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3 UNITED STATES DISTRICT COURT
4 CENTRAL DISTRICT OF CALIFORNIA
5 SOUTHERN DIVISION

6 BRYAN PRINGLE, an individual,
7 Plaintiff,

8 vs.

9 WILLIAM ADAMS, JR.; STACY
10 FERGUSON; ALLAN PINEDA; and
11 JAIME GOMEZ, all individually and
collectively as the music group The
Black Eyed Peas, *et al.*,
12 Defendants

Case No. SACV 8:10-CV-01656 JST
(RZx)

**DECLARATION OF JEAN-
CHARLES CARRE IN SUPPORT
OF MOTION FOR SUMMARY
JUDGMENT BY DEFENDANTS
SHAPIRO, BERNSTEIN & CO,
INC., FREDERIC RIESTERER AND
DAVID GUETTA**

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15 I, JEAN-CHARLES CARRE, declare as follows:

16 1. I am Director and co-founder of Gum Productions, a music production
17 company located in Paris, France that serves as the production company for the
18 music of David Guetta. I am also Mr. Guetta's manager. I have personal
19 knowledge of the facts stated hereinafter, and I submit this declaration in support of
20 the motion for summary judgment filed by Defendants Shapiro, Bernstein & Co.,
21 Inc., David Guetta, and Frederic Riesterer.

22 2. My duties as Director of Gum Productions and as Mr. Guetta's
23 business manager include negotiating and administering Mr. Guetta's recording,
24 publishing and licensing agreements; reviewing correspondence; managing and
25 coordinating Mr. Guetta's public performances; administering and updating his
26 website; and managing other business aspects of Mr. Guetta's music career.
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1 3. During the 1980s and 1990s, Mr. Guetta's music career consisted
2 primarily of performing as a DJ in nightclubs in France. Although Mr. Guetta began
3 producing some of his own music in the 1990s, that music was played mostly in
4 French nightclubs. Mr. Guetta's first studio album, entitled *Just a Little More Love*,
5 was released in June 2002 in France and in February 2004 in the United States on
6 Astralwerk (EMI). *Just a Little More Love* experienced some success in France and
7 very limited success in the United States. David Guetta's second album, entitled
8 *Guetta Blaster*, was released in France in June 2004. However, because of the
9 limited success of *Just a Little More Love*, EMI chose not to release *Guetta Blaster*
10 in the United States. Instead, *Guetta Blaster* was released in the United States in
11 March 2007 by a small independent and specialized record company named Ultra
12 Music Records.

13 4. Mr. Guetta's third album, entitled *Pop Life*, was released in France in
14 June 2007 and in the United States in October 2007. The album's lead single,
15 "Love is Gone," reached number 1 on the American Dance Chart and appeared on
16 the *Billboard* Hot 100. Mr. Guetta toured widely to promote the *Pop Life* album,
17 and his performances received recognition and awards from the electronic music
18 press. In the spring of 2009, The Black Eyed Peas released "I Gotta Feeling," which
19 Mr. Guetta co-wrote and produced along with Frederic Riesterer. Mr. Guetta's
20 music was not released by a major record label in the United States until his fourth
21 studio album, *One Love*, which was released in August 2009. Its first single, "When
22 Love Takes Over" won a Grammy award in January 2010. Mr. Guetta's fifth studio
23 album, *Nothing But the Beat*, was released in August 2011 and reached number 1 on
24 *Billboard's* list of top dance/electronic albums.

25 5. Gum Productions is a very small production company, whose sole
26 purpose is to facilitate the production of David Guetta's music. Since its founding
27 by Mr. Guetta, Joachim Garraud (another French music producer) and myself in
28 2001, Gum Productions has never produced any albums other than Mr. Guetta's.

1 Gum Productions had no employees from 2001 to 2009, and only four employees
2 since 2009 (one music technician, one video technician, one legal advisor, and one
3 personal assistant). Gum Productions has never been actively marketed or
4 publicized, and the only publicity it has received was in connection with David
5 Guetta's music. Thus, prior to David Guetta's international success in 2007, there
6 was little if any public awareness of Gum Productions.

7 6. I understand that the Plaintiff Bryan Pringle—who claims to have used
8 the aliases “Altared State,” “Dead Beat Club,” “Counter Culture,” “Technique,”
9 “Technik,” “DJ Spanky,” “Spanky” or “Ultraviolence”—claims that he sent an
10 unsolicited “demo” CD to Gum Productions sometime between 2001 and 2004, and
11 that David Guetta and/or Joachim Garraud allegedly responded to that unsolicited
12 submission by asking that Pringle send specific music tracks.

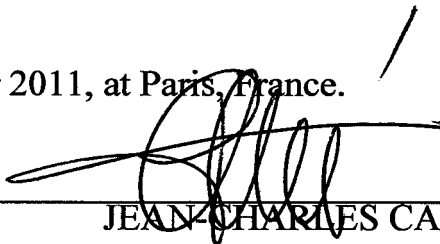
13 7. I have conducted an extensive search of all business records of Gum
14 Productions and of Mr. Guetta—including correspondence sent and received from
15 2001 to 2004—and have found no indication of any correspondence to or from
16 anyone named Bryan Pringle or anyone using any of the above aliases.

17 8. Moreover, given the limited public awareness of Gum Productions,
18 especially prior to 2007, it is highly unlikely that Pringle, whom I understand lives
19 in Texas, would have even heard of Gum Productions between 2001 and 2004.
20 Although from time to time Mr. Guetta reached out to specific singers, songwriters,
21 and musicians with whom he had existing relationships for potential musical
22 collaborations, Gum Productions has never had a policy or practice of soliciting
23 music from unknown artists. In fact, during the entire 2001 to 2009 time period,
24 Gum Productions received, at most, five promotional tracks of unsolicited music.
25 None of that music was sent by anyone named Bryan Pringle or anyone using any of
26 the above aliases.

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

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Executed this 12th day of November 2011, at Paris, France.



JEAN-CHARLES CARRE