

Exhibit 1

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

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CANADA: Toronto • Windsor

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MEXICO: Monterrey

POLAND: Gdynia
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May 25, 2011

Via Email

Jonathan Pink, Esq.
BRYAN CAVE LLP
3161 Michelson Drive
Suite 1500
Irvine, CA 92612-4414

Ed McPherson, Esq.
Tracy B. Rane, Esq.
MCPHERSON RANE LLP
1801 Century Park East
24th Floor
Los Angeles, CA 90067-2326

**RE: *Batts: Depositions of Defendants William Adams,
Stacy Ferguson, Allan Pineda and Jaime Gomez***

Dear Counsel:

In light of Mr. Pink's correspondence of May 23, 2011, attached please find amended notices of deposition for the Black Eyed Peas defendants.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.



Dean A. Dickie

DAD/mbs
Attachments
cc: *Counsel of Record*

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

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2101 East Coast Highway, Suite 280
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- 16 Attorneys for Plaintiffs
EBONY LATRICE BATTS a/k/a Phoenix Phenom;
17 and MANFRED MOHR

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA
20 WESTERN DIVISION

<p>21 EBONY LATRICE BATTS, an individual a/k/a Phoenix Phenom, et al.,</p> <p>22 Plaintiffs,</p> <p>23 v.</p> <p>24 WILLIAM ADAMS, JR.; STACY 25 FERGUSON; ALLAN PINEDA; and 26 JAIME GOMEZ, all individually and collectively as the music group The Black 27 Eyed Peas, <i>et al.</i>,</p> <p>28 Defendants.</p>	<p>) Case No. CV10-8123 JFW (RZx)</p> <p>) PLAINTIFFS' AMENDED</p> <p>) NOTICE OF DEPOSITION OF</p> <p>) ALLAN PINEDA</p>
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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 29, 2011, commencing at 10 a.m. at the offices of HamptonHolley LLP, 2101 East Coast Highway, Suite 260, Corona del Mar, California, 92625, Plaintiffs, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of ALLAN PINEDA.


The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: May 25, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
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George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiffs
EBONY LATRICE BATTIS a/k/a Phoenix Phenom
and MANFRED MOHR

PROOF OF SERVICE

I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF ALLAN PINEDA** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.

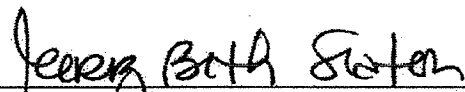
(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 25, 2011, at Chicago, Illinois.


Merry Beth Seaton

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2101 East Coast Highway, Suite 280
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2101 East Coast Highway, Suite 260
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Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Jaime Munson, will.i.am music, llc, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co.

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Counsel for Defendants: Stacy Ferguson, EMI April Music, Inc., Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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- 16 Attorneys for Plaintiffs
EBONY LATRICE BATTIS a/k/a Phoenix Phenom;
17 and MANFRED MOHR

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA
20 WESTERN DIVISION

21 EBONY LATRICE BATTIS, an individual a/k/a Phoenix Phenom, et al., 22 23 Plaintiffs, 24 v. 25 WILLIAM ADAMS, JR.; STACY FERGUSON; ALLAN PINEDA; and 26 JAIME GOMEZ, all individually and collectively as the music group The Black Eyed Peas, <i>et al.</i> , 27 28 Defendants.) Case No. CV10-8123 JFW (RZx))) PLAINTIFFS' AMENDED) NOTICE OF DEPOSITION OF) JAIME GOMEZ
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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 28, 2011, commencing at 10 a.m. at the offices of HamptonHolley LLP, 2101 East Coast Highway, Suite 260, Corona del Mar, California, 92625, Plaintiffs, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of JAIME GOMEZ.


The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: May 25, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiffs
EBONY LATRICE BATTIS a/k/a Phoenix Phenom
and MANFRED MOHR

PROOF OF SERVICE

I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF JAIME GOMEZ** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.

(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 25, 2011, at Chicago, Illinois.


Merry Beth Seaton

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 260
Corona del Mar, California 92626

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Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Jaime Munson, will.i.am music, llc, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co.

Kara E. F. Cenar, Esq.
Mariangela Seale, Esq.
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Counsel for Defendants: Stacy Ferguson, EMI April Music, Inc., Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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16 Attorneys for Plaintiffs
 EBONY LATRICE BATTS a/k/a Phoenix Phenom;
 17 and MANFRED MOHR

18 UNITED STATES DISTRICT COURT
 19 CENTRAL DISTRICT OF CALIFORNIA
 20 WESTERN DIVISION

21 EBONY LATRICE BATTS, an individual
 a/k/a Phoenix Phenom, et al.,
 22 Plaintiffs,
 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. CV10-8123 JFW (RZx)
 } **PLAINTIFFS' AMENDED**
 } **NOTICE OF DEPOSITION OF**
 } **WILLIAM ADAMS, JR.**

HAMPTONHOLLEY LLP
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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 26, 2011, commencing at 10 a.m. at the offices of HamptonHolley LLP, 2101 East Coast Highway, Suite 260, Corona del Mar, California, 92625, Plaintiffs, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of WILLIAM ADAMS, JR.

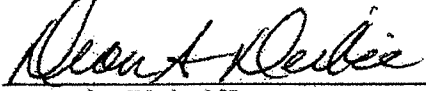
The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: May 25, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiffs
EBONY LATRICE BATTS a/k/a Phoenix Phenom
and MANFRED MOHR

PROOF OF SERVICE

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I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF WILLIAM ADAMS, JR.** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.


(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 25, 2011, at Chicago, Illinois.


Merry Beth Seaton

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 260
Corona del Mar, California 92626

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Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Jaime Munson, william music, llc, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co.

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Counsel for Defendants: Stacy Ferguson, EMI April Music, Inc., Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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Heather L. Pearson, Esq.
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16 Attorneys for Plaintiffs
17 EBONY LATRICE BATTS a/k/a Phoenix Phenom;
and MANFRED MOHR

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA
20 WESTERN DIVISION

21 EBONY LATRICE BATTS, an individual)
a/k/a Phoenix Phenom, et al.,)
22 Plaintiffs,)
23)
24 v.)
25 WILLIAM ADAMS, JR.; STACY)
FERGUSON; ALLAN PINEDA; and)
26 JAIME GOMEZ, all individually and)
collectively as the music group The Black)
27 Eyed Peas, et al.,)
28 Defendants.)

Case No. CV10-8123 JFW (RZx)
**PLAINTIFFS' AMENDED
NOTICE OF DEPOSITION OF
STACY FERGUSON**

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 27, 2011, commencing at 10 a.m. at the offices of HamptonHolley LLP, 2101 East Coast Highway, Suite 260, Corona del Mar, California, 92625, Plaintiffs, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of STACY FERGUSON.


The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: May 25, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiffs
EBONY LATRICE BATTS a/k/a Phoenix Phenom
and MANFRED MOHR

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 260
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PROOF OF SERVICE

I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF STACY FERGUSON** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.

(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 25, 2011, at Chicago, Illinois.



Merry Beth Seaton

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Service List

Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Jaime Munson, will.i.am music, llc, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co.

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Mariangela Seale, Esq.
Bryan Cave LLP
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Email: merili.seale@bryancave.com

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Tracy B. Rane, Esq.
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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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Exhibit 2

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

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FLORIDA: Naples

ILLINOIS: Chicago

NEW YORK: New York

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CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia

Warsaw • Wrocław

June 13, 2011

Via Email

Jonathan Pink, Esq.
BRYAN CAVE LLP
3161 Michelson Drive
Suite 1500
Irvine, CA 92612-4414

**RE: Pringle: Depositions of Defendants William Adams,
Stacy Ferguson, Allan Pineda and Jaime Gomez**

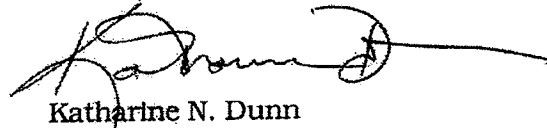
Dear Mr. Pink:

You most recently indicated on June 3, 2011 that the Black Eyed Peas defendants are only available to be presented for their depositions from July 22-27. Accordingly, attached please find amended notices of deposition confirming the depositions of Defendants William Adams, Stacy Ferguson, Jaime Gomez and Allan Pineda in this matter for July 25, 27, 22 and 26, respectively.

We maintain our position that the above-referenced depositions were appropriately noticed at HamptonHolley, LLC in Corona del Mar. However, based on your repeated objections as to the location, the depositions will now be taking place at The Beverly Hilton, 9876 Wilshire Boulevard, Beverly Hills, CA 90210. Conference room details will be provided under separate cover.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.



Katharine N. Dunn

KND/bs
Attachments
cc: Counsel of Record

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

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 2 Kathleen E. Koppenhoefer (appearing *Pro Hac Vice*)
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 12 Colin C. Holley (State Bar No. 191999)
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 13 HAMPTONHOLLEY LLP
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 14 Corona del Mar, California 92625
 Telephone: 949.718.4550
 15 Facsimile: 949.718.4580

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)
)
) **PLAINTIFF'S AMENDED**
) **NOTICE OF DEPOSITION OF**
) **JAIME GOMEZ**

) **Complaint Filed: October 28, 2010**
) **Trial Date: January 24, 2012**

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 22, 2011, commencing at 10 a.m. at the The Beverly Hilton, 9876 Wilshire Boulevard, Beverly Hills, CA 90210, Plaintiff, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of Jaime Gomez.

The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: June 13, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiff Bryan Pringle

PROOF OF SERVICE

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I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFF'S AMENDED NOTICE OF DEPOSITION OF JAIME GOMEZ** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.

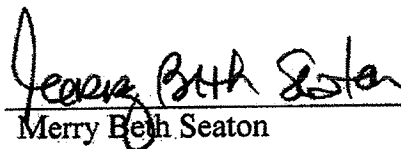
(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 13, 2011, at Chicago, Illinois.


Merry Beth Seaton

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Service List
Bryan Pringle v. William Adams, Jr. et al.
Case Number: 8:10-cv-01656-JST -RZ

Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Will.I.Am Music, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co., EMI April Music, Inc., and Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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14 Corona del Mar, California 92625
Telephone: 949.718.4550
15 Facsimile: 949.718.4580

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)

) **PLAINTIFF'S AMENDED
NOTICE OF DEPOSITION OF
WILLIAM ADAMS, JR.**

) **Complaint Filed: October 28, 2010
Trial Date: January 24, 2012**

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 25, 2011, commencing at 10 a.m. at the The Beverly Hilton, 9876 Wilshire Boulevard, Beverly Hills, CA 90210, Plaintiff, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of William Adams, Jr.

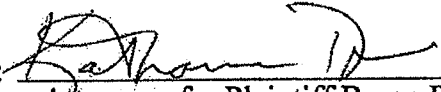
The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: June 13, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiff Bryan Pringle

PROOF OF SERVICE

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I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFF'S AMENDED NOTICE OF DEPOSITION OF WILLIAM ADAMS, JR.** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

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(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 13, 2011, at Chicago, Illinois.


Merry Beth Seaton

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 200
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2101 East Coast Highway, Suite 250
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Service List
Bryan Pringle v. William Adams, Jr. et al.
Case Number: 8:10-cv-01656-JST -RZ

Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Will.I.Am Music, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co., EMI April Music, Inc., and Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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2 Kathleen E. Koppenhoefer (appearing *Pro Hac Vice*)
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3 MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.
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12 Colin C. Holley (State Bar No. 191999)
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Telephone: 949.718.4550
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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.
28

) Case No. SACV 10-1656 JST(RZx)
)
) **PLAINTIFF'S AMENDED**
) **NOTICE OF DEPOSITION OF**
) **ALLAN PINEDA**

) **Complaint Filed: October 28, 2010**
) **Trial Date: January 24, 2012**

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 26, 2011, commencing at 10 a.m. at the The Beverly Hilton, 9876 Wilshire Boulevard, Beverly Hills, CA 90210, Plaintiff, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of Allan Pineda.

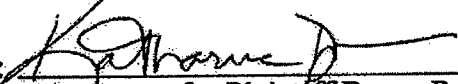
The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: June 13, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiff Bryan Pringle

PROOF OF SERVICE

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I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFF'S AMENDED NOTICE OF DEPOSITION OF ALLAN PINEDA** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

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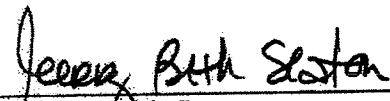
(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 13, 2011, at Chicago, Illinois.


Merry Beth Seaton

HAMPTON HOLLEY LLP
2105 East Coast Highway, Suite 260
Covina, CA 91724

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Service List
Bryan Pringle v. William Adams, Jr. et al.
Case Number: 8:10-cv-01656-JST -RZ

Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Will.I.Am Music, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co., EMI April Music, Inc., and Headphone Junkie Publishing, LLC

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Mariangela Seale, Esq.
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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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Heather L. Pearson, Esq.
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2101 East Coast Highway, Suite 260
14 Corona del Mar, California 92625
Telephone: 949.718.4550
15 Facsimile: 949.718.4580

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)
) **PLAINTIFF'S AMENDED**
) **NOTICE OF DEPOSITION OF**
) **STACY FERGUSON**

) **Complaint Filed: October 28, 2010**
) **Trial Date: January 24, 2012**

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Corona del Mar, California 92626

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 27, 2011, commencing at 10 a.m. at the The Beverly Hilton, 9876 Wilshire Boulevard, Beverly Hills, CA 90210, Plaintiff, pursuant to Fed. R. Civ. P. 30, will take the deposition upon oral examination of Stacy Ferguson.

The deposition shall be taken before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and/or by videotape.

Dated: June 13, 2011

Dean A. Dickie (appearing Pro Hac Vice)
Kathleen E. Koppenhoefer (appearing Pro Hac Vice)
MILLER, CANFIELD, PADDOCK AND STONE,
P.L.C.

Ira Gould (appearing Pro Hac Vice)
Ryan L. Greely (appearing Pro Hac Vice)
GOULD LAW GROUP

George L. Hampton IV (State Bar No. 144433)
Colin C. Holley (State Bar No. 191999)
HAMPTONHOLLEY LLP

By: 
Attorneys for Plaintiff Bryan Pringle

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 280
Corona del Mar, California 92628

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PROOF OF SERVICE

I am employed in the County of Cook, State of Illinois. I am over the age of 18 and not a party to the within action. My business address is 225 West Washington Street, Suite 2600, Chicago, Illinois 60606.

On this date, I served the foregoing document described as **PLAINTIFF'S AMENDED NOTICE OF DEPOSITION OF STACY FERGUSON** on all interested parties in this action listed on the attached Service List as follows:

(BY MAIL) - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

(BY FACSIMILE) - By transmitting a true copy thereof by facsimile from facsimile number 312.460-4201 to the facsimile number(s) shown on the attached Service List, for which electronic confirmation was received from the facsimile machine that said document was successfully transmitted without error.

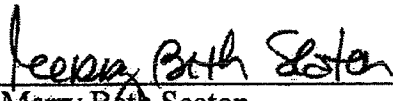
(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

(BY EMAIL) - By causing a true copy of the document(s) to be served by electronic mail transmission at the time shown on each transmission, to each interested party at the email address shown on the attached Service List. Each transmission was reported as complete and without error.

(State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

(Federal) I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 13, 2011, at Chicago, Illinois.


Merry Beth Seaton

HAMPTONHOLLEY LLP
2101 East Coast Highway, Suite 260
Corona del Mar, California 92626

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Service List
Bryan Pringle v. William Adams, Jr. et al.
Case Number: 8:10-cv-01656-JST -RZ

Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Will.I.Am Music, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co., EMI April Music, Inc., and Headphone Junkie Publishing, LLC

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Counsel for Defendants: UMG Recordings, Inc., Interscope Records

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Fax: 213-629-9022
Email: burrow@caldwell-leslie.com
Email: pearson@caldwell-leslie.com

Exhibit 3

Hunter, Aileen

From: Pink, Jonathan Stuart
Sent: Wednesday, June 15, 2011 11:36 AM
To: Hunter, Aileen; Harrison, Katie M.; Coromelas, Acrivi
Subject: FW: Batts v. Adams, et al.
Follow Up Flag: Follow up
Flag Status: Red

JONATHAN PINK | BRYAN CAVE LLP

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(949) 437-8773 f | <http://www.bryancave.com/>
Americas | Asia | Europe | Middle East



From: Pink, Jonathan Stuart
Sent: Tuesday, June 14, 2011 3:13 PM
To: 'Colin Holley'
Cc: 'Dickie@MillerCanfield.com'; 'gould@igouldlaw.com'; 'Dunn, Katharine N.'; 'rgreely@igouldlaw.com'; George Hampton; 'Tracy Rane'; 'Linda Burrow'; 'pearson@caldwell-leslie.com'; Seale, Merili; 'Ed McPherson'; Cemar, Kara; Righettini, Justin
Subject: RE: Batts v. Adams, et al.

Colin,

Dean's letter of 5/17 is not in conformity with with LR 37-1. Moreover, it was rendered moot when the parties agreed on deposition dates, as confirmed in my letter of June 3rd. (Although my letter itself says re "Pringle v. Adams," I sent email immediately following it that states "Ladies and gentlemen, My letter of moments ago references Pringle v. Adams. By way of clarification, it is intended to cover the depositions in the Batts matter as well. (See email dated 6/3/2011 sent at 5:56 p.m.)) Indeed, given that Dean's letter refers to both Batts and Pringle, and my June 3 does as well, how could Dean's correspondence be construed as a LR 37-1 letter applying only to Batts? In short, Plaintiffs have not complied with LR 37-1, and until they do any motion filed by you will be inappropriate. If you refuse to withdraw your request (and properly issue a LR 37-1 letter and schedule a meet and confer conference), you do so at your own peril. If we are forced to oppose your motion prior to your compliance with LR 37-1, we will do so on the basis of your failure to comply with that local rule, and based on the fact that we have provided you with deposition dates in this case, as you acknowledge in your Opposition. I advise you confer with your colleagues and reconsider your strategy.

Jonathan Pink | Bryan Cave LLP

3161 Michelson Drive, Suite 1500, Irvine, CA 92612-4414
(949) 223-7173 o | jonathan.pink@bryancave.com
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Americas | Asia | Europe | Middle East



6/15/2011

From: Colin Holley [mailto:cholley@hamptonholley.com]
Sent: Tuesday, June 14, 2011 2:39 PM
To: Pink, Jonathan Stuart
Cc: 'Dickie@MillerCanfield.com'; 'gould@igouldlaw.com'; 'Dunn, Katharine N.'; 'rgreely@igouldlaw.com'; George Hampton; 'Tracy Rane'; 'Linda Burrow'; 'pearson@caldwell-leslie.com'; Seale, Merili; 'Ed McPherson'; Cenar, Kara; Righettini, Justin
Subject: RE: Batts v. Adams, et al.

Jonathan,

Dean sent you and Tracy the attached letter back on May 17, requesting your availability to meet and confer on this exact issue. You failed to do so, so technically we are already entitled under LR 37 to proceed with the motion in the absence of a joint stipulation pursuant to Local Rule 37-2.4. We are nevertheless giving you the opportunity to provide your portions of the joint stipulation within the next seven days.

Colin

From: Pink, Jonathan Stuart [mailto:Jonathan.Pink@bryancave.com]
Sent: Tuesday, June 14, 2011 2:24 PM
To: Colin Holley
Cc: 'Dickie@MillerCanfield.com'; 'gould@igouldlaw.com'; 'Dunn, Katharine N.'; 'rgreely@igouldlaw.com'; George Hampton; 'Tracy Rane'; 'Linda Burrow'; 'pearson@caldwell-leslie.com'; Seale, Merili; 'Ed McPherson'; Cenar, Kara; Righettini, Justin
Subject: RE: Batts v. Adams, et al.

Colin,

As a follow-up to my email of a short time ago, while LR 7-3 does not apply, LR 37-1 does. LR 37-1 requires an in-person meet and confer conference prior to the filing of any discovery motion. Specifically, it states:

Prior to the filing of any motion relating to discovery pursuant to F.R.Civ.P. 26-37, counsel for the parties shall confer in a good faith effort to eliminate the necessity for hearing the motion or to eliminate as many of the disputes as possible. It shall be the responsibility of counsel for the moving party to arrange for this conference. If both counsel are located within the same county of the Central District, the conference shall take place in person at the office of the moving party's counsel, unless the parties agree to meet someplace else. If both counsel are not located within the same county of the Central District, the conference may take place telephonically. Unless relieved by written order of the Court upon good cause shown, counsel for the opposing party shall confer with counsel for the moving party within ten (10) days after the moving party serves a letter requesting such conference. The moving party's letter shall identify each issue and/or discovery request in dispute, shall state briefly with respect to each such issue/request the moving party's position (and provide any legal authority which the moving party believes is dispositive of the dispute as to that issue/request), and specify the terms of the discovery order to be sought.

(LR 37-1; emphasis added.)

In light of the forgoing, please immediately withdraw your request that defendants provide their portion of the joint stipulation within seven days. To the extent you wish to proceed with that motion, please issue a letter as required by LR 37 and schedule a date 10 days thereafter for the parties to meet and confer. We can hold that meeting at your office if you like, or we would happy to welcome you here. Once the parties

have complied with this Local Rule, you can move forward with your motion if necessary.

We await your letter.

JONATHAN PINK | BRYAN CAVE LLP

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Americas | Asia | Europe | Middle East



From: Pink, Jonathan Stuart

Sent: Tuesday, June 14, 2011 1:57 PM

To: 'Colin Holley'

Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; George Hampton; 'Tracy Rane'; 'Linda Burrow'; pearson@caldwell-leslie.com; Seale, Merili; 'Ed McPherson'; Cenar, Kara; Righettini, Justin

Subject: RE: Batts v. Adams, et al.

A better argument, Colin, would have been that LR 7-3 does not apply to discovery motions. And indeed it doesn't. However, given the fact that your motion appears to be entirely unfounded, discussing it might well allow you and your colleagues to avoid being sanctioned.

As you know, we have provided deposition dates for our clients in this case. Indeed, plaintiffs have acknowledged this in their Opposition to defendants' MSJ. (See page 7, line 19 through page 8, line 4). Moreover, we have agreed that, to the extent further deposition dates are needed because you need more than 7 hours with any deponent for both cases, we would agree to find dates in the fall. Given that you have not taken a single hour of deposition in this case (or in Pringle), how can you say that 7 hours on the record will not be sufficient? Do you honestly believe -- based on the information now before you -- that you need 14 hours on the record with Allan Pineda? How so?

We would suggest that -- in light of the pending motion for summary judgment -- judicial and personal economy dictate that this motion not be filed until after Judge Walter has ruled on the MSJ. As you know, there is a chance that plaintiffs' case in the Batts matter will not exist after that ruling is issued. Given that the depositions are currently scheduled for the end of July (and given that there is no basis for insisting that those be taken only in one case and not the other, assuming both are active), it would seem prudent to put your motion on hold until after a ruling. If defendants prevail on that motion, you don't need an additional 7 hours -- you can spend all your time in July talking exclusively about the Pringle matter. If defendants do not prevail, you can allocate your time as you like (as the testimony dictates), and take follow-up depositions thereafter.

Of course you are not obligated to do as we suggest, and you will likely disagree this analysis. But given that you'll have to explain your logic in this regard to Judge Walter, perhaps you could explain it to us as well at this time. What flaw in our logic dictates the filing of this motion now? To the extent you elect to proceed along this course, we will of course timely oppose it, and seek all appropriate sanctions for filing of an objectively frivolous motion.

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(949) 223-7173 o | jonathan.pink@bryancave.com

6/15/2011

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Americas | Asia | Europe | Middle East



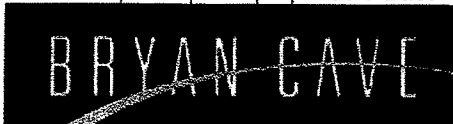
From: Colin Holley [mailto:cholley@hamptonholley.com]
Sent: Tuesday, June 14, 2011 1:25 PM
To: Pink, Jonathan Stuart
Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; George Hampton; 'Tracy Rane'; 'Linda Burrow'; pearson@caldwell-leslie.com; Seale, Merili; 'Ed McPherson'; Cenar, Kara
Subject: RE: Batts v. Adams, et al.

The parties have conferred on this issue *ad nauseum*. You have seven days to provide your portions of the Joint Stipulation. If you fail to do so, we will proceed with the motion in the absence of a joint stipulation pursuant to Local Rule 37-2.4.

From: Pink, Jonathan Stuart [mailto:Jonathan.Pink@bryancave.com]
Sent: Tuesday, June 14, 2011 1:16 PM
To: Colin Holley; Cenar, Kara; 'Ed McPherson'
Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; George Hampton; 'Tracy Rane'; 'Linda Burrow'; pearson@caldwell-leslie.com; Seale, Merili
Subject: RE: Batts v. Adams, et al.

I don't recall meeting and conferring on the motion you describe. The meet and confer conference of Friday concerned plaintiffs' proposed motion to continue the date of defendants' pending motion for summary judgment. Both sides expressed their views on whether that motion was appropriate. We did not discuss a motion to compel more time for depositions, which seems to be the motion you are describing. Local Rule 7-3 and the court's own standing order make clear what a meet and confer regarding a motion must include. If you intend to file a motion to compel, and would like to meet and confer on that issue, we are free to do so any day this week.

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Americas | Asia | Europe | Middle East



From: Colin Holley [mailto:cholley@hamptonholley.com]
Sent: Tuesday, June 14, 2011 12:17 PM
To: Cenar, Kara; 'Ed McPherson'
Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; George Hampton; Pink, Jonathan Stuart; 'Tracy Rane'; 'Linda

Burrow'; pearson@caldwell-leslie.com; Seale, Merili
Subject: RE: Batts v. Adams, et al.

Counsel –

You are confused and are mixing up cases. The plaintiff in the Pringle action is taking those depositions on those dates, as confirmed in the notices served yesterday. The motion at issue is being filed in the Batts case.

Colin

From: Cenar, Kara [mailto:Kara.Cenar@bryancave.com]
Sent: Tuesday, June 14, 2011 12:13 PM
To: 'Ed McPherson'; Colin Holley; Pink, Jonathan Stuart; 'Tracy Rane'; 'Linda Burrow'; pearson@caldwell-leslie.com; Seale, Merili
Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; George Hampton
Subject: RE: Batts v. Adams, et al.

We have already informed Plaintiffs counsel that the Band members will be produced for deposition July 22-27 at the Beverly Hills location. Colin, your email indicating that you intend to file a Motion to Compel their attendance is in our view without basis.

Are you representing that you do not want to take their deposition on July 22-27?

From: Ed McPherson [mailto:emcpherson@mcphersonrane.com]
Sent: Tuesday, June 14, 2011 2:09 PM
To: 'Colin Holley'; Pink, Jonathan Stuart; Cenar, Kara; 'Tracy Rane'; 'Linda Burrow'; pearson@caldwell-leslie.com; Seale, Merili
Cc: Dickie@MillerCanfield.com; gould@igouldlaw.com; 'Dunn, Katharine N.'; rgreely@igouldlaw.com; 'George Hampton'
Subject: RE: Batts v. Adams, et al.

Counsel:

For my own scheduling purposes, I would like to confirm my assumption based upon this Motion, etc. that the dates previously set for the Peas Depositions, June 22, 25, 26, and 27, are now off calendar.

Please confirm this as soon as possible.

Thanks,
-Ed

From: Colin Holley [mailto:cholley@hamptonholley.com]
Sent: Tuesday, June 14, 2011 11:54 AM
To: Pink, Jonathan Stuart; Cenar, Kara; Tracy Rane; 'Ed McPherson'; 'Linda

Burrow'; pearson@caldwell-leslie.com; Seale, Merili
Cc: Dickie@MillerCanfield.com; 'gould@igouldlaw.com'; Dunn, Katharine N.;
rgreely@igouldlaw.com; George Hampton
Subject: Batts v. Adams, et al.

Counsel –

As you know from the extensive meet and confer communications in which the parties have already engaged, Plaintiffs intend to file a motion to compel William Adams, Stacy Ferguson, Allan Pineda and Jaime Gomez to each appear for seven hour depositions in the *Batts, et al. v. Adams, et al.* matter. Attached is Plaintiffs' portion of the required Joint Stipulation, along with the declaration, exhibits and proposed order Plaintiffs intend to submit to the Court. Please provide us with your clients' portions of the Joint Stipulation, together with all declarations and exhibits to be offered in opposition to the motion, within the next seven days pursuant to Local Rule 37-2.2.

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bcllp2011

Exhibit 4

Pink, Jonathan Stuart

From: Dunn, Katharine N. [dunn@millercanfield.com]
Sent: Friday, July 01, 2011 12:27 PM
To: Cenar, Kara
Cc: Seaton, Merry Beth; Alison MacKenzie; Barry I. Slotnick; Donald A. Miller; Pink, Jonathan Stuart; Linda M. Burrow; Seale, Merili; Dickstein, Tal; Colin Holley; Dickie, Dean A.; Frye, Irina Vitalyevna; George Hampton; Koppenhoefer, Kathleen E.; Greely, Ryan; Vernon, Joseph G.; Righettoni, Justin
Subject: Re: Pringle v. BEP - KND letter of 7-1-11

This will be my last correspondence on this subject: we are taking the Pringle BEP member depositions on the dates confirmed in July.

On Jul 1, 2011, at 2:22 PM, "Cenar, Kara" <Kara.Cenar@bryancave.com> wrote:

> Ok so they will appear for deposition on the July dates in Batts.

>

> -----Original Message-----

> From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]

> Sent: Friday, July 01, 2011 2:22 PM

> To: Cenar, Kara

> Cc: Seaton, Merry Beth; Alison MacKenzie; Barry I. Slotnick; Donald A.

> Miller; Pink, Jonathan Stuart; Linda M. Burrow; Seale, Merili;

> Dickstein, Tal; Colin Holley; Dickie, Dean A.; Frye, Irina Vitalyevna;

> George Hampton; Koppenhoefer, Kathleen E.; Greely, Ryan; Vernon,

> Joseph G.; Righettoni, Justin

> Subject: Re: Pringle v. BEP - KND letter of 7-1-11

>

> Kara,

>

> I had the date wrong - I thought our response was due later in September. So, you are correct - any date for the BEP members in Batts beyond August is unacceptable.

>

>

> On Jul 1, 2011, at 2:16 PM, "Cenar, Kara" <Kara.Cenar@bryancave.com> wrote:

>

>> Katharine,

>>

>> Your office filed a declaration with the Court in the Batts case representing that the band member depositions were allegedly necessary for your opposition to the Summary Judgment motion, which is due Sept 1. The mediation is in July in the Batts case. I am really confused as to why your office is refusing to take the band member deposition in the Batts case in July. I am further confused as to why you insist on the band member depositions in the Pringle case because your claims are not directed to their portion of the song.

>>

>> I guess you can continue to refuse to take their deposition in the Batts case, but that seems counter intuitive and contrary to the representations previously made to the Court.

>>

>> Also the close of discovery in Pringle is in November, and an earlier close date is in the Batts. That also indicates that the July dates should be for the Batts case. It is for these reasons that the band members are being produced on the July dates for the Batts case.

>>

>> -----Original Message-----

>> From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]

>> Sent: Friday, July 01, 2011 2:08 PM

>> To: Cenar, Kara

>> Cc: Seaton, Merry Beth; Alison MacKenzie; Barry I. Slotnick; Donald A. Miller; Pink, Jonathan Stuart; Linda M. Burrow; Seale, Merili; Dickstein, Tal; Colin Holley; Dickie, Dean A.; Frye, Irina Vitalyevna; George Hampton; Koppenhoefer, Kathleen E.; Greely, Ryan;

Vernon, Joseph G.

>> Subject: Re: Pringle v. BEP - KND letter of 7-1-11

>>

>> Kara,

>>

>> The Pringle dates for the BEP members are confirmed. I am not sure how many different ways I need to say that.

>>

>> Perhaps you should be proposing those August/September dates for the Batts case. The Court will likely find it curious why you are choosing not to do so. Seems to be a disingenuous position.

>>

>> Katharine

>>

>>

>>

>> On Jul 1, 2011, at 1:48 PM, "Cenar, Kara" <Kara.Cenar@bryancave.com> wrote:

>>

>>> We have alternative dates that we have proposed for the Band members depositions in the Pringle matter. Those dates are Aug 29-Sept 1 (perhaps one band member will be Aug 8-9). Thus the band members depositions will proceed in Batts on the July dates (and you are free to also question on the Pringles matter)and if you are unable to complete their depositions for both cases in July the Pringles depositions can proceed on the august dates.

>>>

>>> Please confirm that there is no need for filing a protective order for our band members. We will also be informing the Court in our filing today on the Batts Motion of these alternative dates. It would be helpful to know if you accept the alternative dates or not for today's filing.

>>>

>>> -----Original Message-----

>>> From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]

>>> Sent: Friday, July 01, 2011 1:41 PM

>>> To: Cenar, Kara

>>> Cc: Seaton, Merry Beth; Alison MacKenzie; Barry I. Slotnick; Donald A. Miller; Pink, Jonathan Stuart; Linda M. Burrow; Seale, Merili; Dickstein, Tal; Colin Holley; Dickie, Dean A.; Frye, Irina Vitalyevna; George Hampton; Koppenhoefer, Kathleen E.; Greely, Ryan; Vernon, Joseph G.

>>> Subject: Re: Pringle v. BEP - KND letter of 7-1-11

>>>

>>> Kara,

>>>

>>> As I should not have to explain to you, the less Mr. Pringle is required to be away from his terminally ill mother, the better. He will obviously have to make arrangements for trial, which will also be very difficult for him. Are we really going to belabor this point? State defendants' position regarding the location of Mr. Pringle's deposition and we will deal with whatever that position is.

>>>

>>> The band member depositions will proceed on the confirmed dates.

>>>

>>>

>>>

>>> On Jul 1, 2011, at 1:18 PM, "Cenar, Kara" <Kara.Cenar@bryancave.com> wrote:

>>>

>>>> Your assertions appear to be inconsistent? Is he unable to appear for trial in California? Or is he just representing that only appearing for his deposition is burdensome?

>>>>

>>>>

>>>> Is Mr. Pringle willing to appear on the Noticed date In TX?

>>>>

>>>> Is he willing to release the band member defendants from their dates?

>>>>

>>>> -----Original Message-----

>>>> From: Dunn, Katharine N. [mailto:dunn@millercanfield.com]

>>>> Sent: Friday, July 01, 2011 1:15 PM

>>>> To: Cenar, Kara

>>>> Cc: Seaton, Merry Beth; Alison MacKenzie; Barry I. Slotnick; Donald A. Miller; Pink, Jonathan Stuart; Linda M. Burrow; Seale, Merili; Dickstein, Tal; Colin Holley; Dickie, Dean A.; Frye, Irina Vitalyevna; George Hampton; Koppenhoefer, Kathleen E.; Greely, Ryan; Vernon, Joseph G.

>>>> Subject: Re: Pringle v. BEP - KND letter of 7-1-11

>>>>

>>>> Kara,

>>>>

>>>> Exactly what more information do you need regarding Mr. Pringle's mother's health status and his role in her care? He lives with her, she is terminally ill and he is the individual solely responsible for all aspects of her care. Forcing Mr. Pringle to travel to California would necessitate that he be gone from her overnight, possibly two nights/days and is overly burdensome. In comparison, if his deposition proceeds in San Antonio, he would only need assistance with his mother for that 7 hour time period. Are defendants unwilling to proceed in San Antonio?

>>>>

>>>>

>>>> Katharine

>>>>

>>>>

>>>>

>>>> On Jul 1, 2011, at 12:42 PM, "Cenar, Kara" <Kara.Cenar@bryancave.com> wrote:

>>>>

>>>>> Katharine,

>>>>>

>>>>> Thank you for your letter. Although it does not accurately reflect our conversation, the issue of Mr. Pringle not appearing on his noticed date is understood.

>>>>>

>>>>> As you know, Mr. Pringle is the only individual identified by your office as having any knowledge of any of the facts relating to this claim. His refusal to appear on the Noticed date is materially prejudicial to obtaining a prompt completion of this case and reducing unnecessary fees and expenses. We have sent a letter to you regarding additional serious discovery deficiencies from Mr. Pringle. This unexplained delay in his appearance at his deposition raises additional grave concerns about his blocking access to the evidence showing the lack of merit in this case, and his cavalier attitude regarding the seriousness for the issues and allegations he has made against others in this case.

>>>>>

>>>>> Would you be kind enough to explain a little more about Mr. Pringle's representations regarding "daily care" of his mother. Even if this deposition was to proceed in Mr. Pringle's requested location (which is not agreed to at this point in time) he would not be in the house providing care. He will be in a different location being deposed. Thus it seems likely that he is able to obtain appropriate coverage for this situation, and is fully capable of appearing for his deposition in California.

>>>>>

>>>>> As you know Mr. Pringle has filed suit against numerous different California residents and others residing internationally, and he now refuses to appear in the California district for his deposition? With all due respect to his personal matters, his request simply seeks to shift extreme burden and expense onto all defendants, and there is no suggestion that he intends to reimburse anyone for these expenses.

>>>>>

>>>>> Also, Mr. Pringle, through his counsel has made extremely onerous demands upon most of The Black Eyed Pea band members regarding their schedules, deposition locations. His counsel have even set conflicting deposition dates and locations in other cases to add to the burden and expense. Mr. Pringle's uncompromising deposition locations (and refusal to have the depositions taken at the requested location of the band members or any other defendant for that matter as a matter of courtesy to them) seems to be directly opposite to the courtesy he is now requesting of everyone else for his newly disclosed personal situation.

>>>>>

>>>>> In fact Mr. Pringle through his counsel has refused to agree to alternative dates for the Band members in the Pringle case so that the band members could appear for their deposition in the Batts case (Mr. Pringle's counsel is the same in both cases). Because of Mr. Pringle's uncompromising position on deposition scheduling and location, the band members have had unnecessary fees and expenses related to having to file a Motion for Protective order in the Pringle case, and to defend a Motion to Compel in the Batts case. Please advise as to whether Mr. Pringle will alter his demands so as to eliminate all of this unnecessary expense.

>>>>

>>>> Finally since Mr. Pringle sees no urgency in appearing for his own deposition on his Noticed date, is Mr. Pringle agreeable to releasing the Black Eyed Pea band members from their deposition on July 22, 25, 26, and 27 so that they can appear for deposition in the Batts case? In the alternative is he willing to, as we requested, depose the band members on both cases on those dates with continuing dates on a later date? I have alternative dates I could propose for such continued deposition if that proves necessary.

>>>>

>>>> Please let me know the information requested above and I will confer with my clients and co counsel. At present, while I am sympathetic to Mr. Pringle's mother, I cannot agree to his intended lack of appearance for his deposition on the Noticed date.

>>>>

>>>> Thank you.

>>>>

>>>> Kara

>>>>

>>>> -----Original Message-----

>>>> From: Seaton, Merry Beth [mailto:seaton@millercanfield.com]

>>>> Sent: Friday, July 01, 2011 11:48 AM

>>>> To: Alison MacKenzie; Barry I. Slotnick; Donald A. Miller; Pink,

>>>> Jonathan Stuart; Cemar, Kara; Linda M. Burrow; Seale, Merili;

>>>> Dickstein, Tal

>>>> Cc: 'Colin Holley'; Dickie, Dean A.; Dunn, Katharine N.; Frye, Irina Vitalyevna; 'George Hampton'; Koppenhoefer, Kathleen E.; Greely, Ryan; Seaton, Merry Beth; Vernon, Joseph G.

>>>> Subject: Pringle v. BEP - KND letter of 7-1-11

>>>>

>>>> Please see attached sent on behalf of Ms. Dunn.

>>>>

>>>> Merry Beth Seaton

>>>> Litigation Coordinator

>>>> Miller Canfield

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>>>> Suite 2600

>>>> Chicago, IL 60606

>>>> Ph: 312.460-4217

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>>>>

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>>>> bcllp2011

Exhibit 5

DATES DEFENDANTS WITNESSES HAVE SCHEDULED INTO THEIR CALENDARS TO TESTIFY FOR BOTH CASES	DATES AND LOCATIONS PLAINTIFFS COUNSEL ARBITRARILY SELECTED FOR PRINGLE CASE	DATES AND LOCATIONS PLAINTIFFS COUNSEL Arbitrarily SELECTED FOR BATTIS CASE
<p>July 27</p> <p>Stacy Ferguson</p> <p>1:00 pm</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p>	<p>July 27, 2011</p> <p>10:00 am</p> <p>The Beverly Hilton</p> <p>(No assurances of security measures arranged or set)</p> <p>Ignores time unavailability of witness</p> <p>Conflicts with another set deposition date</p>	<p>July 27, 2011</p> <p>10:00 am</p> <p>Corona Del mar California</p> <p>(No assurances of security measures arranged or set)</p> <p>Ignores time unavailability of witness</p> <p>Conflicts with another set deposition date</p>
<p>July 22, 2011</p> <p>Jaime Gomez</p> <p>10:00 am</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p>	<p>July 22, 2011</p> <p>Jaime Gomez</p> <p>10:00 am</p> <p>The Beverly Hilton</p> <p>(No assurances of security measures arranged or set)</p>	<p>July 28, 2011</p> <p>10:00 am</p> <p>Corona del mar California</p> <p>(No assurances of security measures arranged or set)</p> <p>Conflicts with another set deposition date</p> <p>Not scheduled on date provided as</p>

<p>July 25</p> <p>William Adams</p> <p>10:00 am</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p>	<p>July 25, 2011</p> <p>William Adams (sic)</p> <p>10:00 am</p> <p>The Beverly Hilton</p> <p>(No assurances of security measures arranged or set)</p>	<p>July 26, 2011</p> <p>10:00 am</p> <p>Corona Del mar California</p> <p>Conflicts with another set deposition date</p> <p>(No assurances of security measures arranged or set)</p> <p>Not scheduled on date provided as available</p>
<p>July 26</p> <p>Allan Pineda</p> <p>10:00 am</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p>	<p>July 26, 2011</p> <p>10:00 am</p> <p>The Beverly Hilton Hotel</p> <p>(No assurances of security measures arranged or set)</p> <p>Conflicts with another set deposition date</p>	<p>July 29, 2011</p> <p>10:00 am</p> <p>Corona Del mar, California</p> <p>Conflicts with Counsel's availability and Plaintiffs' unilateral change of location will cause inability to make flight out on this Friday, thereby causing additional hotel expenses and change of flight fees and costs.</p> <p>Not scheduled on date provided as available</p>

<p>July 28</p> <p>Jaime Munson</p> <p>10:00</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p>		<p>July 28</p> <p>Jaime Munson</p> <p>10:00</p> <p>Hertz & Lichtenstein LLP 450 North Roxbury Drive, 8th Floor Beverly Hills, California 90210-4222</p> <p>Conflicts with another set deposition date</p> <p>Counsel not available</p>
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