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 BRYAN PRINGLE

13 UNITED STATES DISTRICT COURT  
 14 CENTRAL DISTRICT OF CALIFORNIA  
 15 SOUTHERN DIVISION

16 BRYAN PRINGLE, an individual,  
 17 Plaintiff,  
 18 v.  
 19 WILLIAM ADAMS, JR.; STACY  
 20 FERGUSON; ALLAN PINEDA; and  
 collectively as the music group The  
 21 Black Eyed Peas, et al.,  
 22 Defendants.

Case No. SACV 10-1656 JST(RZx)

**DECLARATION OF JEFFREY  
 PRINGLE IN OPPOSITION TO  
 DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT**

DATE: January 30, 2012  
 TIME: 10:00 a.m.  
 CTRM: 10A

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 28

1 Jeffrey Pringle, having been duly sworn, deposes and declares that he has  
2 personal knowledge of the facts set forth below and if called as a witness, could  
3 competently testify thereto:  
4

5 1. I am an adult male over the age of 21 years and live in Springfield,  
6 Virginia. I am personally acquainted with Bryan Pringle, the plaintiff as I am his  
7 brother.

8 2. I am currently employed as a Federal Employee with the Department of  
9 Homeland Security and have been since July 2011. Prior to that, I was a Federal  
10 Employee with the Department of Defense. In total I have been a Federal Employee  
11 since March 2010.

12 3. Between June 1993 and June 2002 I engaged in several part-time  
13 professional and non-professional DJ and Talk Shows where I engaged in playing  
14 and mixing of musical compositions and spoken-word programs where I personally  
15 chose the musical compositions included in my shows. I did so in a number of  
16 countries including: the Netherlands, and Canada.

17 4. More specifically I DJ'd, hosted other radio programs where music was  
18 played, and provided music to other DJ's in Amsterdam, the Netherlands from June  
19 1993 until June 1996; Paris, France from September 1996 to April 1999; and  
20 Toronto, Canada from August 1999 to June 2002.

21 5. During the period June 1993 to June 1996 while I was in the Netherlands, a  
22 fellow professional and part-time DJ and former co-worker, Mr. Michael Scott  
23 Brown played various songs written by Bryan Pringle on the radio in Germany. I  
24 originally provided Bryan's music directly to Mr. Brown, but Bryan Pringle also  
25 provided additional music during subsequent visits to Europe.

26 6. From September 1996 to April 1999, I passed Bryan Pringle's music CD's  
27 to radio stations, clubs, bars, and others connected to the music industry in order to  
28 get it played on the radio, in clubs, in bars, and be heard by someone willing to sign

1 him. As I lived near Porte Maillot (Paris), I would frequent bars and clubs around la  
2 Hotel Concorde LaFayette, along the Champs d'Elysses, and many other popular  
3 areas of Paris. Additionally, Mr. Michael Scott Brown played Bryan's music  
4 including cuts from the 1998 "Dead Beat Club" copyrighted CD on Armed Forces  
5 Network radio as well as Dutch and German radio that broadcast in numerous  
6 Western European countries, including France, and on the Internet.


7 7. During the period August 1999 to June 2002 while performing as a  
8 professional and part-time DJ and spoken-word radio host, I personally played  
9 Bryan Pringle's music, including his song "Take A Dive" (Dance Version) during  
10 numerous programs on CHRY radio, during my shows. These shows were broadcast  
11 live in Toronto, Canada and via the Internet.

12 8. I am familiar with both the Black Eyed Peas song "I Gotta Feeling" and  
13 Bryan Pringle's song "Take A Dive" (Dance Version). Having performed as a  
14 professional and part-time DJ for years, it is my professional opinion that "I Gotta  
15 Feeling" and "Take A Dive" (Dance Version) are strikingly similar.

16 9. I can also attest to the fact that Bryan Pringle delivered his Demo CDs,  
17 which included songs that contained the "guitar twang sequence" used in his song  
18 "Take A Dive" (Dance Version), to several DJs at various night clubs in Paris,  
19 France. This included night clubs at locations in Paris where David Guetta worked  
20 as a DJ, that were known by the names of "Rex Club", "Le Queen" and "Le Palace".  
21 On several occasions, Bryan Pringle and I, along with other friends, visited these  
22 same clubs.

23 19,651,972.1\088888-03975  
24 DRAFT

25 Dated: 16 December 2011

26   
27 Jeffrey Pringle

28 19,651,950.1\146614-00001

**CERTIFICATE OF SERVICE**

On December 19, 2011, I electronically filed the foregoing DECLARATION OF JEFFREY PRINGLE IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT using the CM/ECF system which will send notification of such filing to the following registered CM/ECF Users:

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I am unaware of any attorneys of record in this action who are not registered for the CM/ECF system or who did not consent to electronic service.

I certify under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

Dated: December 19, 2011      /s/Colin C. Holley

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