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15 Attorneys for Plaintiff  
BRYAN PRINGLE

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

20 BRYAN PRINGLE, an individual,  
21 Plaintiff,

22 v.

23 WILLIAM ADAMS, JR.; STACY  
FERGUSON; ALLAN PINEDA; and  
24 JAIME GOMEZ, all individually and  
collectively as the music group The Black  
25 Eyed Peas, *et al.*,  
26 Defendants.

) Case No. SACV 10-1656 JST(RZx)

) **EX PARTE APPLICATION BY**  
) **PLAINTIFF BRYAN PRINGLE**  
) **FOR TEMPORARY**  
) **RESTRAINING ORDER AND**  
) **ORDER TO SHOW CAUSE RE**  
) **PRELIMINARY INJUNCTION**

) [*Filed concurrently with:*  
) Memorandum of Points and  
) Authorities, Declarations of Bryan  
) Pringle, Mark Rubel, Kevin Byrnes,  
) Alexander Stewart, David Gallant and  
) George L. Hampton IV, [Proposed]  
) TRO and [Proposed] OSC re  
) Preliminary Injunction]

1 Plaintiff Bryan Pringle (“Pringle”) hereby respectfully applies *ex parte* for a  
2 temporary restraining order and order to show cause re preliminary injunction  
3 pursuant to Rule 65 of the Federal Rules of Civil Procedure and Central District  
4 Local Rules 65-1 and 7-19.

5 By this application, Pringle seeks:

6 (1) an order requiring defendants William Adams, Jr., Stacy Ferguson,  
7 Allan Pineda and Jaime Gomez, all individually and collectively as the music group  
8 the Black Eyed Peas, David Guetta, Frederick Riesterer, UMG Recordings, Inc.,  
9 Interscope Records, EMI April Music, Inc., Headphone Junkie Publishing, LLC,  
10 Will.I.Am, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music  
11 Co., Square Rivoli Publishing, Rister Editions And Shapiro, Bernstein & Co.  
12 (collectively, “Defendants”) to show cause why a preliminary injunction should not  
13 issue enjoining Defendants and their respective agents, servants, representatives and  
14 employees from infringing Pringle’s statutory copyright in any manner, including by  
15 way of distributing copies of, and making and distributing phonorecords of, the  
16 musical composition “I Gotta Feeling” and from licensing and contributing to or  
17 participating in and furthering any infringing acts, including but not limited to any  
18 public performances of the song “I Gotta Feeling;” and

19 (2) a temporary restraining order enjoining Defendants from infringing  
20 Pringle’s statutory copyright in any manner, including by way of distributing copies  
21 of, and making and distributing phonorecords of, the musical composition “I Gotta  
22 Feeling” and from licensing and contributing to or participating in and furthering any  
23 infringing acts, including but not limited to any public performances of the song “I  
24 Gotta Feeling;” pending hearing on the order to show cause re preliminary  
25 injunction.

26 Pringle requests, pursuant to Local Rule 65-1, that the Court set the hearing on  
27 the order to show cause as early as the Court’s calendar will allow without regard to  
28 the twenty-eight days notice of motion requirement of Local Rule 6-1.

1 Good cause exists for the instant *ex parte* application for temporary restraining  
2 order and order to show cause re preliminary injunction for the reasons set forth in  
3 the Memorandum of Points and Authorities filed concurrently with this application.

4 Pringle gave proper notice of this *ex parte* application pursuant to Local Rule  
5 7-19.1 and Pringle's attorneys understand that Defendants dispute Pringle's  
6 allegations of copyright infringement, and will oppose the imposition of any order  
7 restraining or enjoining Defendants' continued making, distribution, licensing or  
8 performance of the musical composition "I Gotta Feeling." See Declaration of  
9 George L. Hampton IV at ¶¶ 3-4.

10 This *ex parte* application is based upon the Memorandum of Points and  
11 Authorities and the Declarations of Bryan Pringle, Mark Rubel, Kevin Byrnes,  
12 Alexander Stewart, David Gallant and George L. Hampton IV filed concurrently  
13 herewith, and the Court records and file herein.

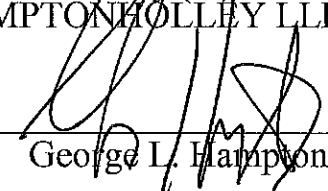
14 ***Defendants Are Hereby Notified That Any Opposition To This Ex Parte***  
15 ***Application Must Be Filed No Later Than 24 Hours Following Service Of The Ex***  
16 ***Parte Application, Pursuant To This Court's Initial Standing Order Dated October***  
17 ***29, 2010 (ECF Doc. #4)***

18  
19 Dated: November 22, 2010

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26 By:   
George L. Hampton IV

Attorneys for Plaintiff  
BRYAN PRINGLE

**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 2101 East Coast Highway, Suite 260, Corona del Mar, California 92625. On November 22, 2010, I served the within document(s) described as:

**EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION**

on the interested parties in this action as stated below:

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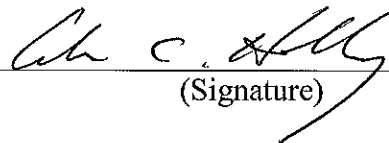
**(BY ELECTRONIC MAIL)** I electronically mailed a true copy of the foregoing document to the email address as noted above; **AND**.

**(BY OVERNIGHT DELIVERY)** I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in a sealed envelope or package designated by the express service carrier, addressed as set forth above, with fees for overnight delivery paid or provided for.

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

Executed on November 22, 2010, at Corona del Mar, California.

Colin C. Holley  
(Type or print name)

  
(Signature)