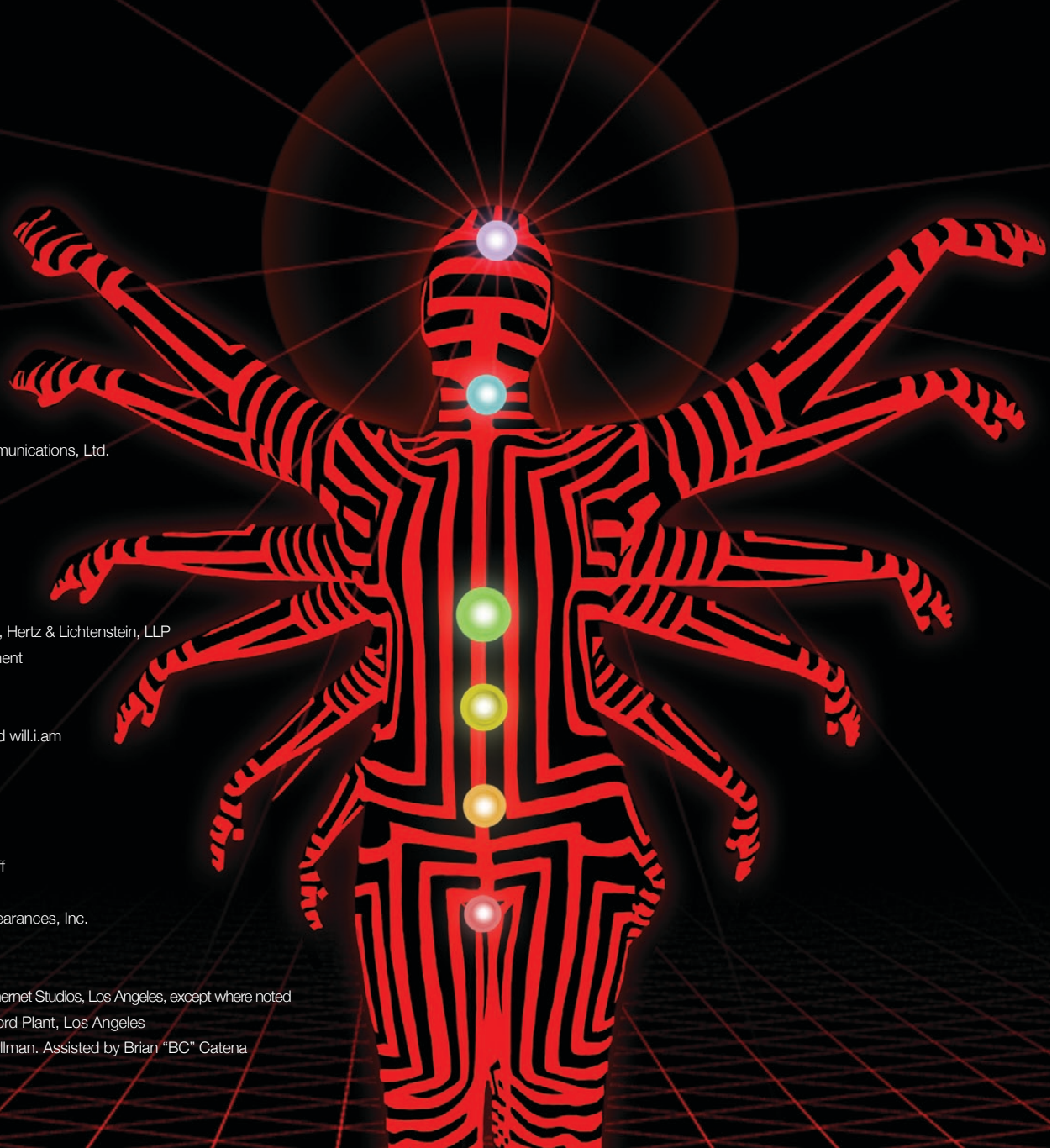
Sample Clearance Services: Deborah Mannis-Gardner @ DMG Clearances, Inc.

ALL SONGS:

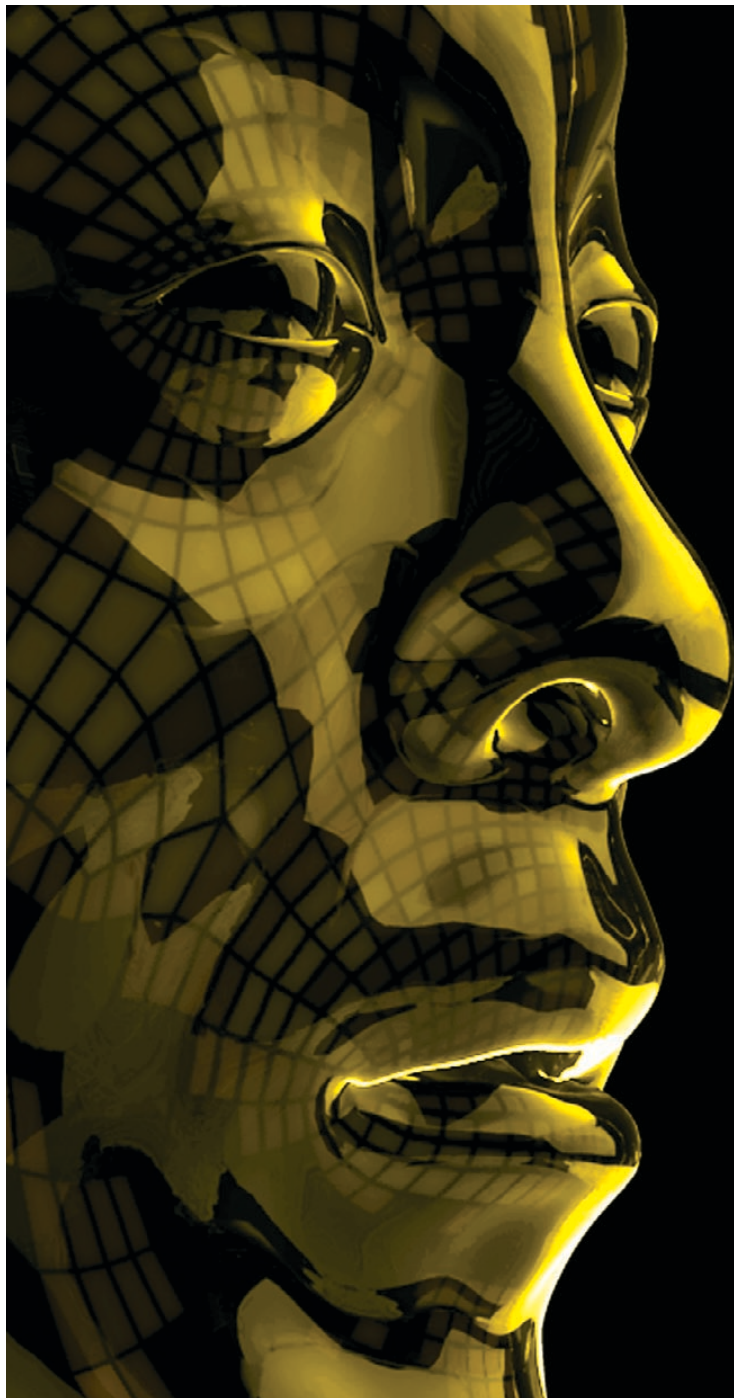
Recorded and engineered by will.i.am and Padraic "Padlock" Kerin at Ethernet Studios, Los Angeles, except where noted

Mixed by Dylan "3D" Dresdow and assisted by Joe Peluso at Record Plant, Los Angeles

Mastered at Bernie Grundman Mastering Los Angeles by Chris Bellman. Assisted by Brian "BC" Catena

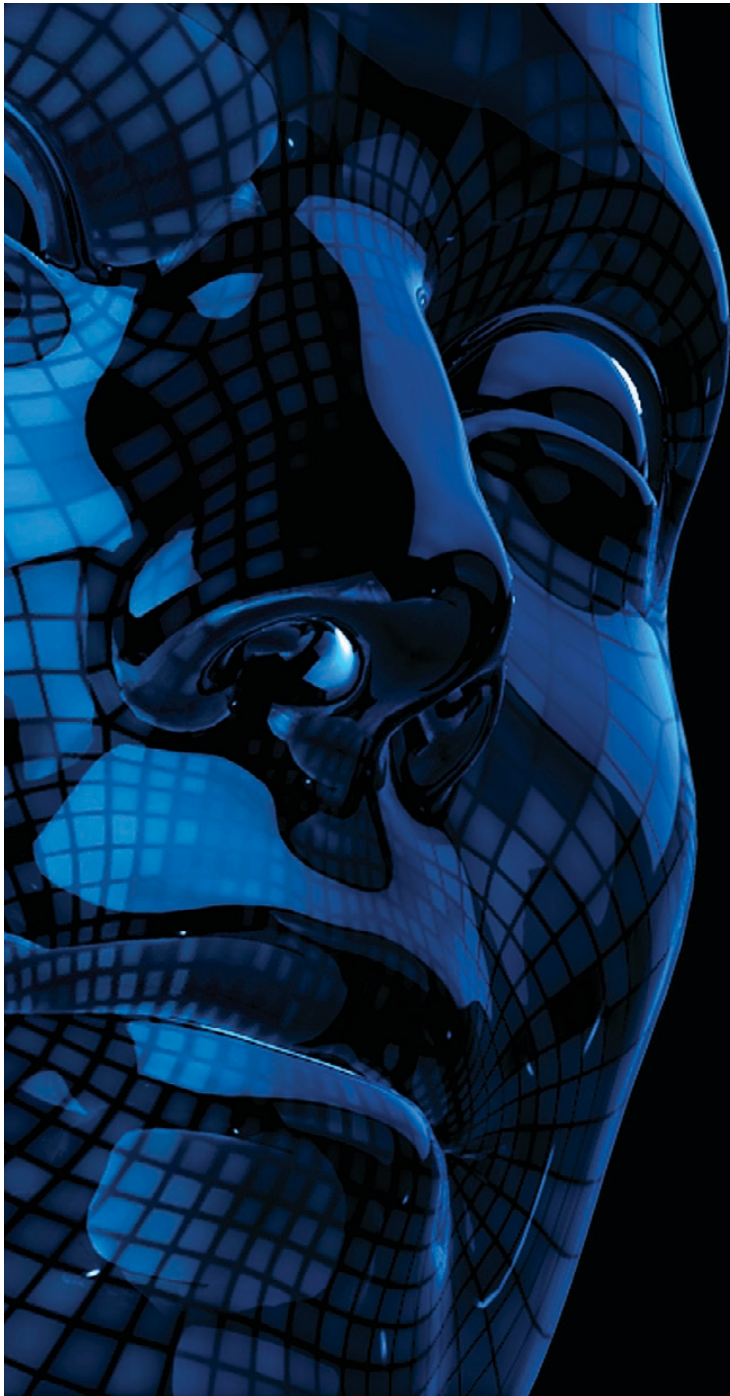






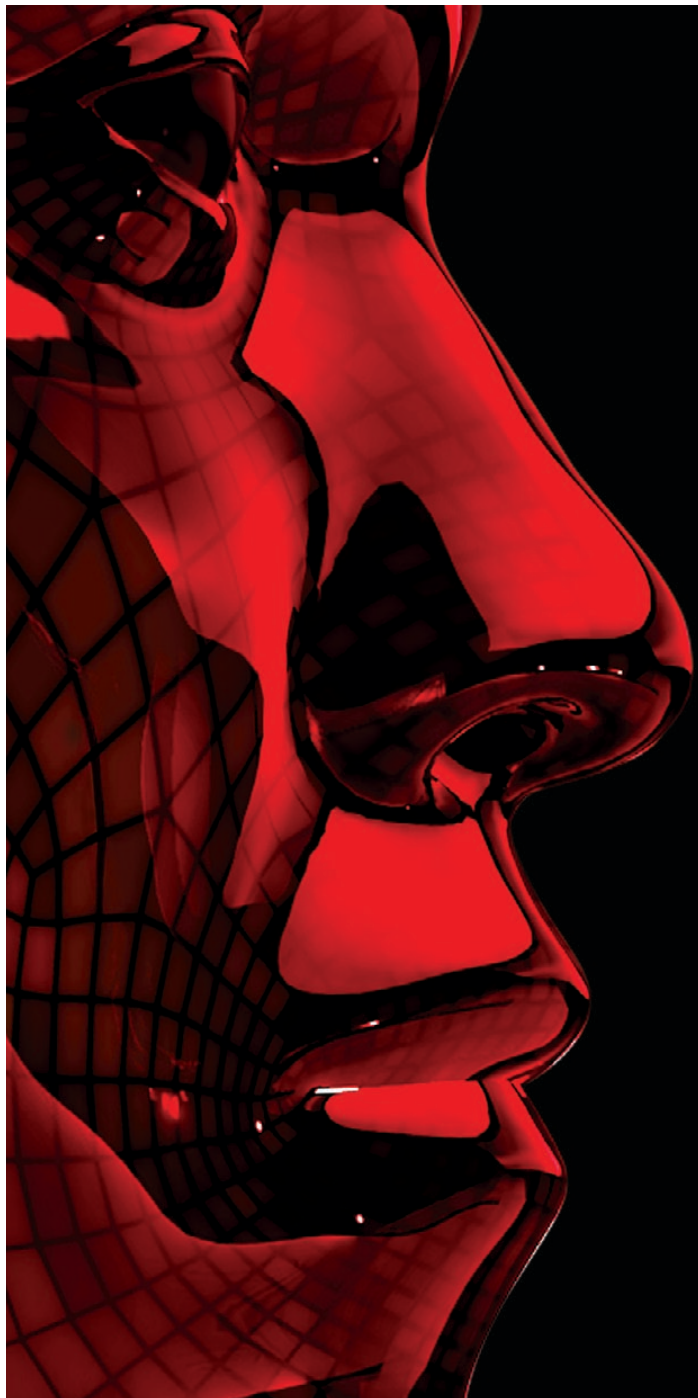
WILL.I.AM

First off I'd like to thank the builders...All the people who helped build this wonderful industry...all the artists of yesterday...all the record executives of yesterday...all the song writers who wrote songs... all the musicians who played from their soul...I'd like to thank all the fans that went out and bought record players and records...I'd like to thank RCA for creating the business of radio...and starting the business of records and for buying victor shortly after World War 2...(That's what started this industry)...I'd like to thank technology, and the development of new technology...I'd like to thank the creation of 8 track and cassettes...I'd like to thank Phillips for ushering in the c.d...I'd like to thank digital...(Mp3's, napster, file sharing, uploads, downloads, socializing, myspace, dipdive)...because this new industry is the reason why yesterday's industry has changed... It is the END of that wonderful era...It gave birth to wonderful artists, fantastic songs, and beautiful memories...it is the END of that Paradigm... But the energy.never.dies...art will continue to inspire us...and I'd like to thank you the listener for listening, to you the reader for reading, and us all for keeping this experience alive...(One to one, one to many) Let's have real relationships now...
"Hello"



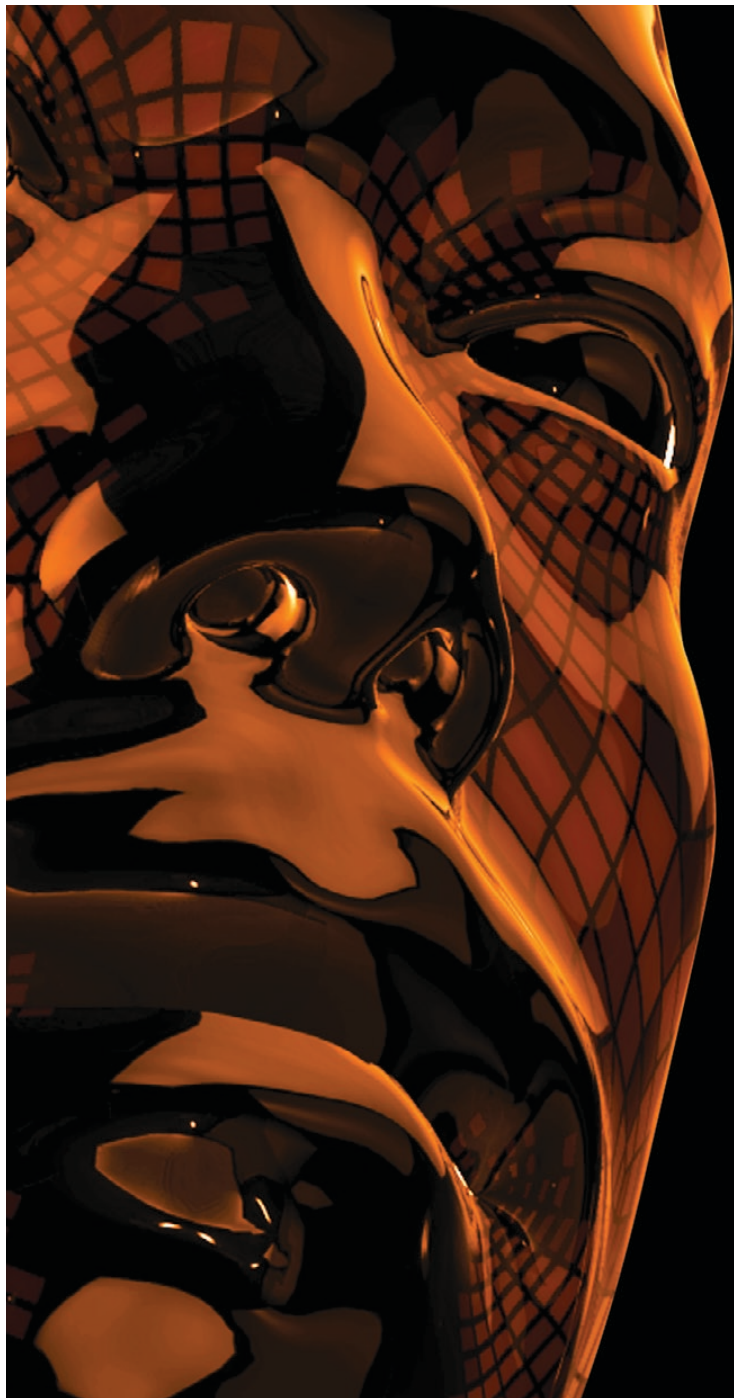
FERGIE

Thanx 2 god, my husband, my family and friends. 2 will, ap, and taboo, my big brothers I never had.....letz have a blast on this whirlwind of beautiful chaos! 2 my personal team who kix ass on a daily. William Derella, David Sonenberg, and everyone @ DAS. Sean Patterson, Laura Lightbody, and everyone @ Wilhelmina. Sara Ramaker, Jonathan Levine and everyone at Paradigm. Michael Markarian, Karen Locke, Matt Greenberg, Fatima Robinson, Veronica Rodriguez, Claudia Hernandez, Carrie Ringler, Kelly Michaels, Ronit Shapow, Pascal Duvier, Chris Psaila, Marco Marco, Patricia Morales and Andy Lecompte. Jenne Lombardo, John Dempsey and everyone at MAC Viva Glam. Tad Pilati, Satjiv Chahil and everyone at HP, Gary Rich and everyone @ Brown Shoes. Everyone @ Avon and Kipling. Mindy Weiss, Slash, my trainer db, Rob Marshall, Harvey Weinstein, Ruben Haynes, and Michael Morris. Bucky Jonson, Tina Farris, b, brandy, and all my sick dancers. Most importantly my fans, 4 your loyalty, patience, and courage 2 push things 4ward. Don't ever b afraid 2 b who u r. :) Letz go bitchez!!!!



TABOO

I Wanna Thank God First And Foremost, Jaymie Gomez, Joshua Gomez, Jimmy Jalen Gomez (New Boy Of The Gomez Clan), Mom, Julio, Sister Celeste, Tillo Enrique And All The Arevalo Family, Vicky (Mamacita) And Roger Gornichec, Leslie Rolly And Sydney Bayaca, Anthony (Ton) Dizon And Cathy, Marvik, Jovie, Tita Lene, Tita Janette Ericson And CJ, Both Father Pauls At Saint Andrews Church, Deja, R-dizzy, The Morenos And The Molinas, To All My Close Friends That Have Put It Down For My Family Love U Guys, All My People Who Have Supported The Magnetic One All The Way Thru Keep Shining, will.i.am, apl.de.ap, Fergie Ferg, Polo And Ben And The Grassroots Fam, Interscope Family, My Peeps At Das Communications, Sean Larkin And All My Larkin Biz People, And Sara Ramaker And My Paradigm Homies Thank U For Pushing My Acting Career Lets Get It In 09-10. The Acosta Family, Cousin Desiree, Jaree, Darlene, And Uncle Louie Sifuentes, Reggie Saunders, Fenando Diaz At Bello, Gabe Frimmel, Katy Gottesman At Pmk And Jim Blancarte And H.Yu Esquire Attorneys At Law... All My People At Fox And At Hyde Park And Andrezj Bartkowiak, My Martial Arts Master Director Dion Lam Thanks For The Insight To Making Me Look Like A Kick Ass Martial Arts Star... And All My Street Fighter Cast And CrewPeas And Love Tabmagnetic



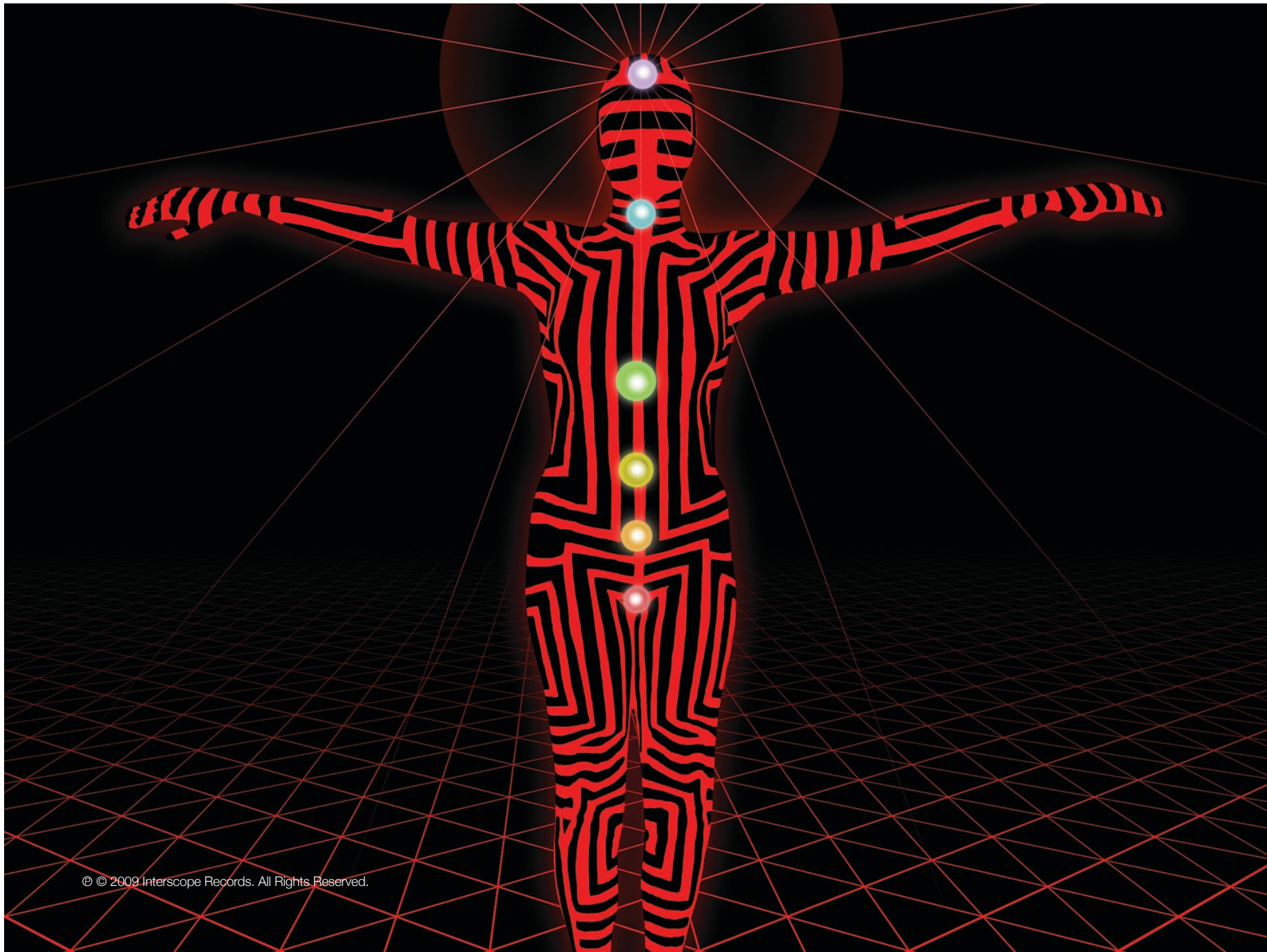
APL DE AP

Thank you to Joe Ben Huddgins, my father, (Thank you Dad, I owe it all to you), Christine Pineda, my mother, Manny Diala, my step father, my brothers and sisters-Jennifer, Chona, Christopher, Marvin, and nieces and nephews, the Philippines, will.i.am, Taboo, Fergie, Bucky Jonson, our band-Printz, George, Tim, Keith, Jimmy Iovine, the Interscope Team, Polo Molina, Ben Gross, Nick Lauher, the Jeepney Team- Replay, Jean Baptiste, Paper-Boy, Rocky, Anna Kim, Chris Sarajina, Suzanne Toro, David Sonenberg, William Derella and everyone on the DAS team, Sean Larkin and Team, All the Black Eyed Peas Fans, and in loving in memory of my brothers Joven and Arnel.

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THE ENERGY NEVER DIES



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EXHIBIT D

I GOTTA FEELING Produced by David Guetta / Co-produced by Frederick Riesterer / Written by William Adams, Allan Pineda, Jaime Gomez, Stacy Ferguson, David Guetta, Frederick Riesterer / Published by will.i.am music, inc. (BMI), Jeepney Music, Inc. (BMI), Tab Magnetic Publishing (BMI), Cherry River Music Co. (BMI), Headphone Junkie Publishing (ASCAP), EMI Music Publishing, Inc. (ASCAP), Square Rivoli Publishing (SACEM), Rister Editions (SACEM), Shapiro, Bernstein & Co., Inc. (ASCAP). / Worldwide rights for will.i.am music, inc., Jeepney Music, Inc. and Tab Magnetic Publishing administered by Cherry River Music Co. (BMI), all rights for Headphone Junkie Publishing controlled and administered by EMI Music Publishing Inc. (ASCAP). Square Rivoli Publishing and Rister Editions administered in the United States by Shapiro, Bernstein & Co., Inc. (ASCAP). / Synths: will.i.am / Recorded at Square Prod in Paris, France and Metropolis Studios in London, England

EXHIBIT E

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE NUMBER

PLAINTIFF(S)

v.

DEFENDANT(S)

**PROOF OF SERVICE
SUMMONS AND COMPLAINT**
(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (*specify documents*):

- | | | |
|---|---|--|
| <input type="checkbox"/> summons | <input type="checkbox"/> first amended complaint | <input type="checkbox"/> third party complaint |
| <input type="checkbox"/> complaint | <input type="checkbox"/> second amended complaint | <input type="checkbox"/> counter claim |
| <input type="checkbox"/> alias summons | <input type="checkbox"/> third amended complaint | <input type="checkbox"/> cross claim |
| <input type="checkbox"/> other: (<i>specify</i>): | | |

2. Person served:

- a. Defendant (*name*):
- b. Other (*specify name and title or relationship to the party/business named*):
- c. Address where papers were served:

3. Manner of Service in compliance with (one box **must** be checked):

- a. Federal Rules of Civil Procedure
- b. California Code of Civil Procedure

4. I served the person named in Item 2:

- a. By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
1. **Papers were served on** (*date*): _____ at (*time*): _____.
- b. By **Substituted service**. By leaving copies:
1. (**home**) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
2. (**business**) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
3. **papers were served on** (*date*): _____ at (*time*): _____.
4. **by mailing** (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
5. **papers were mailed on** (*date*): _____.
6. **due diligence**. I made at least three (3) attempts to personally serve the defendant. (**Attach separate declaration regarding due diligence**).
- c. **Mail and acknowledgment of service**. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).

- d. **Service on domestic corporation, unincorporated association (including partnership), or public entity (F.R.Civ.P. 4(h)) (C.C.P. 416.10).** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity (C.C.P. 415.20 only).** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service).**
- f. **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h. **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

- a. by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): _____ at (time): _____.

- b. By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- c. By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

ASAP Legal Services
 17817 Gillette Avenue
 Irvine, CA 92614
 P: (949) 851-2727, F: (949) 797-4001

- a. Fee for service: \$
- b. Not a registered California process server
- c. Exempt from registration B&P 22350(b)
- d. Registered California process server

8. I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date

Signature