

EXHIBIT B



Transcript of the Testimony of **DAVID GUETTA**

Date: September 26, 2011

Case: BRYAN PRINGLE v. WILLIAM ADAMS, et al.

FOX AND ASSOCIATES COURT REPORTERS, INC.

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1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION

3
4
5 BRYAN PRINGLE, an individual,)

6 Plaintiff,)

7 vs.)

) Case No.

8) SACV 10-1656 JST(RZx)

9 WILLIAM ADAMS, JR.; STACY)

10 FERGUSON; ALLAN PINEDA; and,)

11 JAIME GOMEZ, all individually)

12 and collectively as the music)

group The Black Eyed Peas,)

et al.,)

Defendants.)

13 C O N F I D E N T I A L

14 (PURSUANT TO PROTECTIVE ORDER, THIS
15 TRANSCRIPT HAS BEEN DEEMED
16 "CONFIDENTIAL - ATTORNEYS' EYES ONLY")

17 DEPOSITION OF DAVID GUETTA

18 TAKEN ON MONDAY, SEPTEMBER 26, 2011, AT 10:16 A.M.

19
20
21 REPORTED BY:

22 TRACY M. FOX

23 CSR NUMBER 10449

Page 2

1 UNITED STATES DISTRICT COURT
 2 CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION
 3
 4
 5 BRYAN PRINGLE, an individual,)
 6)
 6 Plaintiff,)
 7)
 7 vs.) Case No.
) SACV 10-1656 JST(RZx)
 8 WILLIAM ADAMS, JR.; STACY)
 FERGUSON; ALLAN PINEDA; and,)
 9 JAIME GOMEZ, all individually)
 and collectively as the music)
 10 group The Black Eyed Peas,)
 et al.,)
 11 Defendants.)

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 13 C O N F I D E N T I A L
 14 (PURSUANT TO PROTECTIVE ORDER, THIS
 TRANSCRIPT HAS BEEN DEEMED
 15 "CONFIDENTIAL - ATTORNEYS' EYES ONLY")
 16
 17
 18 DEPOSITION OF DAVID GUETTA, TAKEN
 19 ON BEHALF OF THE PLAINTIFF AT
 20 10100 SANTA MONICA BOULEVARD, SUITE
 21 2200, IN LOS ANGELES, CALIFORNIA,
 22 COMMENCING AT 10:16 A.M., ON MONDAY,
 23 SEPTEMBER 26, 2011, BEFORE TRACY FOX,
 24 CERTIFIED SHORTHAND REPORTER NUMBER 10449.
 25

Page 3

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1 APPEARANCES OF COUNSEL (Continued):
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 3 ALSO PRESENT:
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 5 Fabienne Chonavel, Interpreter, Encore Voices
 6 Annette Cain, Videographer,
 Tracy Fox & Associates, Inc.
 7
 8
 9
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 12
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 23
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Page 7

1 I N D E X
 2
 3 DEPONENT: EXAMINED BY: PAGE:
 4 DAVID GUETTA MR. DICKIE 12
 5 (AFTERNOON SESSION) 73
 6
 7
 8 EXHIBITS FOR IDENTIFICATION:
 9 DEPOSITION:
 10 37 - E-mail to Fred Riesterer
 from David Guetta dated
 11 4/15/09 168
 12 38 - E-mail to Will.i.am from
 David Guetta dated 2/4/09 176
 13
 14 39 - E-mail to David Guetta from
 Will.i.am dated 1/24/09,
 Bates-stamped GUETTA 00003 191
 15
 16 40 - E-mail to Will.i.am from
 David Guetta dated 1/24/09,
 Bates-stamped GUETTA 00002 196
 17
 18 41 - E-mails between David Guetta
 and Will.i.am dated 2/6/09,
 Bates-stamped GUETTA 00004 200
 19
 20
 21
 22
 23
 24
 25

Page 8

1 I N D E X (Continued):
 2
 3 EXHIBITS FOR IDENTIFICATION:
 4 DEPOSITION:
 5 (PREVIOUSLY MARKED AND ATTACHED HERETO)
 6 10 - E-mail to Will.i.am from
 David Guetta dated 12/20/08,
 7 Bates-stamped BEP-PR-1C 188
 8 11 - E-mail to Will.I.Am from
 David Guetta dated February 06,
 9 2009, handwritten Bates-stamp
 BEP-PR-1D 210
 10
 11 22 - Agreement dated 9/24/08 151
 BEP-PR000666 - BEP-PR 000701
 12
 13
 14
 15 QUESTIONS UNANSWERED BY THE DEPONENT:
 16 PAGE: LINE:
 17 44 14
 18 217 16
 19
 20
 21
 22 INFORMATION REQUESTED:
 23 (NONE.)
 24
 25

Page 9

1 LOS ANGELES, CALIFORNIA, MONDAY
 2 SEPTEMBER 26, 2011
 3 10:16 A.M.
 4
 5 THE VIDEOGRAPHER: Good morning. My
 6 name is Annette Cain, video technician and notary
 7 public for the State of California, here on behalf of
 8 Tracy Fox & Associates, located in Newport Beach,
 9 California.
 10 Today's date is September 26th, year
 11 2011.
 12 This marks the beginning of
 13 Media Number One of the videotaped deposition of
 14 David Guetta in the matter of Bryan Pringle vs.
 15 William Adams, et al., pending before the United
 16 States District Court, Central District of
 17 California, Southern Division; Case Number
 18 SACV 10-1656 JST(RZx).
 19 This deposition is being taken by the
 20 plaintiff and is being held at the law offices of
 21 Loeb and Loeb, address 10100 Santa Monica Boulevard,
 22 Suite 2200, in Los Angeles, California.
 23 We are now going on the record. The
 24 time is 10:16 a.m.
 25 Would counsel and all present please

Page 10

1 identify yourselves for the record.
 2 MR. DICKIE: Dean Dickie of the law
 3 firm Miller, Canfield, Paddock and Stone, appearing
 4 on behalf of the plaintiff.
 5 MR. VERNON: Joe Vernon, also from
 6 Miller Canfield, appearing on behalf of the
 7 plaintiff.
 8 MR. SLOTNICK: Barry Slotnick,
 9 Loeb and Loeb, appearing on behalf of the witness,
 10 David Guetta, Defendants Fred Riesterer, and
 11 Shapiro Bernstein and Co.
 12 MR. DICKSTEIN: Tal Dickstein, also of
 13 Loeb & Loeb, for the same defendants.
 14 MR. PINK: Jonathan Pink, Bryan Cave,
 15 on behalf of William -- William Adams, Allan Pineda,
 16 Jaime Gomez, Stacy Ferguson, the group The Black Eyed
 17 Peas, also Will.i.am Music, Tab Magnetic Publishing,
 18 Cherry River Music, EMI April Music, inc.
 19 MR. NOLAN: Tom Nolan, Loeb and Loeb,
 20 for the witness, Mr. Guetta, Shapiro Bernstein and
 21 Co.
 22 MR. DICKIE: One other individual.
 23 MR. DICKSTEIN: Also with us is
 24 Jean-Charles Carre, one of David's managers.
 25 THE VIDEOGRAPHER: And would the court

Page 11

1 reporter please administer the oath.
 2 DEPOSITION OFFICER: And for the
 3 record, can you introduce yourself, please.
 4 THE INTERPRETER: My name is
 5 Fabienne Chonavel. I am a registered French
 6 interpreter.
 7 F-a-b-i-e-n-n-e, C-h-o-n-a-v-e-l.
 8 DEPOSITION OFFICER: Okay. Can you
 9 raise your right hand --
 10 My name is Tracy Fox and I am the
 11 court reporter.
 12 Can you raise your right hand.
 13 (INTERPRETER COMPLIED.)
 14 DEPOSITION OFFICER: Do you solemnly
 15 state to interpret from English into French and
 16 French into English to the best of you ability, so
 17 help you God?
 18 THE INTERPRETER: I do.
 19 DEPOSITION OFFICER: Thank you.
 20
 21 FABIENNE CHANOVEL,
 22 having first been duly sworn to translate from
 23 English into French and French into English by the
 24 Certified Shorthand Reporter, the deposition
 25 proceedings commenced as follows:

Page 12

1 DEPOSITION OFFICER: Would you raise
 2 your right hand.
 3 (DEPONENT COMPLIED.)
 4 DEPOSITION OFFICER: Do you solemnly
 5 state that the testimony you are about to give in the
 6 following deposition will be the truth, the whole
 7 truth, and nothing but the truth, so help you God?
 8 THE DEPONENT: Yes, I do.
 9 DEPOSITION OFFICER: Thank you.
 10
 11 DAVID GUETTA,
 12 called as a deponent and sworn in by
 13 the deposition officer, was examined
 14 and testified as follows:
 15
 16 EXAMINATION
 17 BY MR. DICKIE:
 18 Q. Will you state your full name and give
 19 your current residence address, please.
 20 MR. SLOTNICK: Objection.
 21 I will allow the witness to give his
 22 full name, certainly.
 23 We're not going to permit him to
 24 provide his residence address.
 25 Any correspondence with the witness

Page 13

1 can be done through our office.
 2 But you can provide your name.
 3 THE DEPONENT: David Guetta.
 4 BY MR. DICKIE:
 5 Q. Are you a French citizen,
 6 Mr. Guetta?
 7 A. (In English) Yes.
 8 Q. Do you speak English?
 9 MR. SLOTNICK: I'm going to caution
 10 the witness to allow the translator to translate
 11 first any response to the translator.
 12 THE DEPONENT: Yes. Yes.
 13 BY MR. DICKIE:
 14 Q. Do you write in English?
 15 A. Yes.
 16 Q. Do you understand my question?
 17 A. This one, yes, but I hadn't understood
 18 what the person right before you had said.
 19 Q. Do you understand -- strike that.
 20 Are you a citizen of any country other
 21 than France?
 22 A. No.
 23 Q. Do you understand why you are here
 24 today?
 25 A. Yes.

Page 14

1 Q. What do you understand the reason for
 2 your appearing here today?
 3 A. I can -- I think someone is making
 4 believe that I have copied or stole his work.
 5 Q. Did you meet with anyone before coming
 6 to the deposition today?
 7 A. Yes.
 8 Q. And with whom did you meet before
 9 coming to the deposition today?
 10 A. Since -- since when?
 11 Q. In preparation for the deposition.
 12 A. I met one of my lawyers yesterday.
 13 Q. And for how long was the meeting?
 14 A. About an hour and a half.
 15 Q. And beside -- what lawyer? With which
 16 lawyer did you meet?
 17 A. The lawyers that are present today.
 18 Q. All of them?
 19 A. No.
 20 Q. Mr. Dickstein and Mr. Slotnick?
 21 "Yes"?
 22 A. Yes.
 23 Q. And was there anyone else present?
 24 A. Jean-Charles Carre.
 25 Q. You're referring to your -- one of

Page 15

1 your managers?
 2 A. Yes.
 3 Q. Did you speak in English or French?
 4 A. I spoke French with my manager and I
 5 spoke English with my lawyers.
 6 Q. Do you consider yourself to be fluent
 7 in English?
 8 (INTERRUPTION IN PROCEEDINGS.)
 9 THE DEPONENT: I think I speak well.
 10 BY MR. DICKIE:
 11 Q. Do you think, to proceed in this
 12 deposition, you need a translator?
 13 A. Yes.
 14 Q. Why?
 15 A. My English is good, but since this is
 16 something very important, if I hesitate regarding the
 17 meaning of a word, I don't want to take the chance to
 18 give a bad answer because I poorly understood your
 19 question.
 20 Q. Have you ever been sued for copyright
 21 infringement before?
 22 A. No.
 23 Q. Have you ever been sued for copying
 24 someone else's work anywhere, whether in the United
 25 States or in any other country?

Page 16

1 A. No.
 2 Q. Have you ever had any claims made
 3 against you with respect to copying or sampling
 4 someone else's music?
 5 MR. SLOTNICK: Objection; lack of
 6 foundation, form. "Claims" could mean anything.
 7 Clarify, please.
 8 MR. PINK: Join.
 9 BY MR. DICKIE:
 10 Q. You can answer the question,
 11 Mr. Guetta.
 12 A. (In English): Okay. Is the
 13 question -- I'm not sure I understand the question,
 14 to be honest.
 15 MR. SLOTNICK: Well, if you don't
 16 understand the question, perhaps the -- Mr. Dickie
 17 can rephrase the question.
 18 THE DEPONENT: Yes.
 19 BY MR. DICKIE:
 20 Q. What is it that you don't understand,
 21 and I'll try to rephrase it.
 22 A. You have already asked me and I told
 23 you no. You already asked me the question and I
 24 answered it, and then you rephrased it. So I'm not
 25 sure I understand the difference between the first

Page 17

1 and the second question.
 2 Q. All right. Has anyone written to you
 3 or suggested to you that you copied their work as
 4 opposed to filing a lawsuit against you?
 5 A. (In English): No.
 6 Q. You understood that question in
 7 English, then?
 8 A. Yes.
 9 But the time before, I hadn't
 10 understood, which is why I have an interpreter.
 11 Q. Have you ever had occasion to give
 12 testimony in a deposition in a United States legal
 13 proceeding?
 14 A. No.
 15 Q. The purpose of the deposition is for
 16 me to ask you some questions and to -- you answer
 17 those questions.
 18 Do you understand that?
 19 A. Yes.
 20 Q. We have never met before, have we,
 21 Mr. Guetta?
 22 (NO AUDIBLE RESPONSE BY THE DEPONENT.)
 23 DEPOSITION OFFICER: I didn't hear an
 24 answer.
 25 MR. DICKIE: What?

Page 18

1 DEPOSITION OFFICER: I'm not hearing
 2 an answer.
 3 THE DEPONENT: Yes, I think so.
 4 BY MR. DICKIE:
 5 Q. If at any time you don't understand a
 6 question that I ask, please ask me to rephrase it and
 7 I'll try to do that.
 8 A. Thank you.
 9 Q. And you were administered an oath by
 10 the court reporter.
 11 Do you understand the significance of
 12 giving and responding affirmatively to an oath?
 13 A. Yes.
 14 Q. And what do you understand the
 15 significance to be?
 16 A. That I should tell the truth.
 17 Q. Have you ever heard of the concept of
 18 perjury?
 19 A. Yes.
 20 Q. And you understand that there are
 21 consequences for giving false testimony; is that
 22 correct?
 23 MR. PINK: Objection; calls for a
 24 legal conclusion, argumentative.
 25 THE DEPONENT: Yes.

Page 19

1 BY MR. DICKIE:
 2 Q. Is the concept of perjury something
 3 that you're aware of that exists in France as well as
 4 the United States?
 5 MR. SLOTNICK: Objection; lack of
 6 foundation, calls for a legal conclusion.
 7 MR. PINK: Overly broad.
 8 THE DEPONENT: Are you asking this
 9 question from a legal standpoint or from a moral
 10 standpoint?
 11 BY MR. DICKIE:
 12 Q. I'm asking it from what his
 13 understanding is.
 14 A. From a moral standpoint, yes, of
 15 course. But from a legal standpoint, I don't know.
 16 I'm not a lawyer.
 17 Q. Has he ever been in -- have you ever
 18 been involved in any legal proceeding in France?
 19 A. I'm not sure, in fact.
 20 Q. And is it your intention to tell the
 21 truth here to the questions that I ask you?
 22 MR. SLOTNICK: Objection.
 23 You can answer that.
 24 THE DEPONENT: Of course.
 25 ///

Page 20

1 BY MR. DICKIE:
 2 Q. When was Gum Productions created?
 3 A. I'm not sure of the exact date, but I
 4 would say it is around 2001.
 5 Q. Is Gum Productions still in
 6 existence?
 7 A. Yes.
 8 Q. Do you own any stock in Gum
 9 Productions?
 10 A. Yes.
 11 Q. Are there any owners in Gum
 12 Productions besides yourself?
 13 A. Yes.
 14 Q. Who are the other owners?
 15 A. Jean-Charles Carre.
 16 Q. Anyone else?
 17 MR. SLOTNICK: If you know the
 18 answer.
 19 THE DEPONENT: No.
 20 BY MR. DICKIE:
 21 Q. Does Joachim Garraud have an interest
 22 in Gum Productions?
 23 A. No longer.
 24 Q. Did Joachim Garraud have an interest
 25 in Gum Productions at some point in the past?

Page 21

1 A. Yes.
 2 Q. Was Mr. Garraud one of the original
 3 owners and founders of Gum Productions back in
 4 2001?
 5 A. Yes.
 6 Q. Besides yourself and Mr. Garraud, were
 7 there any other shareholders or owners at the time
 8 Gum Productions was created?
 9 A. Yes.
 10 Q. Who were the other or others that were
 11 the founders of Gum Productions in 2001?
 12 A. Jean-Charles Carre.
 13 Q. Anyone else or just you three?
 14 A. The three of us.
 15 Q. And what was the purpose of the
 16 formation of Gum Productions?
 17 A. Make music.
 18 Q. Anything else besides making music?
 19 A. Okay. So -- so very simply, at the
 20 beginning it was just to make music, and then very
 21 rapidly we had the opportunity to sign with a music
 22 label and we needed a structure in order to sign with
 23 the music label.
 24 Q. Was Gum Productions ---strike that.
 25 When you say "sign with a label," was

Page 22

1 that Gum Productions that was signing with a label?
 2 A. The way we work with the music label
 3 EMI is a license. So -- so yes, it's the company
 4 Gum Productions that signed with EMI.
 5 Q. And when was it that Gum Productions
 6 signed with EMI?
 7 A. I think in 2001.
 8 Q. Were you and Mr. Garraud and your
 9 manager making music before Gum Productions was
 10 created?
 11 MR. SLOTNICK: Objection.
 12 You can answer him.
 13 MR. PINK: Objection; overly broad,
 14 vague and ambiguous.
 15 THE DEPONENT: Yes, but not
 16 together.
 17 BY MR. DICKIE:
 18 Q. Did Mr. -- did you and Mr. Garraud
 19 make music before Gum Productions was created?
 20 MR. SLOTNICK: Objection.
 21 Go ahead.
 22 THE DEPONENT: Like I've already
 23 stated in the previous answer, we must have seen each
 24 other a few times to make music together.
 25 And since we very quickly came upon a

Page 23

1 proposal, we created the company. We started the
 2 company.
 3 BY MR. DICKIE:
 4 Q. Is Gum Productions a French company?
 5 A. Yes.
 6 Q. How many employees does Gum
 7 Productions have?
 8 A. I don't know.
 9 Q. Does it have more than five?
 10 A. I don't think so.
 11 Q. Does Gum Productions have an office?
 12 A. Yes.
 13 Q. And what is its office address?
 14 A. 108 Rue, R-u-e, de, d-e, Rivoli,
 15 R-i-v-o-l-i.
 16 Q. Is that in Paris?
 17 A. Yes.
 18 Q. Has that been the office for Gum
 19 Productions since it was founded in 2001?
 20 A. Yes.
 21 Q. Are there any other businesses in
 22 which you are involved that are located at 108 Rue de
 23 Rivoli?
 24 A. No.
 25 Q. Do you own or have an interest in any

Page 24

1 other corporate music business?
 2 MR. PINK: Overly broad, objection.
 3 MR. SLOTNICK: Vague.
 4 THE DEPONENT: Is a publishing
 5 company --
 6 BY MR. DICKIE:
 7 Q. If it's a music publishing company,
 8 yes.
 9 A. Yes.
 10 Q. And what company or companies do you
 11 have such an interest?
 12 A. Square -- Square, S-q-u-a-r-e, Rivoli,
 13 R-i-v-o-l-i, Publishing.
 14 Square Rivoli Publishing.
 15 Q. When was --
 16 MR. SLOTNICK: Excuse me. I'm just
 17 going to need a minute. I'm going to have to take a
 18 three-minute break.
 19 MR. DICKIE: For you, Mr. Slotnick,
 20 whatever you need. You're a gentleman and a
 21 scholar.
 22 THE VIDEOGRAPHER: We are now going --
 23 MR. SLOTNICK: Can we have all of that
 24 on the record, Dean?
 25 MR. DICKIE: You may indeed have that

Page 25

1 on the record. I am more than happy to give you
 2 that.
 3 MR. SLOTNICK: Thank you.
 4 THE VIDEOGRAPHER: We are now going
 5 off the record. The time is 10:38 a.m.
 6 (WHEREUPON, A RECESS WAS HELD
 7 FROM 10:38 A.M. TO 10:41 A.M.)
 8 THE VIDEOGRAPHER: We are now going
 9 back on the record. The time is 10:41 a.m.
 10 MR. SLOTNICK: The witness would like
 11 to clarify an answer that he had given previously.
 12 MR. DICKIE: Let me -- I'll just ask
 13 the question.
 14 BY MR. DICKIE:
 15 Q. Mr. Guetta, your lawyer, after the
 16 break, has indicated that you wish to clarify an
 17 earlier answer following the break; is that
 18 correct?
 19 A. Yes.
 20 Q. And what answer is it you wish to
 21 correct?
 22 A. That I no longer have any share in the
 23 publishing company Square Rivoli Publishing.
 24 Q. When was it, as a point in time, that
 25 you ceased to have an interest in Square Rivoli

Page 26

1 Publishing?
 2 A. I do not recall.
 3 Q. Was it before or after you were sued
 4 in this lawsuit?
 5 A. I don't know.
 6 Q. Do you have any ownership interest in
 7 any other music company or business?
 8 A. No.
 9 Q. When was it, as a point in time, when
 10 Mr. Garraud ceased having an interest in Gum
 11 Productions?
 12 A. I do not remember the exact date. It
 13 was after the album "Pop Life" and before the album
 14 "One Love."
 15 MR. PINK: Is it possible just to note
 16 that I think we agreed off the record that we would
 17 enter into the same stipulation that we've entered
 18 previously whereby where one party makes an
 19 objection, that objection is deemed to apply to the
 20 other parties as well.
 21 Is that correct, Counsel?
 22 MR. DICKIE: Yes.
 23 BY MR. DICKIE:
 24 Q. "Pop Life" -- is it "Pop Life" or "Pop
 25 "Live"?

Page 27

1 A. "Pop Life" with and "f."
 2 Q. And "Pop Life" came out in 2007;
 3 isn't that correct?
 4 A. Certainly -- most certainly. I'm not
 5 quite sure, but it must be that.
 6 Q. And "One Love" came out in 2009;
 7 isn't that correct?
 8 A. I think so.
 9 Q. Do you know whether "One Love" came
 10 out before or after June of 2009?
 11 A. I believe the album came out in
 12 September.
 13 Q. By the way, when you enter into
 14 contracts with American companies, is the contract in
 15 English or French?
 16 MR. SLOTNICK: Objection.
 17 Go ahead.
 18 THE DEPONENT: My manager and my
 19 lawyer take care of dealing with the contracts. I'm
 20 not really sure, but I think they are in English.
 21 BY MR. DICKIE:
 22 Q. Is it your practice to review
 23 contracts that you are to sign that are in English,
 24 to read them in English?
 25 MR. SLOTNICK: Objection; lack of

Page 28

1 foundation.
 2 Go ahead.
 3 THE DEPONENT: Not really.
 4 BY MR. DICKIE:
 5 Q. Is it your practice to read a French
 6 version of contracts that you sign in English?
 7 MR. SLOTNICK: Objection; lack of
 8 foundation.
 9 You can answer.
 10 THE DEPONENT: Not really either.
 11 BY MR. DICKIE:
 12 Q. Can you tell me, are you familiar with
 13 an entity called "What A Music, Limited"?
 14 A. Yes.
 15 Q. And what is it?
 16 A. I signed a contract, an artist
 17 contract with --
 18 Q. With?
 19 A. -- with them.
 20 THE INTERPRETER: The interpreter
 21 added "them," so...
 22 THE DEPONENT: Yes, "with them."
 23 BY MR. DICKIE:
 24 Q. And when was it that you signed a
 25 contract with What A Music, Limited?

Page 29

1 A. I do not recall precisely when.
 2 Q. Do you recall the year?
 3 A. It was probably within the 12 months
 4 prior.
 5 Q. Twelve months prior to what? Today?
 6 A. Yes.
 7 Q. Do you have any interest in the entity
 8 called What A Music, Limited?
 9 MR. SLOTNICK: Objection;
 10 ambiguous.
 11 MR. PINK: Overly broad, legal --
 12 DEPOSITION OFFICER: I can't hear you,
 13 John.
 14 MR. PINK: Legal conclusion -- calls
 15 for a legal conclusion.
 16 THE DEPONENT: Is your -- is your
 17 question am I owner of the company?
 18 BY MR. DICKIE:
 19 Q. An owner, yes.
 20 A. No.
 21 Q. Is he an officer of the company?
 22 A. I'm an artist.
 23 Q. And does What A Music, Limited, have a
 24 business activity in France?
 25 MR. SLOTNICK: Objection.

Page 30

1 THE DEPONENT: It's not that I do not
 2 wish to answer your question, but I make music.
 3 Jean-Charles Carre is in charge.
 4 It's not that I don't want to answer
 5 your question. It's just that Jean-Charles Carre is
 6 in charge of all of these details and I do not want
 7 to answer you falsely just by lack of not knowing.
 8 BY MR. DICKIE:
 9 Q. Let me just go back.
 10 Does Gum Productions maintain
 11 records -- business records with respect to its
 12 business activities?
 13 A. I don't precisely understand the
 14 question.
 15 Could you please rephrase it?
 16 Q. Sure.
 17 Does Gum Productions have its own
 18 stationery which says "Gum Productions" on it?
 19 A. I don't write a lot of letters.
 20 Q. That wasn't the question.
 21 Does Gum Productions have its own
 22 stationery?
 23 MR. PINK: Overly broad.
 24 BY MR. DICKIE:
 25 Q. You don't know?

Page 31

1 A. I don't know.
 2 Q. Have you ever written to anyone on Gum
 3 Productions' stationery, that you can recall?
 4 MR. DICKSTEIN: Object.
 5 Are we talking on paper?
 6 MR. DICKIE: Anything.
 7 THE DEPONENT: On paper? I doubt it.
 8 (In English): I don't think so.
 9 BY MR. DICKIE:
 10 Q. What records does Gum Productions keep
 11 in the ordinary course of its business?
 12 MR. SLOTNICK: Objection.
 13 Can you clarify what you mean by
 14 "records"?
 15 We're talking to a recording artist,
 16 so I'd like to clarify the difference between
 17 business records and musical records.
 18 MR. DICKIE: Well, I think it's for
 19 the witness to answer the question after you've
 20 helped him.
 21 But if the witness doesn't understand
 22 the question, I'll be happy to rephrase it.
 23 THE INTERPRETER: I'll be translating
 24 what --
 25 THE DEPONENT: Okay. Could you repeat

Page 32

1 the question, please?
 2 BY MR. DICKIE:
 3 Q. Well, does Gum Productions engage in
 4 business activities?
 5 A. Yes.
 6 Q. Does it pay bills?
 7 A. In this company, Jean-Charles Carre
 8 deals with all of the administrative parts, the
 9 administrative side.
 10 And I do all the artistic part.
 11 Q. Perhaps you didn't understand my
 12 question.
 13 I asked whether or not Gum Productions
 14 pays any bills.
 15 MR. SLOTNICK: Objection; lack of
 16 foundation.
 17 You can answer the question.
 18 THE DEPONENT: Whose bills?
 19 BY MR. DICKIE:
 20 Q. Any bills from anyone at any time.
 21 MR. SLOTNICK: Objection;
 22 ambiguous.
 23 THE DEPONENT: I assume. I suppose
 24 that Gum Productions pays Gum Productions' bills.
 25 ///

Page 33

1 BY MR. DICKIE:
 2 Q. Does Gum Productions from time to time
 3 receive mail and other documents from companies other
 4 than Gum Productions?
 5 MR. SLOTNICK: Objection; ambiguous,
 6 lack of foundation.
 7 MR. PINK: Overly broad.
 8 THE DEPONENT: Certainly.
 9 BY MR. DICKIE:
 10 Q. And where in the office on the Rue de
 11 Rivoli does Gum Productions keep all of the records
 12 or documents that it uses in its business?
 13 MR. DICKSTEIN: Objection;
 14 foundation.
 15 THE DEPONENT: I do not know.
 16 BY MR. DICKIE:
 17 Q. Who would know that?
 18 A. Jean-Charles Carre.
 19 Q. Prior to coming to the deposition
 20 today, did you or anyone at your direction search
 21 the records of Gum Productions to determine whether
 22 there were any documents that were responsive to the
 23 document request served on you in this case?
 24 MR. SLOTNICK: Objection.
 25 THE INTERPRETER: And if you would,

Page 34

1 please repeat the "documents responsive to
 2 the..." please.
 3 The interpreter would like it again.
 4 MR. DICKIE: Responsive to the
 5 document requests that were served on Mr. Guetta in
 6 connection with this lawsuit.
 7 THE DEPONENT: So the question is:
 8 Did somebody go and search for documents? To what
 9 extent? To -- to meet what need?
 10 BY MR. DICKIE:
 11 Q. With respect to any of the files or
 12 records at Gum Productions.
 13 A. I'm assuming that Jean-Charles Carre
 14 takes care of the documents at Gum Productions.
 15 Q. Are you -- strike that.
 16 Did you instruct Mr. Carre to search
 17 for any documents in the files of Gum Productions?
 18 A. No.
 19 Q. To your knowledge, did Mr. Carre ever
 20 search the files of Gum Productions for any documents
 21 that were responsive to the document request served
 22 upon you in this case?
 23 MR. SLOTNICK: Objection.
 24 THE DEPONENT: I hope so.
 25 ///

Page 35

1 BY MR. DICKIE:
 2 Q. Do you know as a matter of fact
 3 whether he did so?
 4 A. He -- and I don't know if this is
 5 within the framework of your question -- but he
 6 showed me yesterday some e-mails that I had exchanged
 7 with Will.i.am.
 8 DEPOSITION OFFICER: "Will.i.am" or
 9 "William"?
 10 THE DEPONENT: Will.i.am.
 11 DEPOSITION OFFICER: Did you say
 12 "Will.i.am" or "William"?
 13 MR. SLOTNICK: He said "Will.i.am."
 14 THE DEPONENT: "Will.i.am."
 15 DEPOSITION OFFICER: Thank you.
 16 BY MR. DICKIE:
 17 Q. And the documents that you were shown
 18 yesterday, from where did those documents come?
 19 MR. SLOTNICK: Objection to the extent
 20 it calls for a communication with Mr. Guetta's
 21 attorneys.
 22 To the extent you can answer that
 23 other than involving your lawyers, you can answer.
 24 THE DEPONENT: I did not understand
 25 what you said to me.

Page 36

1 MR. SLOTNICK: Okay.
 2 BY MR. DICKIE:
 3 Q. Let me rephrase the question and see
 4 if we can get at it this way, Mr. Guetta.
 5 Did you talk to Mr. Carre about those
 6 documents that he showed you?
 7 A. Yes, during the appointment with my
 8 lawyers.
 9 Q. And did Mr. Carre tell you from where
 10 the documents he showed you came from?
 11 A. No.
 12 MR. SLOTNICK: Objection.
 13 THE DEPONENT: No.
 14 BY MR. DICKIE:
 15 Q. Do you know from where the documents
 16 to which you referred came?
 17 A. They're e-mails, so I think it comes
 18 from an e-mail in-box.
 19 Q. An e-mail in-box, is that a hard copy
 20 or an electronic copy?
 21 A. Is your question regarding the e-mail
 22 that was shown to me yesterday?
 23 Q. It was.
 24 A. Yes.
 25 Q. Does Gum Productions maintain any hard

Page 37

1 copies of e-mails separate from the e-mail box in the
 2 computer?
 3 MR. SLOTNICK: Objection; lack of
 4 foundation.
 5 You can answer.
 6 THE DEPONENT: I do not know.
 7 BY MR. DICKIE:
 8 Q. The e-mails that you were shown
 9 yesterday, did they come from your computer or some
 10 other computer?
 11 A. Are you talking about the paper or
 12 about what was written in the e-mails?
 13 Q. I'm talking about the electronic
 14 storage.
 15 I think he said the e-mail box in the
 16 computer.
 17 A. I send my own e-mails, but
 18 Jean-Charles Carre manages -- I think it's called a
 19 server.
 20 Q. A server?
 21 A. We have an address that is our own, a
 22 personal address. And Jean-Charles Carre is privy to
 23 the exchanges, has access to the exchanges.
 24 Q. Does anyone else have access to the
 25 e-mail exchanges on the personal address to which you

Page 38

1 refer?
 2 A. No.
 3 Q. And how long -- for how long a period
 4 are e-mail exchanges maintained?
 5 MR. SLOTNICK: Objection; lack of
 6 foundation.
 7 MR. PINK: Calls for speculation.
 8 THE DEPONENT: I don't know.
 9 BY MR. DICKIE:
 10 Q. What e-mail server system are you
 11 using at Gum Productions?
 12 A. I'm not a technician.
 13 Q. Well, do you have -- strike that.
 14 Is there an e-mail address that you
 15 use at Gum Productions that is different from any
 16 other e-mail addresses you use?
 17 MR. PINK: Objection; overly broad,
 18 vague and ambiguous.
 19 THE DEPONENT: No.
 20 BY MR. DICKIE:
 21 Q. How many e-mail addresses have you
 22 used since 2001?
 23 A. My address has always been the same, I
 24 think.
 25 It's possible that I may have tried, I

Page 39

1 think once, an account, but I've never used it.
 2 Q. Since 2001 have you ever written or
 3 communicated with anyone outside of Gum Productions
 4 in any form other than with an e-mail?
 5 MR. SLOTNICK: Objection.
 6 MR. PINK: Overbroad.
 7 THE INTERPRETER: The interpreter
 8 would like to have the question repeated.
 9 MR. DICKIE: Sure.
 10 BY MR. DICKIE:
 11 Q. Since 2001 have you ever written to
 12 anyone outside of Gum Productions with a form other
 13 than e-mail?
 14 MR. SLOTNICK: Objection --
 15 THE DEPONENT: Yes.
 16 MR. SLOTNICK: -- vague, overbroad.
 17 BY MR. DICKIE:
 18 Q. And what are the different kinds
 19 of forms that you've used to communicate with
 20 individuals or companies outside of Gum Productions
 21 since 2001 --
 22 MR. SLOTNICK: Objection.
 23 BY MR. DICKIE:
 24 Q. -- other than e-mail?
 25 A. In writing?

Page 40

1 Q. Yes.
 2 A. Besides letter and an e-mail format, I
 3 don't know that there are any other formats.
 4 Q. Well, did you ever have a handwritten
 5 note that you ever gave to anyone?
 6 MR. SLOTNICK: Objection; overbroad,
 7 vague.
 8 THE DEPONENT: I suppose that when I
 9 pay a phone bill, I get a bill and I write a check.
 10 That's a form of a letter.
 11 BY MR. DICKIE:
 12 Q. Have you ever written any letters to
 13 anyone from Gum Productions in connection with any
 14 music business or music artist since 2001?
 15 MR. SLOTNICK: Objection; overly
 16 broad.
 17 You can answer.
 18 THE DEPONENT: By the term "letter,"
 19 do you mean a mail message or do you mean a contract?
 20 BY MR. DICKIE:
 21 Q. Either one.
 22 A. Yes.
 23 Q. Have you ever sent any letters to any
 24 artist regarding any music -- that is, a letter
 25 written by you to a given artist about any music

Page 41

1 opportunity, a song, anything of that kind?
 2 MR. SLOTNICK: Objection; compound,
 3 ambiguous, overly broad.
 4 You can answer.
 5 BY MR. DICKIE:
 6 Q. If you don't understand the question,
 7 I'll be happy to rephrase.
 8 A. Your question is have I ever used the
 9 format of a written letter that I would have sent to
 10 another artist?
 11 Q. Correct.
 12 A. I don't believe so, but it's
 13 possible.
 14 Q. Now, in anticipation of the deposition
 15 today, did you review any documents?
 16 A. Yes.
 17 Q. What specific documents did you review
 18 to prepare for the deposition?
 19 A. E-mails that I exchanged with
 20 Will.i.am.
 21 Q. Anything else?
 22 A. No.
 23 Q. Has he read any of the testimony given
 24 under oath by others in this case?
 25 THE INTERPRETER: "Has he read?"

Page 42

1 THE DEPONENT: Who?
 2 BY MR. DICKIE:
 3 Q. Anyone.
 4 A. Who has read? What is your question?
 5 Q. My question is --
 6 A. (In English): When you say "has he
 7 read," I don't understand who you're talking about.
 8 Q. Are you aware -- let me ask, are
 9 you aware, Mr. Guetta, that there have been other
 10 witnesses in this case who have given sworn
 11 testimony?
 12 A. Yes.
 13 Q. Have you read the testimony of any of
 14 those witnesses before coming to the deposition
 15 today?
 16 A. No.
 17 Q. Have you had any conversations with
 18 any other witnesses who have given testimony in this
 19 case?
 20 MR. PINK: Overly broad.
 21 MR. DICKSTEIN: What time period?
 22 MR. DICKIE: Before coming to the
 23 deposition.
 24 THE INTERPRETER: I'm sorry? "I think
 25 that Frederic...?"

Page 43

1 THE DEPONENT: -- Riesterer has made a
 2 deposition and we speak frequently, but not always
 3 about this case.
 4 BY MR. DICKIE:
 5 Q. How about sometimes about this case?
 6 Did you discuss Mr. Riesterer's
 7 deposition and his testimony with him before you came
 8 to the deposition today?
 9 A. The conversation we had over the
 10 testimony had more to do with the moral shock that
 11 Fred Riesterer encountered regarding this matter.
 12 Q. What did Mr. Riesterer say about his
 13 testimony?
 14 A. Nothing.
 15 Q. Did you have a conversation with
 16 Mr. Carre about Mr. Riesterer's testimony?
 17 A. I was told that this testimony had
 18 taken place. I do not know what were the answers.
 19 Q. And what, by the way, is Mr. Carre's
 20 position in your organization?
 21 MR. SLOTNICK: Objection; asked and
 22 answered.
 23 THE DEPONENT: He takes care of all
 24 the administrative side of the contracts, all the
 25 business aspects.

Page 44

1 BY MR. DICKIE:
 2 Q. Anything else?
 3 A. About what?
 4 Q. The business, music. What else does
 5 he do, if anything?
 6 A. He also takes care of -- how you call
 7 them -- social networks.
 8 Q. You mean the website?
 9 A. Yes.
 10 Q. And did Mr. -- was Mr. Carre at
 11 Mr. Riesterer's deposition because you asked him to
 12 attend?
 13 A. No.
 14 Q. Why was he at Mr. Riesterer's
 15 deposition?
 16 MR. SLOTNICK: Objection;
 17 attorney-client privilege.
 18 THE DEPONENT: Do I answer?
 19 MR. SLOTNICK: No.
 20 MR. PINK: Calls for speculation.
 21 BY MR. DICKIE:
 22 Q. Did Mr. Carre prepare for you a
 23 summary of Mr. Riesterer's testimony?
 24 A. No.
 25 Q. Did he give you an oral summary of the

Page 45

1 testimony?
 2 A. No.
 3 Q. Did he tell you what was asked and
 4 what Mr. Riesterer's answers were in words or
 5 substance?
 6 MR. SLOTNICK: Objection.
 7 THE DEPONENT: He indicated to me only
 8 on the technical aspects, how things were going to
 9 unfold, but not the content -- but not the content of
 10 Fred Riesterer's answers.
 11 MR. PINK: Can we take a break when
 12 you come to a good breaking point?
 13 MR. DICKIE: Sure.
 14 BY MR. DICKIE:
 15 Q. Are you familiar with an individual by
 16 the name of Christophe Piot?
 17 A. Yes.
 18 Q. Who is he?
 19 A. I'm not sure how to say this; okay.
 20 Amongst the compensation that I get,
 21 there's something called neighborhood rights.
 22 DEPOSITION OFFICER: "Neighborhood
 23 rights"?
 24 MR. SLOTNICK: I believe the phrase is
 25 "neighboring rights."

Page 46

1 THE DEPONENT: Neighboring rights.
 2 He takes care of collecting
 3 neighboring rights for me on my behalf.
 4 BY MR. DICKIE:
 5 Q. By whom is he employed?
 6 A. I don't believe he is one of our
 7 employees, but again, Jean-Charles Carre is the one
 8 who manages all these aspects.
 9 Q. Does Mr. -- is it "Piot"? Is that the
 10 right pronunciation?
 11 A. Yes.
 12 Q. Is Mr. Piot involved with Gum
 13 Productions in any way?
 14 MR. SLOTNICK: Objection, overly broad
 15 THE DEPONENT: What do you mean by
 16 "implied"?
 17 BY MR. DICKIE:
 18 Q. Does he have a contract of any kind
 19 with Gum Productions?
 20 A. I don't know.
 21 THE VIDEOGRAPHER: Let's change the
 22 tape.
 23 MR. DICKIE: Let's take a break. We
 24 need to change the tape.
 25 THE VIDEOGRAPHER: This is the end of

Page 47

1 Media Number One in the deposition of David Guetta.
 2 We are now going off the record. The
 3 time is 11:22 a.m.
 4 (WHEREUPON, A RECESS WAS HELD
 5 FROM 11:22 A.M. TO 11:40 A.M.)
 6 THE VIDEOGRAPHER: This is the
 7 beginning of Media Number Two in the deposition of
 8 David Guetta in the matter of Bryan Pringle vs.
 9 William Adams, et al.
 10 We are now going back on the record.
 11 The time is 11:40 a.m.
 12 BY MR. DICKIE:
 13 Q. Are you all set to begin,
 14 Mr. Guetta?
 15 A. Yes.
 16 Q. Do you understand you're still under
 17 oath?
 18 A. Yes.
 19 Q. I had asked you a few minutes ago
 20 before the break about people you had discussed or
 21 talked to before the deposition.
 22 Let me just go back and ask you a few
 23 more questions on that subject.
 24 Q. Okay. When was it that you first
 25 became aware that there was a claim being advanced

Page 48

1 against you regarding the song "I Gotta Feeling"?
 2 A. I think it's been quite a few months
 3 now.
 4 Q. Well, can you tell me when it was?
 5 A. Not with great precision, but I think
 6 it was about eight months ago.
 7 Q. And how did you become aware of the
 8 claim?
 9 A. I think that Jean-Charles Carre
 10 mentioned it to me.
 11 Q. And where were you when he mentioned
 12 it to you?
 13 A. I don't know.
 14 Q. And what did he say at the time you
 15 first learned of the claim?
 16 A. He told me that someone was claiming
 17 that we had copied his song.
 18 Q. Did he say anything else?
 19 A. No.
 20 Q. After you first learned of the claim
 21 that someone was advancing that you had copied his
 22 song, did you have any communication or discussion
 23 with any member of The Black Eyed Peas about the
 24 claim?
 25 THE DEPONENT: At what time?

Page 49

1 MR. PINK: Overly broad.
 2 THE DEPONENT: At what time?
 3 BY MR. DICKIE:
 4 Q. Well, at any time.
 5 A. Yes.
 6 Q. When was the first time that you had a
 7 conversation with a member of The Black Eyed Peas
 8 about the claim?
 9 A. Shortly after Jean-Charles mentioned
 10 it to me, I believe I called William -- Will.i.am.
 11 THE INTERPRETER: And I'm saying this
 12 wrong.
 13 "Will.i.am." "Will.i.am."
 14 (WHEREUPON, DISCUSSION HELD BETWEEN
 15 INTERPRETER AND DEPONENT IN FRENCH.)
 16 THE DEPONENT: Have you heard of The
 17 Black Eyed Peas?
 18 THE INTERPRETER: I have. I have it
 19 at home.
 20 BY MR. DICKIE:
 21 Q. On how many occasions have you spoken
 22 to William Adams about the claim advanced over "I
 23 Gotta Feeling"?
 24 A. Twice.
 25 Q. Have you spoken to any other member of

Page 50

1 the group The Black Eyed Peas other than Will.i.am
 2 regarding the lawsuit or the claim advanced over "I
 3 Gotta Feeling"?

4 A. No.

5 Q. Were each of the two -- well, strike
 6 that.

7 Was the second conversation with
 8 Will.i.am about the lawsuit also on the telephone?

9 A. Yes.

10 Q. Now, directing your attention to the
 11 first call with Mr. Adams, when you called him, what
 12 did you say to him?

13 A. I called him and I told him I wanted
 14 to reassure him that I had in no way copied -- copied
 15 or utilized a sample.

16 Q. Did you tell him that -- strike that.
 17 Did you tell him anything else other
 18 than wanting to reassure him that you hadn't copied
 19 or utilized a sample?

20 A. I told him that it was technically
 21 impossible in regards of the track or the sample that
 22 I had received from the person complaining that --

23 (In English): Not the sample. No,
 24 no.

25 (Via Interpreter): -- that I had

Page 51

1 copied them.

2 Jean-Charles Carre made me listen to
 3 this piece of music that your client says that I had
 4 copied. And I immediately explained that it made no
 5 sense because it is impossible to sample an element
 6 of music which is already -- it's impossible to
 7 extract it, a sample that is already mixed with the
 8 other elements.

9 And that's -- that's about it.

10 Q. What is the difference between a
 11 sample and copying or replicating a sound?

12 MR. SLOTNICK: Objection; calls for a
 13 legal conclusion.

14 MR. PINK: Overly broad, vague and
 15 ambiguous.

16 THE DEPONENT: When you sample an
 17 element in a record, it means that you are recording
 18 a part of this record and that you are playing it
 19 again or reinserting it in another piece of music.

20 If you try to reproduce something
 21 that you hear, then -- then at that point you can
 22 play notes that are similar, but it will not be the
 23 same sound.

24 BY MR. DICKIE:

25 Q. Is it impossible to make it the same

Page 52

1 sound?

2 MR. SLOTNICK: Objection.
 3 You can answer.

4 THE DEPONENT: If you -- if you don't
 5 have the same sound bank as the person who made this
 6 piece of music, it's impossible.

7 BY MR. DICKIE:

8 Q. And what does -- what do you mean by
 9 "sound bank"?

10 A. You can play several notes that are --
 11 that are the same with a guitar, with a piano, with a
 12 synthesizer --

13 (In English): I'm sorry. What was
 14 the question?

15 Q. What is a sound bank?

16 A. And these sounds will all be
 17 different.

18 When you use electronic instruments
 19 and you're not using acoustic instruments, you
 20 utilize the sound banks that are stored in the
 21 synthesizer.

22 So in these sound banks you can have
 23 electronic sounds, but you can also have sounds that
 24 are meant to reproduce acoustic instruments.

25 Q. What else did you say to Mr. Adams in

Page 53

1 the first telephone conversation after you found out
 2 about the lawsuit from Mr. Carre?

3 MR. SLOTNICK: Objection; lack of
 4 foundation.

5 Go ahead.

6 THE DEPONENT: When I listen to the
 7 piece of music -- so Jean-Charles Carre told me that
 8 we were being sued for a copy of the piece of music.

9 And when I listened to this piece of
 10 music, I recognized that what I was hearing was my
 11 guitar, because I'm capable of recognizing that the
 12 acoustic treatment, the equalization, the reverb, the
 13 compression, and the sound bank utilized.

14 So I was able to recognize that it
 15 came from my own piece.

16 So I said to him that this person must
 17 be mad or must be crazy because what -- what this
 18 person was saying made no sense and was technically
 19 impossible.

20 BY MR. DICKIE:

21 Q. So you told Mr. Adams in the first
 22 telephone conversation that what was claimed was
 23 technically impossible; is that correct?

24 A. Yes.

25 Q. And when you referenced to -- in your

Page 54

1 answer about your song, what specific song did you
 2 intend to reference?
 3 A. (In English): "I Gotta Feeling."
 4 Q. Now, let me ask a few questions,
 5 Mr. Guetta, about your musical training.
 6 When did you first take music lessons?
 7 A. I'm first and foremost a DJ.
 8 Q. Excuse me.
 9 But my question was: When as a point
 10 in time was it that you first took music lessons?
 11 A. I suppose it was in school.
 12 Q. Well, do you play any instruments?
 13 A. Yes.
 14 Q. What instruments do you play?
 15 A. When I need to program a melody, a
 16 tune, I utilize a synthesizer.
 17 Q. Let me go back.
 18 Do you play any musical instrument?
 19 A. A synthesizer is a musical instrument.
 20 Q. Do you play the piano?
 21 A. I -- yes. I took two years of piano
 22 lessons.
 23 That would have been after, but the
 24 way -- and I am not a great instrument player.
 25 But today the way to make music with

Page 55

1 computers is quite different than the way you compose
 2 music. You can do it without being a great
 3 instrument player, such as, for example,
 4 Fred Riesterer, who is a great instrument player.
 5 Q. We'll get to that, Mr. Guetta.
 6 But I want to ask you my question,
 7 which is: Do you play -- have you ever played the
 8 piano professionally?
 9 MR. PINK: Vague and overly broad.
 10 THE DEPONENT: Your question is not
 11 precise enough.
 12 Is your question -- does your question
 13 imply in public or in a studio?
 14 BY MR. DICKIE:
 15 Q. Well, let me ask it this way: Do you
 16 read music?
 17 A. No.
 18 Q. Do you write music on a musical
 19 scale?
 20 A. That's not the question.
 21 Is your question to know if I know the
 22 scale?
 23 Q. Well, do you write music using musical
 24 scales?
 25 MR. SLOTNICK: Overly broad and

Page 56

1 vague.
 2 THE DEPONENT: Yes, of course.
 3 But I -- I program music by knowing a
 4 lot of them -- not all of them, but a lot of musical
 5 scales.
 6 MR. SLOTNICK: I'm going to remind the
 7 witness to answer the question as asked.
 8 THE DEPONENT: Okay. I'm sorry. But
 9 the question was very vague.
 10 BY MR. DICKIE:
 11 Q. On a regular musical score, what are
 12 the spaces called? What are the letters?
 13 MR. PINK: Objection; vague.
 14 THE DEPONENT: In French: Do, Re, Mi,
 15 Fa, So, La, Ti.
 16 (In English): Ce.
 17 THE INTERPRETER: "Ti" in English.
 18 THE DEPONENT: Oh. I'm sorry.
 19 BY MR. DICKIE:
 20 Q. In English what are the spaces
 21 called?
 22 A. It is --
 23 MR. PINK: Same objection.
 24 THE DEPONENT: You mean the spaces
 25 between the notes?

Page 57

1 BY MR. DICKIE:
 2 Q. No.
 3 The spaces on the scale. How many
 4 lines on a scale?
 5 A. You're talking about reading music.
 6 The way -- the way that I make music -- the way that
 7 I make music does not imply that you need to know to
 8 read music.
 9 So you asked a question regarding
 10 spaces, and spaces between the notes have nothing to
 11 do with the fact that you can make music -- no.
 12 To know the spaces between the notes
 13 of a scale has nothing to do with the fact that one
 14 can read music.
 15 Q. Do you play the guitar?
 16 A. No.
 17 Q. Have you ever had any guitar
 18 lessons?
 19 A. No.
 20 Q. Other than the two years -- strike
 21 that.
 22 You said that you had two years of
 23 piano. When was that?
 24 A. I don't recall precisely.
 25 Q. Well, was it in the last five years or

Page 58

1 before?
 2 A. Before.
 3 Q. How long before?
 4 A. I don't recall precisely.
 5 Q. Did you ever have any conversations
 6 with Joachim Garraud regarding your ability to write
 7 or play music?
 8 MR. SLOTNICK: Objection; overly
 9 broad, ambiguous.
 10 (TELEPHONIC INTERRUPTION IN PROCEEDINGS.)
 11 THE INTERPRETER: Could you please
 12 repeat the question? Because I may not have
 13 translated it right -- the interpreter.
 14 BY MR. DICKIE:
 15 Q. Did you ever have any conversations
 16 with Joachim Garraud regarding your ability or lack
 17 thereof to write and play music independently?
 18 MR. DICKSTEIN: Objection; vague.
 19 THE DEPONENT: There are two questions
 20 in the same question.
 21 BY MR. DICKIE:
 22 Q. Did you ever have any conversations
 23 with Joachim Garraud regarding your ability to write
 24 music independently?
 25 A. Is your question about writing

Page 59

1 according to the rules --
 2 (In English): No.
 3 (Via Interpreter): Are you talking
 4 about writing on paper, sheet music, or are you
 5 talking about composing through a computer?
 6 Q. Either.
 7 A. Joachim always knew that I couldn't
 8 write music, but it never prevented me from making
 9 music, like thousands of other artists.
 10 Q. Now, you have been in the United
 11 States for some kind of concert or performance; isn't
 12 that right?
 13 MR. SLOTNICK: Objection; ambiguous.
 14 MR. DICKSTEIN: Time period?
 15 THE DEPONENT: DJ performances.
 16 BY MR. DICKIE:
 17 Q. And you performed -- you came to the
 18 United States voluntarily to perform the DJ -- some
 19 kind of DJ show in Las Vegas on the 24th of
 20 September; isn't that right?
 21 MR. SLOTNICK: Is that correct?
 22 BY MR. DICKIE:
 23 Q. Is that correct?
 24 A. What was the date you said?
 25 Q. September 24th. Saturday night.

Page 60

1 A. Yes.
 2 Q. You've come to the United States to
 3 do DJ performances fairly regularly; isn't that
 4 correct?
 5 MR. SLOTNICK: Objection;
 6 characterization of "regularly."
 7 You can answer.
 8 THE DEPONENT: What do you mean by
 9 "regularly"?
 10 BY MR. DICKIE:
 11 Q. Well, let's see.
 12 Were you in Miami on March 25th,
 13 2011?
 14 MR. SLOTNICK: No. No. No.
 15 THE DEPONENT: I don't -- I don't have
 16 all these dates in my mind.
 17 BY MR. DICKIE:
 18 Q. Well, would you agree with me,
 19 Mr. Guetta, that you come to the United States more
 20 often than once a year to perform as a DJ?
 21 A. Yes.
 22 Q. Since March of 2011, you have been in
 23 the United States approximately 19 times; isn't that
 24 correct?
 25 A. I love the United States.

Page 61

1 Q. So we can agree that you come to the
 2 United States voluntarily frequently?
 3 MR. SLOTNICK: Object to the
 4 characterization, but the witness can answer the
 5 question.
 6 THE DEPONENT: Yes.
 7 BY MR. DICKIE:
 8 Q. And when did you arrive in the
 9 United States this trip?
 10 A. Friday.
 11 Q. And when is the next time that you
 12 will be in the United States to perform?
 13 MR. SLOTNICK: Objection.
 14 THE DEPONENT: I don't know at what
 15 date this will be.
 16 BY MR. DICKIE:
 17 Q. Do you have presently scheduled other
 18 trips to the United States in the future?
 19 A. Most certainly. But I do not know
 20 this by heart, my program by heart.
 21 Q. Has it been fairly consistent, the
 22 number of trips you've made to the United States to
 23 perform over the last couple of years?
 24 MR. SLOTNICK: Objection; vague and
 25 ambiguous, overly broad, lack of foundation.

Page 62

1 If you can answer the question, go
 2 ahead.
 3 THE DEPONENT: I don't know what you
 4 mean by "regular" or "consistent."
 5 BY MR. DICKIE:
 6 Q. Well, more than five times?
 7 A. Since when?
 8 Q. In terms of 2012, do you anticipate
 9 being in the United States on more than one
 10 occasion?
 11 A. Yes.
 12 Q. Do you anticipate being in the
 13 United States in 2012 on at least 15 occasions?
 14 A. I don't think so.
 15 Q. Do you anticipate also visiting Canada
 16 in 2012?
 17 A. I don't know.
 18 Q. And have you or your managers fixed a
 19 2012 performance schedule for you?
 20 A. I think that part of the program has
 21 been established, yes, part of the schedule.
 22 Q. And do you post on any public website
 23 your performance schedule?
 24 A. Yes.
 25 Q. And what is the e-mail or the URL

Page 63

1 address for your website?
 2 A. David, D-a-v-i-d, Guetta, point com --
 3 dot.com -- Guetta, G-u-e-t-t-a, dot.com.
 4 Q. "Dot.com."
 5 And that's an official website that
 6 lists information regarding your performance schedule
 7 and other information concerning what you do as a DJ
 8 and otherwise; is that correct?
 9 A. Yes.
 10 Q. And the information contained on that
 11 website is information that's posted there with your
 12 approval and authorization; isn't that correct?
 13 A. Not always. Jean-Charles Carre is the
 14 one who manages the website.
 15 Q. So he puts -- Mr. Carre puts things on
 16 your website that he's not authorized to put?
 17 MR. SLOTNICK: Objection;
 18 mischaracterization of the witness's testimony.
 19 THE DEPONENT: He does not require my
 20 authorization. It is his job to take care of the
 21 administrative part and the Internet part. That's
 22 his job.
 23 BY MR. DICKIE:
 24 Q. And is he authorized to put
 25 information about you on the davidguetta.com

Page 64

1 website?
 2 A. Yes.
 3 Q. Can you tell me what your relationship
 4 is with an entity called Shapiro Bernstein?
 5 A. I think that -- I think that he takes
 6 care of the publishing for me in the U.S.
 7 Q. And when was it that you first entered
 8 into some kind of an arrangement with Shapiro
 9 Bernstein with respect to publishing in the United
 10 States?
 11 A. I don't know. Jean-Charles Carre is
 12 in charge of that.
 13 Q. Do you have a written agreement with
 14 Shapiro Bernstein?
 15 A. I don't know.
 16 Q. And what is the nature of your
 17 relationship with Riesterer Editions?
 18 MR. DICKSTEIN: Objection; foundation.
 19 THE DEPONENT: I don't think that I
 20 have --
 21 Would you be kind enough to repeat the
 22 question?
 23 BY MR. DICKIE:
 24 Q. Sure.
 25 What is the nature of your

Page 65

1 relationship with Riesterer, R-i-e-s-t-e-r-e-r,
 2 Editions?
 3 A. From a personal standpoint, it is
 4 possible that there are complications between my
 5 company and this company that you mentioned. I don't
 6 know.
 7 My own relationship with Fred
 8 Riesterer is to make music together.
 9 Q. Do you have any written agreement or
 10 agreements with Frederic Riesterer?
 11 A. Jean-Charles Carre takes care of the
 12 administrative side of things.
 13 Q. Well, does he know whether there is a
 14 written agreement that contains the terms and
 15 conditions of any arrangement between David Guetta
 16 and Frederic Riesterer?
 17 MR. SLOTNICK: Objection; as to form.
 18 You asked whether "he" knows without
 19 identifying who he is.
 20 MR. DICKIE: I'm sorry. You're
 21 correct.
 22 BY MR. DICKIE:
 23 Q. Whether David Guetta knows.
 24 A. I do not know.
 25 Q. Are you aware of whether there is any

Page 66

1 written contract between yourself and Frederic
 2 Riesterer?
 3 A. I don't know.
 4 Q. By the way, did Gum Productions ever
 5 attempt to sign any artists?
 6 MR. SLOTNICK: Objection; overly
 7 vague, broad.
 8 THE DEPONENT: What do you mean by
 9 sign on?
 10 BY MR. DICKIE:
 11 Q. Well, have them enter into some kind
 12 of an artist agreement with Gum Productions.
 13 A. If someone sings on one of my records,
 14 there has got to be some sort of a contract
 15 agreement.
 16 Q. Was Gum -- when you say one of your
 17 records, is Gum Productions the label for your
 18 record?
 19 A. Yes.
 20 Q. And has Gum Productions ever signed
 21 an artist to perform on a Gum Productions label
 22 album, for example, or a song that didn't include
 23 yourself?
 24 A. Yes. It seems to me that one time
 25 Joachim Garraud put out a record without me under the

Page 67

1 label Gum Productions.
 2 Q. Do you know whether Gum Productions
 3 ever contacted or initiated contact with potential
 4 artists for songs to be played on a Gum Productions'
 5 label, album, or CD?
 6 MR. SLOTNICK: Objection to form.
 7 THE DEPONENT: Could you be more
 8 precise with your question?
 9 BY MR. DICKIE:
 10 Q. Well, did Gum Productions ever
 11 initiate any contact with potential artists who could
 12 perform on a Gum Productions album or CD?
 13 MR. SLOTNICK: Objection as to form,
 14 vague and ambiguous.
 15 BY MR. DICKIE:
 16 Q. You can answer the question.
 17 A. It's vague.
 18 Q. Well, did Gum Productions, through
 19 you or Mr. Garraud, ever initiate or recruit any
 20 potential artist for participation in a Gum
 21 Productions album or CD?
 22 MR. SLOTNICK: Same objection.
 23 But you can answer if you can
 24 answer.
 25 THE DEPONENT: Like I said previously,

Page 68

1 when a singer sings on my album, there is a
 2 relationship with Gum Productions.
 3 BY MR. DICKIE:
 4 Q. Well, did Gum Productions seek out
 5 those other artists to perform with you on your
 6 album?
 7 A. It's possible.
 8 Q. Well, Chris Willis was recruited by
 9 you for Gum Productions and worked on some of your
 10 songs; isn't that right?
 11 A. That's --
 12 Q. And from time to time --
 13 A. -- correct.
 14 Q. I'm sorry.
 15 A. It's okay.
 16 Q. From time to time artists have also
 17 sent samples of their work to Gum Productions; isn't
 18 that correct?
 19 MR. SLOTNICK: Objection -- objection;
 20 lack of foundation.
 21 MR. PINK: Overly broad, calls for
 22 speculation.
 23 THE DEPONENT: Gum Productions is not
 24 a famous label. People know David Guetta, and the
 25 purpose of Gum Productions is to be utilized as the

Page 69

1 production company for David Guetta records.
 2 So there aren't many reasons for
 3 outside artists to send their samples to Gum
 4 Productions.
 5 BY MR. DICKIE:
 6 Q. Have any -- Mr. Guetta, have any
 7 artists ever sent to you, David Guetta, samples of
 8 their work?
 9 A. It's possible, but it's rare.
 10 Q. Well, as you sit here today under
 11 oath, can you say that you have never received
 12 samples of other artists' work that were unsolicited
 13 by you?
 14 MR. SLOTNICK: Objection; calls --
 15 calls for speculation.
 16 Answer if you can.
 17 THE DEPONENT: It is possible that
 18 artists may have sent samples to the address of Gum
 19 Productions.
 20 BY MR. DICKIE:
 21 Q. And what records does Gum Productions
 22 maintain, if any, that reflect its receipt of samples
 23 from such artists?
 24 MR. SLOTNICK: Objection as to form.
 25 You can answer.

Page 70

1 THE DEPONENT: I don't think there is
 2 any files or that there are any records that are
 3 maintained.
 4 BY MR. DICKIE:
 5 Q. That are what?
 6 A. Maintained.
 7 Q. Now, do you know whether
 8 Joachim Garraud ever recruited artists for
 9 Gum Productions?
 10 A. It's possible that we did it together
 11 when we were collaborating on my albums.
 12 Q. Do you know whether Mr. Garraud from
 13 time to time received samples of tracks from artists
 14 that were sent to him for consideration?
 15 MR. SLOTNICK: Objection; calls for
 16 speculation.
 17 Answer if you know.
 18 THE DEPONENT: I do not know.
 19 BY MR. DICKIE:
 20 Q. Did you ever discuss with Mr. Garraud
 21 whether he had received any samples from artists that
 22 had been sent to him or to him through Gum
 23 Productions?
 24 A. I don't think so.
 25 Q. Let me just finish up on that first

Page 71

1 conversation -- before we take a break for lunch --
 2 with Mr. Adams.
 3 What did Mr. Adams say to you during
 4 that first conversation, if anything, that you can
 5 recall?
 6 A. Who is Mr. Adams?
 7 Q. Will.i.am. His name is
 8 William Adams.
 9 A. Okay. Could you repeat the question,
 10 please?
 11 Q. Sure.
 12 What did Mr. Adams -- Will.i.am -- say
 13 to you in the first conversation after you learned
 14 that you were being sued by Mr. Pringle or someone
 15 claiming you had copied his song?
 16 A. He told me not to worry, that there
 17 were always a lot of parasites trying to -- parasites
 18 trying to make money off of whatever success they
 19 could find.
 20 Q. Did he say anything else?
 21 A. He said that I shouldn't worry or
 22 encumber my head with all of these worries and that I
 23 should leave it up to my managers and my lawyers and
 24 free myself up for music.
 25 Q. Did he say anything else?

Page 72

1 Is that the totality of what
 2 Mr. Will.i.am said to you in the first conversation?
 3 A. I don't recall each word that he said
 4 but -- but that was the essence of our
 5 conversation.
 6 Q. Is there anything else he recalls that
 7 Will.i.am -- is there anything else you recall that
 8 Mr. Adams said?
 9 A. No.
 10 Q. Did you make any notes of the
 11 telephone conversation?
 12 A. No.
 13 Q. How long was the conversation?
 14 A. Short.
 15 Q. Less than five minutes?
 16 A. Yes.
 17 Q. Less than three minutes?
 18 A. No.
 19 Q. So three to five minutes would be
 20 accurate?
 21 A. Yes.
 22 Q. Was there anyone else on the phone
 23 call besides yourself and Will.i.am?
 24 A. No.
 25 Q. Did you relate the substance of the

Page 73

1 first telephone conversation with Mr. Adams to anyone
 2 else?
 3 A. I told Jean-Charles Carre.
 4 Q. Was he present in the room when you
 5 had the conversation?
 6 A. No.
 7 MR. DICKIE: So why don't we
 8 adjourn -- it's 12:30 -- and break for lunch?
 9 MR. SLOTNICK: Very good.
 10 THE VIDEOGRAPHER: This is end of
 11 Media Number Two in the deposition of David Guetta.
 12 We are now going off the record. The
 13 time is 12:34 p.m.
 14 (WHEREUPON, A LUNCHEON RECESS WAS
 15 HELD FROM 12:34 P.M. TO 2:03 P.M.)
 16 ///
 17 ///
 18 ///
 19
 20
 21
 22
 23
 24
 25

Page 74

1 LOS ANGELES, CALIFORNIA, MONDAY
 2 SEPTEMBER 26, 2011; 2:03 P.M.
 3
 4 THE VIDEOGRAPHER: Okay. This is the
 5 beginning of Media Number Three in the deposition of
 6 David Guetta in the matter of Bryan Pringle vs.
 7 William Adams, et al.
 8 We are now going back on the record.
 9 The time is 2:03 p.m.
 10 EXAMINTION (Resumed)
 11 BY MR. DICKIE:
 12 Q. Are you all set to begin,
 13 Mr. Guetta?
 14 A. Yes.
 15 Is this tea mine?
 16 MR. SLOTNICK: Yes.
 17 MR. DICKSTEIN: Yes, for you.
 18 THE DEPONENT: Thank you.
 19 Sorry.
 20 BY MR. DICKIE:
 21 Q. Do you understand that you are still
 22 under oath?
 23 A. "Oath." Oath. How do you spell it?
 24 Yeah, just out of curiosity.
 25 MR. SLOTNICK: O-a-t-h.

Page 75

1 THE DEPONENT: Yes, I do.
 2 BY MR. DICKIE:
 3 Q. Did you review any materials during
 4 the lunch break?
 5 A. No.
 6 Q. Did you discuss your testimony during
 7 the lunch break?
 8 MR. SLOTNICK: Objection to the extent
 9 it calls for conversations with counsel.
 10 MR. DICKIE: Well, I didn't ask for
 11 the advice. It was a yes-or-no question, Counsel.
 12 THE DEPONENT: We discussed the waste
 13 of time.
 14 BY MR. DICKIE:
 15 Q. So the answer is yes?
 16 A. Yes. Not what was said.
 17 Q. And what was your second conversation
 18 with Will.i.am regarding the lawsuit?
 19 A. Um --
 20 DEPOSITION OFFICER: Hang on just a
 21 minute.
 22 THE DEPONENT: It was yesterday, about
 23 the waste of time.
 24 BY MR. DICKIE:
 25 Q. And did you call Mr. Adams?

Page 76

1 MR. SLOTNICK: Wait for the
 2 translation.
 3 THE DEPONENT: Sorry.
 4 MR. SLOTNICK: The translation.
 5 THE DEPONENT: Yes.
 6 BY MR. DICKIE:
 7 Q. And what specifically did you say to
 8 him?
 9 A. He asked me for the translation of the
 10 word "shower" into French. And that was the reason
 11 for my call.
 12 And I said to him, "Oh, by the way" --
 13 I told him, "By the way, tomorrow is my -- the day of
 14 my deposition."
 15 And he said, "This is really terrible.
 16 What a waste of time and money for everyone."
 17 Q. Did you say anything else?
 18 A. No.
 19 Q. Did he say anything else?
 20 A. Regarding the case?
 21 Q. Yes.
 22 A. No.
 23 Q. By the way, I don't think I asked you
 24 this, but I just want to confirm, am I -- did you at
 25 any time search your records for any documents called

Page 77

1 for in this case?
 2 MR. DICKSTEIN: Object to form.
 3 THE DEPONENT: No.
 4 BY MR. DICKIE:
 5 Q. Now, you indicated that you perform as
 6 a DJ.
 7 Did I understand you correctly?
 8 A. Yes, you understood correctly.
 9 Q. And what is it that a DJ does, as you
 10 understand it, and perform in that capacity?
 11 A. Right when he's on the stage?
 12 Q. What he understands. What is it that
 13 a DJ does, yes.
 14 A. (In English): In general or --
 15 Q. Let's start with general.
 16 A. Is it in general?
 17 Q. In general, yes. And then we'll go
 18 specifically.
 19 A. Okay. That's a vast subject.
 20 The -- the job of a DJ is to make
 21 people dance by playing music, by playing prerecorded
 22 music.
 23 And DJs have varied technical
 24 capacities, abilities that allow them to give more or
 25 less originality to the records that are being

Page 78

1 played.

2 Q. When you say that the DJ has technical

3 abilities which allows the DJ to give, more or less,

4 originality to the records that are -- the

5 prerecorded music that is being played, what does

6 that mean?

7 A. Some DJs are not producers. They are

8 capable of appreciating the music without being able

9 to mix them harmoniously, whereas other DJs have a

10 more -- a more acute musical sense and are able to

11 harmoniously mix the records.

12 Q. What is involved -- strike that.

13 When you say harmoniously mix the

14 records or mix the music, what does that mean?

15 A. To mix harmoniously, first of all you

16 need to have the same tempo. There's a good beat

17 matching, which is an American expression. The

18 kick -- what's called the kick of Record A follows or

19 matches the kick of Record B.

20 And then if you have an even further

21 musical sense and your musical sense, if it's

22 developed as a DJ, you want to make sure that the

23 records are part of the same tonality -- musical

24 tonality, and that they mesh well.

25 Q. When you say they "mesh well," does

Page 79

1 that mean when they are played one after the other or

2 are they played together?

3 A. One after the other.

4 Q. And what is involved musically in

5 making or doing these mixes?

6 A. I just explained it to you.

7 Q. Well, do you manipulate the

8 prerecorded music in some way to accomplish the

9 mix?

10 MR. SLOTNICK: Objection as to form.

11 THE DEPONENT: What do you mean by to

12 "manipulate"?

13 BY MR. DICKIE:

14 Q. Well, how is it that you mechanically

15 or technically accomplish the mix that you were

16 talking about?

17 A. I gave you an explanation. I don't

18 think I can give you a more accurate explanation than

19 what I've already given.

20 Q. Well, do you consider yourself to be

21 one of those DJs that has an acute musical sense

22 which enables you to create the harmonious mix that

23 you've described?

24 A. Yes.

25 Q. And in this mixing process, am I

Page 80

1 correct that you are -- you as a DJ work with only

2 prerecorded music as opposed to creating music on the

3 spot, new music?

4 MR. SLOTNICK: Objection as to form.

5 THE DEPONENT: Are you talking about

6 the moment when I'm on stage or when I'm in the

7 studio acting as a producer?

8 BY MR. DICKIE:

9 Q. When you're on the stage.

10 A. So can you repeat -- would you mind

11 repeating the entire question, then?

12 MR. DICKIE: Can you read it back,

13 Tracy.

14 DEPOSITION OFFICER: Uh-huh.

15 (THE RECORD WAS READ AS FOLLOWS:

16 Q. And in this mixing process,

17 am I correct that you are -- you

18 as a DJ work with only prerecorded

19 music as opposed to creating music

20 on the spot, new music?)

21 THE DEPONENT: When I'm on the stage,

22 yes.

23 BY MR. DICKIE:

24 Q. And when you're in the studio and

25 you're involved in mixing, what is it that you do?

Page 81

1 MR. SLOTNICK: Objection -- objection;

2 lack of foundation.

3 THE DEPONENT: You're confusing two

4 activities that are completely different.

5 BY MR. DICKIE:

6 Q. Well, what is it that you do in the

7 studio that's different from what you do on the stage

8 as a DJ?

9 A. In the studio I create sounds, whereas

10 on stage I play prerecorded music.

11 Q. So would it be correct to say that

12 when you're in the studio, then, you never have any

13 involvement with any prerecorded music?

14 MR. SLOTNICK: Objection as to form.

15 MR. PINK: It's overly broad.

16 THE DEPONENT: It depends.

17 BY MR. DICKIE:

18 Q. What does it depend upon?

19 A. Depends if a track or a piece -- are

20 you talking about me in particular?

21 Q. I am talking about you in particular.

22 A. I'm the type of producer who uses very

23 few samples, but it can happen. It's possible.

24 Q. When did you start becoming a DJ?

25 MR. SLOTNICK: Objection as to form.

Page 82

1 THE DEPONENT: I started when I was
 2 14, so almost 30 years ago.
 3 BY MR. DICKIE:
 4 Q. Do you maintain your own studio?
 5 MR. PINK: Overly broad, vague.
 6 THE DEPONENT: What do you mean by
 7 "maintain"? Manage?
 8 BY MR. DICKIE:
 9 Q. Well, do you have a studio in your
 10 house?
 11 A. I have one at my office, at the office
 12 of Gum Productions, and I also have a studio in my
 13 home in Ibiza.
 14 Q. And what equipment is at Gum
 15 Productions in the studio?
 16 A. You want the list of all the equipment
 17 we have?
 18 Q. If there's a lot, whatever he can tell
 19 me that he recalls.
 20 A. That could last all day.
 21 Q. And when was the studio created?
 22 A. Which studio?
 23 Q. At the Gum Productions, is what we
 24 were talking about.
 25 A. I started working in that studio in

Page 83

1 2001, but it was pre-existent.
 2 Q. Did you work in that studio before
 3 2001?
 4 A. No.
 5 Q. And does -- or did Frederic Riesterer
 6 work in that studio at any time?
 7 A. No.
 8 Q. Did Joachim Garraud work in that
 9 studio at Gum Productions?
 10 A. Yes.
 11 Q. When did he start working in that
 12 studio?
 13 A. I don't know.
 14 Q. Is he still working in that studio?
 15 A. No.
 16 Q. When was the last time he was in the
 17 studio?
 18 A. After finishing the album "Pop Life"
 19 together.
 20 Q. And that album was completed in terms
 21 of the work between yourself and Mr. Garraud when?
 22 A. 2007.
 23 Q. Are you -- are you familiar with the
 24 term "house music"?
 25 A. Yes.

Page 84

1 Q. What is house music?
 2 A. How much time do you have?
 3 Q. Just answer my question. If it takes
 4 time, it takes time.
 5 A. House -- the term "house music" is a
 6 short for warehouse music. At the end of the '80s
 7 there was a club in Chicago called "The Warehouse."
 8 So they would play disco music
 9 besides -- besides and four in -- four on the floor,
 10 which means that the kick is on each tempo.
 11 And then the style evolved and there
 12 were DJs like Frankie Knuckles -- Frankie Knuckles,
 13 yeah -- Davey Morales, Master Network.
 14 It was an underground type of genre.
 15 It was a little bit like the follow-up to disco.
 16 And some of the DJ who did not have
 17 a theoretical type of upbringing in music started
 18 programming rhythmical parts, tracks, and used
 19 synthesizers to create the follow-up to the fashion
 20 of disco, which at the time was no longer being
 21 followed. It was no longer up-to-date.
 22 And this style, this genre evolved and
 23 developed more and more. It came to Europe in 1988,
 24 approximately, and especially was a tremendous
 25 success in England. And it has become more and more

Page 85

1 evolved and popular in Europe and in the rest of the
 2 world.
 3 Q. Are you finished?
 4 A. I could go on, but...
 5 Q. I don't know. I was just asking you
 6 whether you had completed your answer.
 7 A. Yes.
 8 Q. Now, as a DJ, can you tell me how it
 9 was that you went about promoting your career?
 10 MR. SLOTNICK: Objection as to form.
 11 MR. PINK: Objection.
 12 THE DEPONENT: When I started, the way
 13 I did it was just by doing my job really well. So I
 14 started being known in nightclubs in Paris and
 15 started growing my reputation.
 16 And people were following me from club
 17 to club and following me around, and so it was mainly
 18 word of mouth at the beginning.
 19 BY MR. DICKIE:
 20 Q. Well, was there a point in time when
 21 it changed?
 22 A. Later it became international.
 23 Q. Well, did you ever have any
 24 discussions about -- or strike that.
 25 Did you ever submit your music to

Page 86

1 radio stations?
 2 A. No.
 3 Q. Did you ever have any conversations
 4 with Joachim Garraud as to how to expand or market
 5 your career as a DJ?
 6 A. No.
 7 Q. When was it as a point in time
 8 that you first met Joachim Garraud?
 9 A. I think I met him in 1989.
 10 Q. And what is Mr. Garraud's business or
 11 occupation?
 12 MR. SLOTNICK: Objection; time frame.
 13 MR. DICKIE: What he understands.
 14 Anytime.
 15 THE DEPONENT: I would like him --
 16 meaning you -- to tell me when.
 17 BY MR. DICKIE:
 18 Q. Well, in 1989 what was Mr. Garraud's
 19 business?
 20 A. He was a DJ, and he was a producer --
 21 maybe not. He may have not have been a producer, but
 22 I think he was already making music.
 23 Q. Well, was there a point in time when
 24 you and Mr. Garraud discussed working together to
 25 make music?

Page 87

1 MR. SLOTNICK: Objection as to form.
 2 THE DEPONENT: In 2001.
 3 BY MR. DICKIE:
 4 Q. So it would be correct, then, to say
 5 that you had no involvement regarding any prior music
 6 enterprise with Mr. Garraud prior to nineteen --
 7 2001; is that right?
 8 A. It is. It's correct.
 9 Q. And what were the circumstances of the
 10 first musical project that you and Mr. Garraud worked
 11 on?
 12 A. I don't recall exactly how we met
 13 again, but Joachim --
 14 DEPOSITION OFFICER: "But what...?"
 15 THE DEPONENT: But Joachim was no
 16 longer a DJ then, and I think he was sorry for that.
 17 I was a DJ and we felt like we wanted
 18 to make music together, so that's what we decided to
 19 do.
 20 BY MR. DICKIE:
 21 Q. What contact did you have with
 22 Mr. Garraud during the period 1989 to 2001, if any?
 23 A. In 1989 he sold me a synthesizer
 24 TXH1Z. He came to my house once or twice and we
 25 exchanged advice -- pieces of advice.

Page 88

1 And that's about it. And then we lost
 2 touch with each other.
 3 Q. Well, you say that you and Mr. Garraud
 4 "exchanged advice." What was the nature of advice
 5 that you exchanged?
 6 A. I had just bought a computer. I had
 7 just purchased a computer and I wanted to make music
 8 with it, which is also the reason why I had bought
 9 the synthesizer from him. And he gave me programming
 10 advice about the computer that I had just purchased.
 11 Q. Did he give you anything else? Any
 12 music advice? Any suggestions? Anything like
 13 that?
 14 MR. DICKSTEIN: Objection as to
 15 form.
 16 THE DEPONENT: Not really at that
 17 time -- well, not really.
 18 BY MR. DICKIE:
 19 Q. And what was the specific year in
 20 which you and Mr. -- or years in which you and
 21 Mr. Garraud exchanged this advice?
 22 A. In 1989 when I purchased the TXH1Z
 23 from Yamaha.
 24 Q. Was it in 1989 that you lost touch,
 25 then, with Mr. Garraud?

Page 89

1 A. Yes.
 2 Q. And between 1989 and 2001, what was
 3 the nature of your interaction with Mr. Garraud, if
 4 any?
 5 A. There was none.
 6 Q. And then apparently you and
 7 Mr. Garraud got together in 2001; correct?
 8 A. Yes.
 9 Q. And what were the circumstances under
 10 which the two of you came to be interacting with one
 11 another in 2001?
 12 A. I do not remember the circumstances
 13 under which I met him again -- Joachim again.
 14 Q. What was Mr. Joachim Garraud doing in
 15 2001 when you rekindled your association?
 16 MR. DICKSTEIN: Objection as to
 17 form.
 18 DEPOSITION OFFICER: Who was that?
 19 Tal, was that you?
 20 THE DEPONENT: I think that
 21 essentially he produced advertising.
 22 BY MR. DICKIE:
 23 Q. Well, how is it that Mr. Garraud and
 24 you got together in 2001?
 25 MR. DICKSTEIN: Asked and answered.

Page 90

1 MR. SLOTNICK: Objection; asked and
 2 answered.
 3 THE DEPONENT: Could you please repeat
 4 what you just said?
 5 MR. SLOTNICK: I objected because the
 6 question was asked and answered.
 7 But you can answer it.
 8 THE DEPONENT: I have already
 9 answered.
 10 BY MR. DICKIE:
 11 Q. Did he call you in 2001?
 12 A. I do not recall.
 13 Q. Did you call him?
 14 A. I don't recall.
 15 Q. Was there a specific reason that you
 16 and Mr. Garraud got together in 2001 after almost ten
 17 years of not having any communication?
 18 MR. PINK: Objection as to form.
 19 MR. DICKSTEIN: Objection;
 20 foundation.
 21 THE DEPONENT: I don't recall in which
 22 precise circumstances we met again. But I -- I was a
 23 famous DJ and he had a studio, and we both wanted to
 24 make music, so we decided to work together.
 25 ///

Page 91

1 BY MR. DICKIE:
 2 Q. And was the -- what was the first --
 3 strike that.
 4 Was the first project that you worked
 5 on an album called "Just A Little More Love"?
 6 A. The very first project was a single.
 7 Q. And what was that single called?
 8 A. "Just A Little More Love."
 9 Q. And did that single feature
 10 Chris Willis?
 11 A. Yes.
 12 Q. And at the time that single, that
 13 first project, if you will, between yourself and
 14 Mr. Garraud took place, had Gum Productions already
 15 been created?
 16 A. I don't recall.
 17 Q. Prior to the time the single "Just A
 18 Little More Love" was done with Mr. Garraud, had you
 19 ever produced a prior album?
 20 A. No.
 21 Q. Would it be correct to say, then, that
 22 the album "Just A Little More Love" came out after
 23 the single was released?
 24 A. Yes.
 25 Q. And would it also be correct to say

Page 92

1 that Mr. Joachim Garraud was involved in the creation
 2 of the album "Just A Little More Love"?
 3 MR. SLOTNICK: Objection as to form.
 4 THE DEPONENT: Yes.
 5 BY MR. DICKIE:
 6 Q. Were there 13 songs on that album?
 7 A. I don't recall.
 8 Q. And what was Mr. Garraud's
 9 contribution to each of the songs on the album "Just
 10 A Little More Love"?
 11 MR. SLOTNICK: Objection; lack of
 12 foundation.
 13 THE DEPONENT: It was a collaboration.
 14 I would say that he essentially had technical
 15 capacities, qualities for it.
 16 BY MR. DICKIE:
 17 Q. What do you mean?
 18 A. He knew how you to use the machines,
 19 he knew about equalization. He knew how to use
 20 the --
 21 DEPOSITION OFFICER: "Use the..."?
 22 THE DEPONENT: -- reverb, compression,
 23 mastering, delay response, and then parallel
 24 compression as well, and other technical qualities.
 25 ///

Page 93

1 BY MR. DICKIE:
 2 Q. On how many of the tracks on "Just A
 3 Little More Love" did you compose the instrumental
 4 melody?
 5 A. It is a joint composition for the
 6 whole of the tracks.
 7 Q. Well, did you, Mr. Guetta, compose
 8 independently each of the tracks on the album "Just A
 9 Little More Love"?
 10 MR. SLOTNICK: Objection as to form.
 11 THE DEPONENT: Each of the tracks on
 12 the album were jointly composed by Mr. Garraud and
 13 myself with the -- with the participation -- with the
 14 involvement sometimes in the writing of some of the
 15 singers like Chris Willis.
 16 BY MR. DICKIE:
 17 Q. Who brought Chris Willis into the
 18 "Just A Little More Love" album project?
 19 A. Myself. I did it myself.
 20 Q. And who brought Barbara Tucker into
 21 the project?
 22 MR. SLOTNICK: Objection; lack of
 23 foundation.
 24 THE DEPONENT: Myself. I did it
 25 myself.

Page 94

1 BY MR. DICKIE:
 2 Q. And did you sign each -- Mr. Willis
 3 and Ms. Tucker to some sort of a contract on behalf
 4 of Gum Productions?
 5 A. Yes, Gum Productions did it.
 6 Q. And who brought Juan Rozoff into the
 7 project for "Just A Little More Love"?
 8 A. Myself.
 9 Q. And what did Chris Willis,
 10 Barbara Tucker, and Juan Rozoff contribute to the
 11 album?
 12 A. They wrote the lyrics and the vocal
 13 melody.
 14 Q. So would it be correct to say that on
 15 the first album, you didn't write any of the lyrics
 16 or the vocal melody?
 17 A. No, that's incorrect.
 18 Q. Well, what specific vocal melody did
 19 you write?
 20 A. I do not recall precisely which ones.
 21 Q. And what specific lyrics to which song
 22 did you write?
 23 A. I don't recall precisely.
 24 Q. And did you have a conversation with
 25 Mr. Garraud about bringing in additional artists to

Page 95

1 write the lyrics and the vocal melody?
 2 MR. DICKSTEIN: Objection; form.
 3 THE DEPONENT: Could you reformulate
 4 your question?
 5 BY MR. DICKIE:
 6 Q. Did you have a conversation with
 7 Mr. Garraud about bringing additional artists into
 8 the "Just A Little More Love" album project to write
 9 the lyrics and vocal melody?
 10 A. Additional to whom?
 11 Q. Well, Mr. Rozoff, Mr. Willis, and
 12 Ms. Tucker. They're additional artists; aren't
 13 they?
 14 MR. SLOTNICK: Objection as to form.
 15 THE DEPONENT: What do you mean by
 16 "additional artists"?
 17 BY MR. DICKIE:
 18 Q. Well, people other than you and
 19 Mr. Garraud.
 20 A. Yes.
 21 Q. Now, isn't it correct that on every
 22 song in the album "Just A Little More Love," there
 23 were featured artists that were brought in to make
 24 the record in the nature of a compilation with
 25 featured artists?

Page 96

1 MR. SLOTNICK: Objection as to form,
 2 characterization.
 3 THE DEPONENT: No.
 4 BY MR. DICKIE:
 5 Q. Did you sing any of the lyrics on any
 6 of the tracks in "Just A Little More Love"?
 7 A. No.
 8 Q. And did you perform the instrumentals
 9 on that album?
 10 MR. SLOTNICK: Objection as to form,
 11 lack of foundation.
 12 THE DEPONENT: I don't understand what
 13 you mean.
 14 Could you reformulate your question,
 15 please?
 16 BY MR. DICKIE:
 17 Q. Did you perform on the album the
 18 instrumental music?
 19 MR. SLOTNICK: Same objection.
 20 Go ahead. You can answer.
 21 THE DEPONENT: I have the same
 22 objections.
 23 MR. DICKSTEIN: If you understand.
 24 THE DEPONENT: It's the same.
 25 ///

Page 97

1 BY MR. DICKIE:
 2 Q. You don't understand the question?
 3 A. No.
 4 Q. Do you know what instrumental music
 5 is?
 6 A. Yes.
 7 Q. And what do you understand
 8 instrumental music to mean?
 9 A. I don't understand when you say "to
 10 perform."
 11 Do you mean -- so do you mean to
 12 perform as if on a stage and I would be performing my
 13 music as a DJ?
 14 Q. No. No.
 15 I meant: Did you perform and actually
 16 play the music on the 13 tracks in "Just A Little
 17 More Love"?
 18 A. So is your question: Did I program
 19 the music of the tracks of the album "Just A Little
 20 More Love"?
 21 Q. When you say "program the tracks,"
 22 what do you mean?
 23 A. So if you program a tempo, a rhythm --
 24 no, not a tempo -- a rhythm, a musical rhythm, yeah.
 25 Okay.

Page 98

1 So when you actually program the
 2 musical rhythm, you program the kick, you program the
 3 clap, the high-hat close. These are all the
 4 decisions that I make, all the elements.
 5 All the elements that compose or that
 6 make the rhythmical section are programmed. They're
 7 not acoustically recorded like in the past, like it
 8 was done in the past.
 9 So is that the essence of your
 10 question?
 11 Q. Yes, I think that's what I was asking.
 12 A. So yes, I participated in the musical
 13 programming of the music on my album.
 14 Q. And you participated with Mr. Garraud;
 15 is that correct?
 16 A. Yes, it's correct.
 17 Q. And is there anything that would
 18 establish any independent documentation which would
 19 establish what your participation consisted of as
 20 compared with that of Mr. Garraud?
 21 A. The -- the -- the SACEM.
 22 THE INTERPRETER: If I may explain
 23 this, the music, the entity that --
 24 THE DEPONENT: No, no, no.
 25 THE INTERPRETER: -- the SACEM -- it's

Page 99

1 S-A-C-E-M -- is the higher entity in France for music
 2 licenses. It's a French entity.
 3 And I'm -- the interpreter is offering
 4 an explanation just because SACEM may not be a word
 5 that's known.
 6 MR. SLOTNICK: I'm going to ask the
 7 interpreter not to explain SACEM.
 8 THE INTERPRETER: Okay.
 9 BY MR. DICKIE:
 10 Q. Well, what is SACEM, Mr. Guetta?
 11 A. So the objective of the SACEM is to
 12 collect the rights of the people who make music.
 13 Q. And how is that music collected?
 14 A. Which information?
 15 Q. Well, I asked you what SACEM is and
 16 you said, "The objective is to collect the rights of
 17 people who make music."
 18 My question then was: How is the
 19 music collected in order to establish those rights?
 20 MR. SLOTNICK: Objection; calls for
 21 speculation.
 22 MR. DICKSTEIN: Misstates testimony.
 23 THE DEPONENT: Each not -- I'm not the
 24 one who organizes or manages the SACEM, so I can only
 25 speculate that they would be monitoring the number of

Page 100

1 times that the music is heard on the radio, things
 2 like that.
 3 BY MR. DICKIE:
 4 Q. But my question, Mr. Guetta, was:
 5 Is there any documentation or anything which would
 6 establish what percent of the programming was
 7 performed by Mr. Garraud -- Garraud as compared with
 8 how much of it was programmed by you?
 9 MR. DICKSTEIN: Objection to form.
 10 THE DEPONENT: The -- the SACEM --
 11 THE INTERPRETER: The interpreter does
 12 not know what to call this -- "deposit with SACEM."
 13 BY MR. DICKIE:
 14 Q. And what is deposited with SACEM?
 15 A. A piece of paper -- so the -- so
 16 the -- so the SACEM gives a piece of paper to the
 17 artist who creates, compose a track together, and
 18 they assess what is rightly the percentage of each in
 19 the composition of the music or in the writing of the
 20 lyrics.
 21 Q. When he said "they," are you talking
 22 about individuals who create the track together or
 23 SACEM that makes the assessment?
 24 A. Could you please rephrase the sentence
 25 with everything -- being the subject and the

Page 101

1 complement -- so we all know what we're talking
 2 about?
 3 Q. If I understood you correctly -- and
 4 please tell me if I'm wrong -- you said that SACEM
 5 gives a paper to the artists who created or composed
 6 the track together, and they assess what is rightly
 7 the percentage of each.
 8 And my question to you is: When you
 9 say "they," are you referring to the artists who
 10 created or composed the track?
 11 A. Yes.
 12 Q. Did you and Mr. Garraud, by the way,
 13 have an agreement between the two of you of any kind
 14 as to how credit for compositions would be shared?
 15 MR. DICKSTEIN: Objection; form.
 16 Which album are we talking about?
 17 MR. DICKIE: No. I just asked about
 18 an agreement, not about an album.
 19 MR. DICKSTEIN: Not an album. Okay.
 20 THE DEPONENT: Not really.
 21 BY MR. DICKIE:
 22 Q. Well, does that mean "sort of"?
 23 MR. SLOTNICK: Objection as to
 24 characterization.
 25 THE DEPONENT: No.

Page 102

1 BY MR. DICKIE:
 2 Q. Well, when you filled out the SACEM
 3 piece of paper for the album -- the first album the
 4 two of you did, "Just A Little More Love," how was
 5 the programming work shared as between you and
 6 Mr. Garraud?
 7 MR. SLOTNICK: Objection as to the
 8 form.
 9 THE DEPONENT: You mean in terms of
 10 percentages?
 11 BY MR. DICKIE:
 12 Q. Yes.
 13 A. It varied according to the track and
 14 according to the number of participants, which is
 15 different for each track.
 16 Q. Well, in the album "Just A Little More
 17 Love," how many participants in the programming were
 18 there besides yourself and Mr. Garraud, if any?
 19 A. I think it was just us.
 20 Q. And did the two of you share the
 21 programming percentage credit on a 50-50 basis for
 22 each of the tracks?
 23 A. I don't recall precisely.
 24 Q. Well, do you recall generally that you
 25 had an understanding with Mr. Garraud that you would

Page 103

1 share the credit for programming the instrumentation
 2 or instrumental melodies on a 50-50 basis for the
 3 songs on which you worked or the albums on which you
 4 worked for Gum Productions?
 5 MR. SLOTNICK: Objection; lack of
 6 foundation, misstates the witness's testimony.
 7 THE DEPONENT: In the case that we
 8 would work together and that we composed the tracks
 9 together, yes, of course.
 10 BY MR. DICKIE:
 11 Q. Well --
 12 A. And that we -- in the -- within the
 13 context that we worked, the two of us, and that we --
 14 Q. After the album "Just A Little More
 15 Love," your next album was called "Guetta Blaster" in
 16 2004; isn't that right?
 17 A. "Guetta Blaster," yes, that's
 18 correct.
 19 Q. And then following "Guetta Blaster"
 20 was "Pop Life" in 2007; isn't that correct?
 21 A. That is correct.
 22 Q. And then following "Pop Life" was an
 23 album called "One Love" in 2009; isn't that
 24 correct?
 25 A. Yes.

Page 104

1 Q. And then the one following "One Love"
 2 was called "Nothing But The Beat" in 2011; isn't that
 3 correct?
 4 A. Yes.
 5 Q. Now, in connection with "Guetta
 6 Blaster," the 2004 album, did Mr. Garraud work on
 7 programming the instrumentation for that album?
 8 A. Yes.
 9 Q. And did anyone beside Mr. Garraud and
 10 you work on the programming for the album "Guetta
 11 Blaster"?
 12 A. I don't recall.
 13 Q. Each of the tracks on "Guetta Blaster"
 14 also featured some individual brought into -- into
 15 the project by either you or Mr. Garraud as an artist
 16 signed to Gum Productions; isn't that correct?
 17 MR. DICKSTEIN: Objection; form,
 18 foundation.
 19 THE DEPONENT: What do you mean by a
 20 "signed artist to Gum Productions"?
 21 BY MR. DICKIE:
 22 Q. Well, your friend Chris Willis was an
 23 artist on "Guetta Blaster"; isn't that right?
 24 MR. PINK: Objection --
 25 MR. SLOTNICK: Objection;

Page 105

1 characterization.
 2 MR. PINK: -- to form.
 3 MR. SLOTNICK: Go ahead.
 4 THE DEPONENT: Is your question that
 5 Chris Willis sang on some of the songs on the album
 6 "Guetta Blaster"?
 7 BY MR. DICKIE:
 8 Q. Well, he was signed by Gum Productions
 9 to sing on that album; isn't that right?
 10 A. Your question is not precise enough.
 11 Q. Well, who brought Chris Willis to work
 12 on the "Guetta Blaster" project?
 13 A. Myself.
 14 Q. Was he signed as an artist by Gum
 15 Productions for that project?
 16 A. Could you define the concept of
 17 "signed"?
 18 Q. Well, was there a contract between Gum
 19 Productions and Chris Willis for his services?
 20 A. Yes.
 21 Q. Was there an artist agreement of some
 22 sort running between Gum Productions and Chris Willis
 23 for the album "Guetta Blaster"?
 24 A. There was a contract for each song
 25 that Chris Willis sang.

Page 106

1 Q. And how about Mone?
 2 Was there a contract with Mone for any
 3 songs on "Guetta Blaster"?
 4 A. I --
 5 Q. Was there a contract or an
 6 arrangement --
 7 DEPOSITION OFFICER: I didn't hear the
 8 answer.
 9 THE DEPONENT: I imagine so.
 10 DEPOSITION OFFICER: I didn't hear the
 11 end of the question, Dean.
 12 MR. DICKIE: Oh. I'm sorry.
 13 BY MR. DICKIE:
 14 Q. Was there a contract for J.D. Davis
 15 for "Guetta Blaster" as well?
 16 A. As I said before, I do not manage
 17 contracts, but I believe so.
 18 Q. Well, would it be accurate to say,
 19 Mr. Guetta, that for any artist that performed on
 20 "Guetta Blaster," that artist had some kind of an
 21 agreement with the label Gum Productions in order to
 22 participate on that album?
 23 MR. SLOTNICK: Objection; calls for
 24 speculation.
 25 THE DEPONENT: Yes, I suppose so.

Page 107

1 BY MR. DICKIE:
 2 Q. And what were the circumstances of
 3 Mr. Garraud and you as ceasing to be involved with
 4 Gum Productions after, I believe you said, "Pop Life"
 5 was completed?
 6 MR. DICKSTEIN: Objection; foundation,
 7 misstates testimony.
 8 THE DEPONENT: We disagreed
 9 artistically. I felt that he had not involved
 10 himself enough in the project, and I felt that on his
 11 end he liked the ideas that I would put forward less
 12 than before.
 13 MR. DICKIE: Take a short break to go
 14 off and change tapes.
 15 THE VIDEOGRAPHER: This is the end of
 16 Media Number Three in the deposition of David Guetta.
 17 We are now going off the record. The
 18 time is 3:13 p.m.
 19 (WHEREUPON, A RECESS WAS HELD
 20 FROM 3:13 P.M. TO 3:39 P.M.)
 21 THE VIDEOGRAPHER: This is the
 22 beginning of Media Number Four in the deposition of
 23 David Guetta in the matter of Bryan Pringle vs.
 24 William Adams, et al.
 25 We are now going on the record. The

Page 108

1 time is 3:39 p.m.
 2 BY MR. DICKIE:
 3 Q. All set to begin, Mr. Guetta?
 4 A. Yes.
 5 Q. As we broke we were talking a little
 6 bit about yourself and Mr. Joachim Garraud and the
 7 separation that took place sometime after 2007.
 8 Do you have a specific recollection as
 9 to the date on which you and Mr. Garraud ceased
 10 working together?
 11 A. No -- oh.
 12 No.
 13 Q. Well, prior to the time you ceased
 14 working together with Mr. Garraud, with what
 15 frequency did you and he interact regarding the
 16 making of music?
 17 MR. SLOTNICK: Objection as to form.
 18 THE DEPONENT: Very frequently.
 19 BY MR. DICKIE:
 20 Q. Almost daily?
 21 A. Yes.
 22 Q. And since you ceased working together,
 23 can you tell me when it was that you spoke to
 24 Mr. Garraud the last time?
 25 A. Perhaps a year ago.

Page 109

1 Q. Have you discussed this lawsuit and
 2 the claims advanced against you with Mr. Garraud?
 3 A. No.
 4 Q. Have you discussed this lawsuit with
 5 any representative from Mr. Garraud?
 6 A. No.
 7 Q. Now, one of the songs that -- strike
 8 that.
 9 I understood you to say that each of
 10 the various artists that performed on "Guetta
 11 Blaster" all had a contract of some sort for each of
 12 the songs they did.
 13 Did I understand you correctly?
 14 MR. SLOTNICK: Objection; misstates
 15 the testimony.
 16 Go ahead.
 17 THE DEPONENT: Like I said, I'm not in
 18 charge of the contracts.
 19 BY MR. DICKIE:
 20 Q. Do you know whether each of the
 21 artists that performed or sang lyrics and did the
 22 vocal melody on any of your albums provided Gum
 23 Productions with any form of statement saying that
 24 the information or the lyrics that they used or the
 25 vocal melody were not sampled or copied from other

Page 110

1 copyrighted material?
 2 MR. DICKSTEIN: Objection to form.
 3 THE DEPONENT: I don't know.
 4 BY MR. DICKIE:
 5 Q. Did you ask any of the artists that
 6 performed on any of the albums which you made in
 7 2001, '04, '07, or '09 whether any of the lyrics or
 8 vocal melodies that they provided had been copied or
 9 sampled from any other copyrighted work?
 10 MR. SLOTNICK: Objection as to form.
 11 THE DEPONENT: Are you specifically
 12 talking about the vocals?
 13 BY MR. DICKIE:
 14 Q. The lyrics and the vocal melody.
 15 A. A singer is a singer; a singer is not
 16 a sampler.
 17 Q. Did you ask any of the artists that
 18 were on your albums whether any of the lyrics that
 19 they provided were copied from someone else?
 20 MR. DICKSTEIN: Objection; form.
 21 THE DEPONENT: I do not recall.
 22 BY MR. DICKIE:
 23 Q. Did you ask any of the artists that
 24 were on any of your albums that provided vocal
 25 melodies whether the melodies they provided came from

Page 111

1 some other artist's copyrighted work?
 2 MR. SLOTNICK: Objection as to form,
 3 lack of foundation.
 4 MR. DICKSTEIN: Calls for a legal
 5 conclusion.
 6 THE DEPONENT: I don't recall.
 7 BY MR. DICKIE:
 8 Q. Did you direct anyone who was
 9 associated with Gum Productions, including Mr. Carre,
 10 to take any steps to ensure that none of the lyrics
 11 or vocal melodies used on your albums came from the
 12 copyrighted works of others?
 13 A. I don't think so.
 14 Q. Now, on the album "Pop Life," the 13th
 15 song is listed as "The Love Is Gone," and it featured
 16 Chris Willis and --
 17 DEPOSITION OFFICER: What was the end
 18 of your question?
 19 "It featured Chris Willis and
 20 Fred..."?
 21 MR. DICKIE: "...Fred Riesterer and
 22 Joachim Garraud radio-edit remix."
 23 BY MR. DICKIE:
 24 Q. Are you familiar with that?
 25 A. Yes.

Page 112

1 Q. And what was your specific
 2 contribution to that radio-edit remix of the song
 3 "Love Is Gone," if anything?
 4 A. So I remember that when Fred had me
 5 listen on the phone and had told me about this idea
 6 that -- right after the guitar ends, he had chosen to
 7 put something in there that was melodious, but that I
 8 thought that the piece was actually losing a little
 9 bit of its interest.
 10 So I told him that it would be better
 11 right after the guitar to put in some music that was
 12 more raw and more with a rhythmic and a baseline.
 13 Q. Other than some suggestions about the
 14 additions which you have just testified to, did you
 15 have any other input into the creation of that
 16 track?
 17 MR. SLOTNICK: Objection to form.
 18 THE DEPONENT: Yes.
 19 BY MR. DICKIE:
 20 Q. What else did you contribute to the
 21 remix?
 22 A. The track itself, the song itself.
 23 Q. I just asked about the remix, song
 24 number 13 on the album.
 25 MR. SLOTNICK: Objection.

Page 113

1 He's answered the question.
 2 THE DEPONENT: I answered your
 3 question.
 4 BY MR. DICKIE:
 5 Q. Did you create the original
 6 programming for the instrumental melody of "Love Is
 7 Gone"?
 8 A. I participated in it, yes.
 9 Q. Well, who initiated the first version
 10 of "Love Is Gone"?
 11 MR. SLOTNICK: Objection as to form.
 12 THE DEPONENT: I remember that the
 13 first idea of the song "Love Is Gone" -- "Love Is
 14 Gone" happened when I was actually performing with
 15 Chris Willis.
 16 I was going through a crisis with my
 17 wife -- personal crisis. And so I had -- I had -- so
 18 I had this idea in my mind for some time.
 19 But while I was waiting backstage
 20 before performing with Chris Willis, we discussed the
 21 song. And he's the one who is the main writer of the
 22 lyrics, but we did share -- I did share some of my
 23 ideas about this song with him.
 24 The song was based on a story that I
 25 was telling and I -- I did write some of the lyrics,

Page 114

1 but most of the writing was Chris Willis's writing.
 2 BY MR. DICKIE:
 3 Q. Let's talk about the instrumentation.
 4 Isn't it true that Frederic Riesterer
 5 prepared the original CD demo for that song?
 6 A. It is true that the basic instrumental
 7 idea for this song came from him. But the vocal
 8 melody and the song itself came about in the
 9 circumstances that I described earlier to you.
 10 Q. And was Mr. Garraud involved with
 11 Mr. Riesterer in creating the original basic
 12 instrumental aspects of the song "Love Is Gone"?
 13 MR. PINK: Calls for speculation.
 14 THE DEPONENT: Not the very first
 15 demo, but as time went by, we developed it all
 16 together.
 17 BY MR. DICKIE:
 18 Q. Well, isn't it -- on the first demo,
 19 wasn't -- didn't Mr. Garraud say it had to go back
 20 and be expanded upon or added to such that there was
 21 a second instrumental demo?
 22 MR. SLOTNICK: Objection; calls for
 23 speculation, lacks foundation.
 24 THE DEPONENT: I do not understand the
 25 question.

Page 115

1 BY MR. DICKIE:
 2 Q. Well, there was an original demo of
 3 the instrumental -- instrumentals on "Love Is Gone,"
 4 isn't that correct, prepared by Fred Riesterer?
 5 A. Yes.
 6 Q. And then there was a second demo that
 7 was prepared by Mr. Riesterer after he discussed the
 8 original demo with Mr. Garraud -- Garraud; isn't that
 9 correct?
 10 MR. DICKSTEIN: Objection;
 11 speculation.
 12 THE DEPONENT: With Mr. Garraud and
 13 with myself as well, I think.
 14 BY MR. DICKIE:
 15 Q. Well, did you sit down with
 16 Mr. Riesterer between his original first demo and the
 17 second demo and discuss with him what was to be
 18 included in the second demo?
 19 A. I don't recall.
 20 Q. Did you ever ask Mr. Riesterer from
 21 where his ideas for the instrumentals in "Love Is
 22 Gone" came from?
 23 A. I didn't have to ask him because it
 24 was obvious.
 25 Q. Well, did you ask him?

Page 116

1 Is the answer to my question "yes" or
 2 "no"?
 3 A. No.
 4 Q. Did Mr. Riesterer ever tell you
 5 the origin of his work on "Love Is Gone," the
 6 instrumental aspects of that song?
 7 MR. SLOTNICK: Objection.
 8 THE DEPONENT: No.
 9 BY MR. DICKIE:
 10 Q. And can you tell me what your specific
 11 input was to the instrumental portion of "Love Is
 12 Gone," if anything?
 13 A. Which version are you talking about?
 14 Q. The second demo.
 15 A. I think I know what you're trying to
 16 talk about, but -- but you're going the wrong way.
 17 There is a first version, and then
 18 subsequent to that a very simple demo done by
 19 Fred Riesterer.
 20 And this version gave me inspiration
 21 for lyrics -- for some lyrics and a melody. And
 22 after we were done recording the lyrics and the
 23 melody, we all reworked the first demo around this
 24 new -- this new melody and lyrics.
 25 Q. Is it your testimony, Mr. Guetta,

Page 117

1 there was no melody on the first demo?
 2 MR. SLOTNICK: Objection;
 3 mischaracterizes the witness's testimony.
 4 You can answer if you can.
 5 THE DEPONENT: Could you please repeat
 6 the question?
 7 BY MR. DICKIE:
 8 Q. Is it your testimony that there was no
 9 melody -- instrumental melody on the first demo?
 10 A. Instrumental melody or vocal melody?
 11 Q. The word in the question was
 12 "instrumental."
 13 A. Not in the translation.
 14 There was -- there was an instrumental
 15 melody in the first demo.
 16 Q. And where is that first demo today?
 17 A. I don't know. I do not know.
 18 Q. Does it exist?
 19 A. It's probably on Frederic Riesterer's
 20 hard drive.
 21 Q. And when you say -- you refer to
 22 something as a "remix," am I correct that you start
 23 with an existing song and then modify it in some way?
 24 Is that what constitutes a remix?
 25 A. That's correct.

Page 118

1 Q. And when you are -- do you ever from
 2 time to time do a remix of some other person's
 3 copyrighted prerecorded music?
 4 MR. SLOTNICK: Objection; calls for a
 5 legal conclusion.
 6 MR. PINK: Overly broad, vague and
 7 ambiguous.
 8 BY MR. DICKIE:
 9 Q. And you can answer the question.
 10 MR. SLOTNICK: You can if you can.
 11 MR. PINK: If you can.
 12 THE DEPONENT: Yes. Sometimes a music
 13 label asks me to do a club version of a song.
 14 BY MR. DICKIE:
 15 Q. What do you mean "a club version of a
 16 song"?
 17 A. So, for example, if a pop artist has
 18 great radio success, great radio potential, but that
 19 they also want this song to start being popular in
 20 nightclubs and the original format is not quite
 21 suited to a nightclub format, then I might be asked
 22 to remix it to adapt it to a nightclub version,
 23 something that people can dance on more easily.
 24 Q. And you might be asked to remix it by
 25 whom?

Page 119

1 A. In general, it's the music label.
 2 Q. And before you do the remix that's
 3 requested by the music label, do you typically
 4 receive authorization or permission from the artist
 5 for doing that remix?
 6 MR. SLOTNICK: Objection; calls for a
 7 legal conclusion, lack of foundation.
 8 THE DEPONENT: If a music label asks
 9 me to do a remix, I can only imagine that they have
 10 prior consent of the artist.
 11 BY MR. DICKIE:
 12 Q. That wasn't my question, Mr. Guetta.
 13 My question was: If asked by a music
 14 label to do a remix, do you do the remix with the
 15 specific permission of the artist to do it?
 16 MR. SLOTNICK: Same objection.
 17 MR. PINK: Lacks foundation, calls for
 18 speculation.
 19 THE DEPONENT: It's the same question.
 20 If a music label asks me to do a remix, I have to
 21 imagine that the artist is okay with that.
 22 BY MR. DICKIE:
 23 Q. Well, rather than imagining if the
 24 artist is okay with that, do you receive specific
 25 permission from the artist before doing the remix,

Page 120

1 was my question.
 2 MR. SLOTNICK: Objection -- objection;
 3 argumentative, asks the witness for a legal
 4 conclusion, lack of foundation, calls for
 5 speculation.
 6 But you can answer the question.
 7 MR. PINK: Also add harassing.
 8 THE DEPONENT: Well, in the event that
 9 a music label orders a remix, especially at the time,
 10 I was not in contact with the artist. I was working
 11 for the music label.
 12 BY MR. DICKIE:
 13 Q. Mr. Guetta, have you ever remixed a
 14 popular song into a club dance version without being
 15 asked to do so by a music label?
 16 MR. SLOTNICK: Objection; form.
 17 THE DEPONENT: (In English): Okay.
 18 This is called a bootleg --
 19 MR. SLOTNICK: Okay. Wait for the
 20 translation.
 21 THE DEPONENT: Sorry.
 22 MR. SLOTNICK: It's all right.
 23 Please answer the question as asked.
 24 THE DEPONENT: Yes.
 25 ///

Page 121

1 BY MR. DICKIE:
 2 Q. With what frequency have you done
 3 that?
 4 A. Rarely. Seldom.
 5 Q. And when you say "rarely," do you mean
 6 once or twice in your entire career as a DJ?
 7 A. Well, I think we need to define the
 8 concept of a remix first.
 9 Q. I'm just using your words, sir.
 10 You said a music label would ask you
 11 to remix something and you did.
 12 And I asked you then the question
 13 of --
 14 MR. SLOTNICK: Objection.
 15 BY MR. DICKIE:
 16 Q. -- have you ever remixed a popular
 17 song into a club dance version without being asked to
 18 do so by a record label.
 19 And you said "Yes."
 20 Did I misunderstand you?
 21 MR. SLOTNICK: Objection -- objection.
 22 The witness was responding to an earlier question of
 23 yours regarding remixes, and he did not define the
 24 word.
 25 MR. DICKIE: Just --

Page 122

1 MR. SLOTNICK: And he's now saying --
 2 MR. DICKIE: My question stands --
 3 MR. SLOTNICK: -- he doesn't --
 4 MR. DICKIE: -- and you don't need to
 5 make a speaking objection.
 6 MR. SLOTNICK: I'm not making a
 7 speaking objection.
 8 MR. DICKIE: That's fine.
 9 He can answer my question.
 10 MR. SLOTNICK: If he can answer the
 11 question, he can. If he can't answer it, he can't
 12 answer it.
 13 MR. DICKIE: Well, that's right now
 14 that you've told him he didn't need to answer it.
 15 MR. SLOTNICK: Okay.
 16 BY MR. DICKIE:
 17 Q. You can answer my question, can't you,
 18 Mr. Guetta?
 19 MR. SLOTNICK: Objection as being
 20 argumentative.
 21 THE DEPONENT: You cannot compare a
 22 remix that has been asked for by a music label that
 23 gives you all the elements with separate tracks -- so
 24 you can't compare that remix to the fact of changing
 25 a song that I like in order to play it in a

Page 123

1 nightclub.
 2 Because if I don't have these elements
 3 that come from the music label, I really don't have
 4 much to work with.
 5 It's possible to do but, in fact,
 6 that's not really what we call a remix. It's called
 7 technically a "bootleg," which is a way to
 8 reinterpret the track.
 9 BY MR. DICKIE:
 10 Q. Is a remix the taking of a song and
 11 then modifying it in some way?
 12 A. Yes.
 13 Q. Have you ever taken a popular song and
 14 modified it in some way while you were DJing without
 15 the permission of the original copyright holder of
 16 that song?
 17 MR. SLOTNICK: Objection; calls for
 18 speculation, asks for a legal conclusion, and
 19 mischaracterizes the law.
 20 MR. PINK: Overly broad.
 21 THE DEPONENT: Of course. I don't
 22 need to ask for anyone's permission as I'm playing if
 23 I need to modify the song to the extent that I don't
 24 commercialize this version.
 25 ///

Page 124

1 BY MR. DICKIE:
 2 Q. Now, on the album -- I believe it's
 3 called "One Love," does the song "I Gotta Feeling"
 4 appear on that album?
 5 A. Yes.
 6 Q. Did you obtain the written permission
 7 from either the label or The Black Eyed Peas for
 8 inclusion of that song on your album?
 9 A. I don't manage the contracts. It's
 10 Jean-Charles Carre that is in charge of that.
 11 Q. Was the album "One Love" a successful
 12 album?
 13 MR. SLOTNICK: Objection as to form.
 14 MR. PINK: Overly broad.
 15 THE DEPONENT: It depends on what you
 16 call a success.
 17 BY MR. DICKIE:
 18 Q. Well, in the context of your business,
 19 what do you consider to be a successful album?
 20 A. Yes, within the framework of my
 21 business, I do consider that it was a successful
 22 album.
 23 Q. How many downloads of "I Gotta
 24 Feeling" were there from your album "One Love"?
 25 MR. PINK: Calls for speculation,

Page 125

1 lacks foundation.
 2 MR. DICKSTEIN: Objection to form.
 3 THE DEPONENT: I'm not certain about
 4 what I'm about to say.
 5 MR. SLOTNICK: Let me caution the
 6 witness not to speculate.
 7 BY MR. DICKIE:
 8 Q. It's okay. You can answer the
 9 question to your best knowledge, Mr. Guetta.
 10 A. I don't know.
 11 MR. DICKIE: What did he say before?
 12 THE INTERPRETER: To whom? I'm sorry.
 13 MR. DICKIE: Well, he started to
 14 answer and then his lawyer made a comment and then he
 15 said "Je ne sais pas" before he said "I don't know."
 16 THE INTERPRETER: He said, "I'm afraid
 17 I might be making a mistake."
 18 BY MR. DICKIE:
 19 Q. Is it your understanding there were a
 20 number of downloads of "I Gotta Feeling" from the
 21 "One Love" album?
 22 MR. DICKSTEIN: Objection to form.
 23 DEPOSITION OFFICER: Objection to
 24 form?
 25 MR. DICKSTEIN: Yes.

Page 126

1 (NO AUDIBLE RESPONSE BY THE DEPONENT.)
 2 BY MR. DICKIE:
 3 Q. And who keeps -- strike that.
 4 Does Shapiro Bernstein record the
 5 number of downloads of various songs on your albums?
 6 MR. SLOTNICK: Objection as to form,
 7 lack of foundation.
 8 THE DEPONENT: Would you please
 9 reformulate the question?
 10 BY MR. DICKIE:
 11 Q. Well, who is it that provides or takes
 12 care of the financial aspects of the performance of
 13 your specific albums?
 14 MR. DICKSTEIN: Objection to form.
 15 THE DEPONENT: Jean-Charles Carre.
 16 BY MR. DICKIE:
 17 Q. Are you provided with routine reports
 18 as to how albums and songs that you put out are doing
 19 in the marketplace?
 20 A. Yes.
 21 Q. And based upon the information
 22 provided to you, what is your understanding as to the
 23 total revenue derived from "One Love"?
 24 MR. SLOTNICK: Objection as to form.
 25 THE DEPONENT: I don't know.

Page 127

1 BY MR. DICKIE:
 2 Q. More than a million dollars?
 3 MR. SLOTNICK: Calls for speculation,
 4 objection.
 5 THE DEPONENT: I suppose so.
 6 BY MR. DICKIE:
 7 Q. More than 5 million dollars?
 8 MR. SLOTNICK: Same objections.
 9 THE DEPONENT: I don't think so.
 10 BY MR. DICKIE:
 11 Q. And when you think about what is a
 12 successful album, what do you think of in terms of
 13 total revenue for that successful album?
 14 MR. SLOTNICK: Objection -- objection;
 15 form.
 16 THE DEPONENT: To me, a successful
 17 album has nothing to do with the revenue it brings.
 18 BY MR. DICKIE:
 19 Q. Well, when you have a successful
 20 album, what is the revenue typically associated, in
 21 your experience, with that album?
 22 MR. SLOTNICK: Objection as to form.
 23 THE DEPONENT: It's a vague question.
 24 It's like asking what is being rich.
 25 ///

Page 128

1 BY MR. DICKIE:
 2 Q. Well, no. It isn't vague at all.
 3 You have what you consider to be a
 4 successful album.
 5 MR. DICKSTEIN: There's no question.
 6 MR. SLOTNICK: Wait.
 7 BY MR. DICKIE:
 8 Q. Do you consider "One Love" to be a
 9 financially successful album?
 10 A. Yes.
 11 Q. And in your experience, what is the
 12 level of revenue required in order to -- for an album
 13 to be financially successful, in your opinion?
 14 MR. SLOTNICK: Objection as to form.
 15 THE DEPONENT: It's an album that does
 16 not lose money.
 17 BY MR. DICKIE:
 18 Q. And in terms of total dollars, what is
 19 that?
 20 MR. PINK: Overly broad.
 21 THE DEPONENT: And an album that
 22 allows you not to lose money is an album which makes
 23 in revenue more than what you spend to make it.
 24 BY MR. DICKIE:
 25 Q. And what was spent to make "One

Page 129

1 Love"?
 2 A. I don't know. I'm not in charge of
 3 the financial aspects.
 4 Q. And would it be correct to say, then,
 5 that Mr. Carre, your manager who's here at the
 6 deposition, is the individual who would have that
 7 information?
 8 MR. SLOTNICK: Object -- objection;
 9 calls for speculation.
 10 THE DEPONENT: That is correct.
 11 BY MR. DICKIE:
 12 Q. Does Mr. Carre have an office at
 13 Gum Productions on the Rue de Rivoli address?
 14 A. Yes.
 15 Q. Do you have an office on Rue de
 16 Rivoli -- an office as well?
 17 A. What do you call an office?
 18 Q. A place where you can go, make a
 19 telephone call, send an e-mail, receive an e-mail.
 20 MR. DICKSTEIN: Objection to form.
 21 THE DEPONENT: I can send e-mails from
 22 anywhere. But when I go to Rue de Rivoli, it's to go
 23 into the studio.
 24 BY MR. DICKIE:
 25 Q. And when you are in the studio, other

Page 130

1 than Mr. Carre, who else is in the office?
 2 MR. DICKSTEIN: In general?
 3 BY MR. DICKIE:
 4 Q. Well, there aren't any other
 5 employees, are there?
 6 A. Yes, sometimes there is a secretary, I
 7 guess.
 8 Q. Well, is there a secretary there all
 9 the time?
 10 MR. SLOTNICK: Objection as to form.
 11 THE DEPONENT: All the time? I don't
 12 know. I mean, I'm not in charge of the business
 13 aspects. I go to the studio.
 14 BY MR. DICKIE:
 15 Q. Is the studio at the Rue de Rivoli
 16 separate from the space in which the office is
 17 found?
 18 A. Yes.
 19 Q. So you can go into the studio without
 20 ever entering the office; is that correct?
 21 A. Yes.
 22 Q. When was it that you first learned of
 23 the concept for the song "Love Is Gone"?
 24 MR. SLOTNICK: Objection; form,
 25 foundation, speculation.

Page 131

1 THE DEPONENT: What do you call the
 2 "concept"?
 3 BY MR. DICKIE:
 4 Q. Well, when was the first time that you
 5 ever discussed the song "Love Is Gone"?
 6 A. I've already answered your question.
 7 Q. As to when? I don't think so.
 8 A. The first time -- the first time I
 9 discussed the concept of the song "Love Is Gone" is
 10 with Chris Willis backstage before a performance.
 11 Q. When was that?
 12 A. I don't recall precisely.
 13 Q. Had Mr. Riesterer already begun work
 14 on the song?
 15 A. He couldn't have worked on a song that
 16 didn't exist yet.
 17 Q. Well, had he attempted to create a new
 18 song, regardless of its name?
 19 A. Fred Riesterer or someone else or
 20 myself, we're always making music.
 21 Q. Well, does he know whether as a matter
 22 of fact Mr. Riesterer and Mr. Garraud had commenced
 23 any work on what became "Love Is Gone" prior to the
 24 time of his discussion with Chris Willis?
 25 MR. SLOTNICK: Objection as to the use

Page 132

1 of the third person in the question.
 2 The question isn't directly to the
 3 witness. I'm sorry.
 4 MR. DICKIE: It was, but let me --
 5 MR. SLOTNICK: Okay.
 6 BY MR. DICKIE:
 7 Q. Do you know, Mr. Guetta, as a matter
 8 of fact whether Mr. Riesterer and Mr. Garraud
 9 commenced work on what became "Love Is Gone" prior to
 10 your discussion with Chris Willis?
 11 A. I think that Fred Riesterer had worked
 12 on one -- a first demo.
 13 Q. Did you ever -- oh. I'm sorry. If
 14 you hadn't finished your answer, please do.
 15 A. And later on when I heard this demo, I
 16 thought it would be the perfect song -- would be
 17 perfect for the song that I had discussed with
 18 Chris Willis.
 19 Q. Can you tell me what Mr. Garraud's
 20 input was with respect to the first demo that was
 21 prepared by or worked on by Mr. Riesterer before you
 22 spoke to Chris Willis?
 23 MR. DICKSTEIN: Asked and answered.
 24 THE DEPONENT: I'm not sure.
 25 ///

Page 133

1 BY MR. DICKIE:
 2 Q. Did you -- are you able to identify
 3 today Mr. Garraud's contribution to the first demo?
 4 A. I'm not certain, but I think it was
 5 weak or inexistent.
 6 Q. Have you ever discussed with
 7 Mr. Garraud the specific input into the first demo of
 8 "Love Is Gone"?
 9 A. I don't recall.
 10 Q. Was "Love Is Gone" a commercial
 11 success?
 12 A. Yes.
 13 Q. By the way, when was it that you first
 14 started to work with Mr. Riesterer?
 15 A. He did a remix of "Love Don't Let Me
 16 Go."
 17 Q. When did he do that?
 18 A. When the song "Love Don't Let Me Go"
 19 came out.
 20 Q. When was that?
 21 A. I don't recall.
 22 Q. And how did Mr. -- how did you meet
 23 Mr. Riesterer?
 24 A. I don't recall.
 25 Q. Were you introduced to Mr. Riesterer

Page 134

1 by someone?

2 A. Yes. Joachim Garraud introduced us.

3 Q. And Mr. Garraud and Mr. Riesterer knew

4 each other in the past; isn't that correct?

5 MR. SLOTNICK: Lacks foundation.

6 THE DEPONENT: That's correct.

7 BY MR. DICKIE:

8 Q. And Mr. Garraud and Mr. Riesterer had

9 worked together on other musical collaborations;

10 isn't that correct?

11 A. I don't know.

12 Q. Well, isn't it correct that

13 Mr. Garraud told you that he and Mr. Riesterer had

14 worked together in the past at the time he introduced

15 Mr. Riesterer to you?

16 MR. SLOTNICK: Objection; calls for

17 speculation.

18 THE DEPONENT: I don't think so.

19 BY MR. DICKIE:

20 Q. Well, you hadn't worked with

21 Mr. Riesterer at any time before Mr. Garraud

22 introduced him to you; isn't that correct?

23 A. That's true.

24 Q. And what specific work of

25 Mr. Riesterer's were you familiar with at the time

Page 135

1 you were first introduced to him by Mr. Garraud, if

2 any?

3 A. No.

4 Q. In fact, had Mr. Riesterer any

5 successful musical composition in the market prior to

6 the time you were introduced to him, of which you

7 were aware?

8 MR. SLOTNICK: Objection as to form.

9 THE DEPONENT: I think we need to

10 define the concept of a "successful musical

11 composition."

12 BY MR. DICKIE:

13 Q. Well, if I understand -- strike that.

14 You didn't really have any personal

15 knowledge of Mr. Riesterer's track record as a writer

16 of music before you were introduced to him by

17 Mr. Garraud; isn't that right?

18 A. That's correct.

19 Q. And what was the nature of the

20 relationship between yourself and Mr. Riesterer once

21 you were introduced to him?

22 MR. SLOTNICK: Objection as to form.

23 MR. DICKSTEIN: Time period?

24 THE DEPONENT: What do you mean by the

25 "nature of a relationship"?

Page 136

1 BY MR. DICKIE:

2 Q. Well, did you and he enter into some

3 form of a contract to provide services on your

4 behalf?

5 A. Jean-Charles Carre is in charge of the

6 business side of my activity.

7 Q. Well, but I didn't ask whether -- that

8 wasn't the question.

9 The question was: Was there a

10 contract for services between yourself and

11 Mr. Riesterer?

12 MR. SLOTNICK: Objection as to form,

13 time frame.

14 BY MR. DICKIE:

15 Q. And the time frame is when you first

16 met and you first started to do business?

17 A. I never personally signed a contract.

18 It's --

19 (In English): No, no, no.

20 (Via Interpreter): It's a contract

21 between Gum Productions --

22 (In English): No, no.

23 (Via Interpreter): I never create a

24 contract between an artist and myself personally.

25 If there is a contract, it is between

Page 137

1 the company Gum Productions and the person -- and the

2 individual.

3 Q. Well, was Mr. Riesterer signed on as

4 an artist to Gum Productions?

5 A. I don't know.

6 Q. How was Mr. Riesterer compensated for

7 the time he spent on working on songs in which you

8 were involved and Mr. Garraud was involved?

9 A. I don't know.

10 Q. Did you ever have any conversations --

11 I'm sorry.

12 Did you ever have any conversations

13 with Mr. Riesterer regarding the terms and conditions

14 under which he would perform any services on behalf

15 of Gum Productions or you?

16 MR. SLOTNICK: Objection -- objection

17 as to form, lack of foundation.

18 THE DEPONENT: Mr. Carre is the one in

19 charge of the business aspects of the company.

20 BY MR. DICKIE:

21 Q. So I take it, then, that if there was

22 an agreement that existed between Mr. Riesterer and

23 Gum Productions, that would be an agreement with the

24 company and that there would be no agreement with

25 you, David Guetta; is that right?

Page 138

1 Did I understand that correctly?
 2 A. This is correct. The only implication
 3 that could exist is if we are together in the studio
 4 and we create something together.
 5 And at this point I should sign --
 6 DEPOSITION OFFICER: "At this
 7 point...?"
 8 THE DEPONENT: I should -- I would
 9 have to sign a SACEM deposit or license -- I'm not
 10 sure which you would have to sign -- which I would
 11 have to sign personally and so would he, to define
 12 the percentages of -- that enter into the
 13 composition.
 14 BY MR. DICKIE:
 15 Q. Did you and Mr. Riesterer from time to
 16 time work together in the studio?
 17 A. Could you give me a time frame?
 18 Q. Well, let's see. You first met
 19 Mr. Riesterer when?
 20 A. I think I met him at the time of the
 21 song "Love Don't Let Me Go."
 22 Q. And "Love Don't Let Me Go" appears on
 23 what album?
 24 A. I'm not sure anymore.
 25 I think it was at the time of "Guetta

Page 139

1 Blaster."
 2 Q. Well, as I understand it, "Guetta
 3 Blaster" has, as I said, 13 tracks.
 4 At least my information is the tracks
 5 are "Money"; "Stay"; "Tomorrow Can Wait"; "Winner Of
 6 The Game"; "Do Something Love"; "You're Not Alone";
 7 "Never Take Away My Freedom"; "This Is Not A Love
 8 Song"; "Always"; "Joan Of Arc"; "Love Is Gone," the
 9 radio-edit remix.
 10 It didn't appear to be one of those
 11 songs.
 12 MR. DICKIE: What did he say?
 13 THE DEPONENT: I don't recall
 14 precisely on which album it was.
 15 BY MR. DICKIE:
 16 Q. "Love is Gone" appears on the album --
 17 as I have it -- "Pop Life," the 2007 album.
 18 THE INTERPRETER: What about the --
 19 sorry.
 20 DEPOSITION OFFICER: Hang on. Hang
 21 on.
 22 THE INTERPRETER: "Love Is Gone"
 23 appears on the album -- as I have it -- "Pop Life,"
 24 2007.
 25 MR. SLOTNICK: Are you asking about

Page 140

1 "Love Is Gone" or "Love Don't Let Me Go"?
 2 I thought the original question was
 3 about "Love Don't Let Me Go."
 4 THE DEPONENT: (In English): Exactly.
 5 BY MR. DICKIE:
 6 Q. Now, have you released any songs
 7 that -- outside these albums?
 8 THE DEPONENT: (In English): Have --
 9 MR. SLOTNICK: Wait. Wait. Wait for
 10 a question.
 11 MR. DICKSTEIN: Do you need to take a
 12 break?
 13 MR. SLOTNICK: Do you want to take a
 14 break?
 15 THE DEPONENT: (In English) No.
 16 It's just that you asked a question
 17 and I don't know what we're talking about.
 18 MR. SLOTNICK: Well, he doesn't --
 19 MR. DICKSTEIN: It's a new question.
 20 MR. SLOTNICK: Don't worry.
 21 BY MR. DICKIE:
 22 Q. I'm just trying to find out whether or
 23 not you released any songs other than on the albums
 24 we've identified.
 25 MR. DICKSTEIN: Objection; form.

Page 141

1 THE DEPONENT: Could you be more
 2 precise in your question, please?
 3 BY MR. DICKIE:
 4 Q. The song that you claim that you first
 5 worked on with Mr. Riesterer was -- tell me again
 6 what song that was.
 7 A. Mr. -- Mr. Riesterer did a remix of
 8 "Love Don't Let Me Go."
 9 Q. And was that the title of the remix
 10 song, "Love Don't Let Me Go, Remix"?
 11 A. I do not recall the name of the remix.
 12 It was probably "Love Don't Let Me Go, Fred Riesterer
 13 Remix."
 14 Q. And in answer to my question, do you
 15 ever release songs other than on the albums that
 16 we've identified?
 17 A. Yes.
 18 MR. SLOTNICK: Objection as to --
 19 DEPOSITION OFFICER: "Objection as
 20 to...?"
 21 MR. SLOTNICK: -- form.
 22 BY MR. DICKIE:
 23 Q. And are you continuing to work with
 24 Frederic Riesterer today?
 25 A. Yes.

Page 142

1 Q. Now, has Mr. Riesterer signed any
 2 sort of indemnification agreement with you or with
 3 Gum Productions, to your knowledge?
 4 MR. PINK: Objection; form.
 5 THE DEPONENT: What do you mean by an
 6 "indemnification agreement"?
 7 BY MR. DICKIE:
 8 Q. Are you unfamiliar with the term
 9 "indemnification"?
 10 A. No.
 11 Q. Have you ever asked Mr. Riesterer to
 12 provide you with any documentation verifying that the
 13 tracks that he submits to you or prepares and
 14 discusses with you were cleared and not violative of
 15 any other person's copyright rights?
 16 MR. SLOTNICK: Objection as to form.
 17 MR. DICKSTEIN: Legal --
 18 DEPOSITION OFFICER: Can't hear you.
 19 MR. DICKSTEIN: Legal conclusion.
 20 DEPOSITION OFFICER: Thank you.
 21 THE DEPONENT: I'm almost always in
 22 the studio with Fred, so it's quasi-impossible for
 23 him to use a sample without my knowledge of it.
 24 BY MR. DICKIE:
 25 Q. Well, does Mr. Riesterer from time to

Page 143

1 time come up with a melody or an instrumentation on
 2 his own while you're in the studio?
 3 A. Yes, of course.
 4 Q. And do you ever ask him whether what
 5 he played in the studio came from anybody else?
 6 A. You used the word "sample."
 7 Q. I understand I used the word "sample"
 8 in one question. I didn't use the word "sample" in
 9 the last question.
 10 A. I thought your second question was
 11 linked to the first one.
 12 Q. It wasn't.
 13 So if you'd like the question read
 14 back, I'm happy to have that question read back.
 15 THE DEPONENT: Yes, please.
 16 MR. DICKIE: Would you read it back,
 17 please.
 18 (THE RECORD WAS READ AS FOLLOWS:
 19 Q. And do you ever ask him
 20 whether what he played in the
 21 studio came from anybody else?)
 22 THE DEPONENT: No.
 23 BY MR. DICKIE:
 24 Q. Have you ever heard of a song or a
 25 track called "David Pop GTR"?

Page 144

1 MR. DICKSTEIN: The question is
 2 whether he ever heard of it?
 3 MR. DICKIE: That's right.
 4 THE DEPONENT: It's an instrumentation
 5 that we did together in his studio.
 6 BY MR. DICKIE:
 7 Q. And that was a demo that
 8 Fred Riesterer prepared for you; isn't that
 9 correct?
 10 MR. SLOTNICK: Lacks foundation.
 11 THE DEPONENT: No, it's incorrect.
 12 BY MR. DICKIE:
 13 Q. So it would be incorrect to say that
 14 Mr. Riesterer started creating the "David Pop GTR"
 15 track in October 16th, 2008, on his own; is that
 16 right?
 17 A. Under this name, no.
 18 It is possible that he may have done
 19 some research and that him and I had come up with
 20 some melodic proposal, but it was in no way close to
 21 the format and the choice of sounds of "David Pop"
 22 because all of these choices were made when we were
 23 together.
 24 So when it comes to researching the
 25 sounds, it's difficult to say if --

Page 145

1 (In English): No. Pardon.
 2 (Via Interpreter): When we're
 3 together in the studio, it's possible that either he
 4 or I would suggest melodies or notes that we have
 5 thought of before then.
 6 Q. That's it?
 7 A. Yes.
 8 MR. DICKIE: We'll take a break here
 9 to change the tape.
 10 THE VIDEOGRAPHER: This is the end of
 11 Media Number Four in the deposition of David Guetta.
 12 We are now going off the record. The
 13 time is 4:52 p.m.
 14 (WHEREUPON, A RECESS WAS HELD
 15 FROM 4:52 P.M. TO 5:16 P.M.)
 16 THE VIDEOGRAPHER: This is the
 17 beginning of Tape Number Five in the deposition of
 18 David Guetta in the matter of Bryan Pringle vs.
 19 William Adams, et al.
 20 We are now going on the record. The
 21 time is 5:16 p.m.
 22 BY MR. DICKIE:
 23 Q. All set to begin, Mr. Guetta?
 24 A. Yes.
 25 Q. When we broke, we were talking about

Page 146

1 working on a song called "David Pop GTR."
 2 Do you recall that?
 3 A. Yes.
 4 Q. Did you commence your work on
 5 "David Pop GTR" prior to October 16th, 2008?
 6 A. So let me -- as I stated before, it's
 7 possible that either myself or Fred or the two of us
 8 together found chords or melodies that were similar.
 9 But again --
 10 (In English) -- and that we've used
 11 it again in the "David Pop" record.
 12 But I know for sure that we didn't --
 13 we call -- when we started calling it "David Pop," we
 14 might have used a chord progression that we created
 15 before, but it was that day we -- that we've done
 16 everything together for that song.
 17 That I remember clearly.
 18 Q. So you would disagree that
 19 Frederic Riesterer began working on the song
 20 "David Pop GTR" on October 16th, 2008?
 21 MR. SLOTNICK: Objection; asked and
 22 answered, misstates prior testimony.
 23 THE DEPONENT: (In English): Can you
 24 repeat the question?
 25 I'm sorry.

Page 147

1 MR. SLOTNICK: Okay. Wait for the
 2 translator.
 3 BY MR. DICKIE:
 4 Q. Would you disagree with me -- strike
 5 that.
 6 So you disagree, then, that
 7 Frederic Riesterer began working on the song
 8 "David Pop GTR" on October 16th, 2008, by himself?
 9 MR. SLOTNICK: Same objection.
 10 You can answer.
 11 THE INTERPRETER: Would you like me to
 12 repeat the question?
 13 THE DEPONENT: I don't recall the
 14 day -- the date of the day that we met to work
 15 together, so I don't want to talk about a date.
 16 BY MR. DICKIE:
 17 Q. Is it your testimony, Mr. Guetta, that
 18 at no time did Frederic Riesterer work on what became
 19 known as "David Pop GTR" without you?
 20 MR. SLOTNICK: Objection; misstates
 21 prior testimony.
 22 You can answer.
 23 THE DEPONENT: Well, no.
 24 What I'm saying is that it is possible
 25 that he worked on some music. But what I recall is

Page 148

1 that we -- the two of us created a session called
 2 "David Pop."
 3 BY MR. DICKIE:
 4 Q. Was Mr. Riesterer, as of October 2008,
 5 working on songs for your album -- your forthcoming
 6 album?
 7 A. I don't know.
 8 Q. Well, am I correct that there is a
 9 guitar sequence in the song "David Pop GTR" which is
 10 the same guitar sequence as found in "Love Is
 11 Gone"?
 12 MR. PINK: Overly broad.
 13 THE DEPONENT: It's incorrect.
 14 BY MR. DICKIE:
 15 Q. So if Mr. Riesterer testified that it
 16 was -- the guitar sequence in "Love Is Gone" is the
 17 same as the guitar sequence in "David Pop GTR," he
 18 would be inaccurate; is that right?
 19 MR. DICKSTEIN: Objection -- objection
 20 to form as to "same guitar sequence."
 21 MR. PINK: Objection as overly
 22 broad.
 23 THE DEPONENT: (In English) I was
 24 going to say that.
 25 (Via Interpreter): Could you define

Page 149

1 the concept of a guitar sequence?
 2 BY MR. DICKIE:
 3 Q. Well, is the guitar music found in
 4 "Love Is Gone" the same as the guitar music in
 5 "David Pop GTR"?
 6 A. No.
 7 MR. PINK: Overly broad.
 8 BY MR. DICKIE:
 9 Q. And if Mr. Riesterer said that the
 10 guitar in "David Pop GTR" is the same guitar as in
 11 "Love Is Gone," he would be wrong?
 12 MR. DICKSTEIN: Objection to form as
 13 to "same guitar."
 14 THE DEPONENT: You're playing on
 15 words, which is not very honest.
 16 There's a difference between the "same
 17 guitar," which is the same sound bank, and the "same
 18 chords."
 19 MR. DICKSTEIN: Did you finish your
 20 answer?
 21 BY MR. DICKIE:
 22 Q. Had you finished the answer,
 23 Mr. Guetta? If you hadn't, please do so.
 24 MR. SLOTNICK: If you've finished,
 25 you've finished.

Page 150

1 THE DEPONENT: I want to re- -- I want
 2 to answer this question precisely.
 3 If he said -- if Fred Riesterer said
 4 he has used the same sound bank with the song "Love
 5 Is Gone" and "I Gotta Feeling," then that's correct.
 6 But if he says -- but if he says he
 7 used the same music and the same chords, that is
 8 incorrect.
 9 BY MR. DICKIE:
 10 Q. Now, did you secure Mr. Riesterer's
 11 permission to send the song "David Pop GTR" to
 12 The Black Eyed Peas?
 13 MR. SLOTNICK: Objection; lack of
 14 foundation.
 15 THE DEPONENT: I don't need his
 16 authorization.
 17 BY MR. DICKIE:
 18 Q. And you do not need his authorization
 19 because he wasn't a joint composer of the Peas; is
 20 that right?
 21 MR. SLOTNICK: Objection; calls for a
 22 legal conclusion.
 23 THE DEPONENT: Not at all.
 24 BY MR. DICKIE:
 25 Q. Well, why don't you need his

Page 151

1 permission if he was one of the creators of the
 2 song?
 3 MR. SLOTNICK: Objection; calls for a
 4 legal conclusion.
 5 THE DEPONENT: I would need his
 6 authorization to come out with a song or for
 7 The Black Eyed Peas to come out with a song.
 8 We make music together, so we
 9 frequently share each other's music.
 10 Now, of course --
 11 THE INTERPRETER: And then I would ask
 12 you to repeat the last part.
 13 THE DEPONENT: But, of course, if
 14 another artist wants to utilize the music that we
 15 make together, I would ask -- I would have to ask
 16 Fred for his permission, because he participated in
 17 the song.
 18 BY MR. DICKIE:
 19 Q. So insofar as your deciding to give a
 20 song that Mr. Riesterer participates in to someone
 21 else like The Black Eyed Peas, you don't need his
 22 permission?
 23 MR. SLOTNICK: Objection; calls for --
 24 BY MR. DICKIE:
 25 Q. Did I understand you correctly?

Page 152

1 MR. SLOTNICK: Objection; calls for a
 2 legal conclusion.
 3 MR. PINK: Misstates the testimony.
 4 THE DEPONENT: Do you -- are you
 5 talking about a written approval authorization?
 6 BY MR. DICKIE:
 7 Q. Either written or oral.
 8 A. I told him I was going to -- I was
 9 sending it to The Black Eyed Peas. But I don't need
 10 to -- I don't need his authorization, his written
 11 authorization, to send a demo.
 12 MR. DICKIE: Let me show you what I've
 13 marked as Plaintiff's Exhibit 22 for identification.
 14 (PLAINTIFF'S EXHIBIT NUMBER 22 WAS
 15 PREVIOUSLY MARKED FOR IDENTIFICATION.)
 16 MR. DICKSTEIN: Just one second.
 17 MR. SLOTNICK: Okay.
 18 THE DEPONENT: Okay.
 19 BY MR. DICKIE:
 20 Q. First, Mr. Guetta, let me ask you
 21 to turn first to page 20; that's production
 22 BEP-PR -687.
 23 Is that a true, correct, and
 24 accurate copy of your signature above the name
 25 "David Guetta"?

Page 153

1 (DOCUMENT REVIEWED BY THE DEPONENT.)
 2 THE DEPONENT: Yes.
 3 BY MR. DICKIE:
 4 Q. Now, turn to page 22. That's
 5 production page BEP-PR -690.
 6 Do you see the name David Guetta
 7 there, sir?
 8 A. Yes.
 9 Q. Is that a true, correct, and accurate
 10 copy of your signature?
 11 MR. DICKSTEIN: Foundation.
 12 MR. SLOTNICK: There --
 13 MR. DICKSTEIN: There is no
 14 signature.
 15 MR. DICKIE: On page 22? Yes, there
 16 is.
 17 MR. SLOTNICK: Not on this one.
 18 MR. VERNON: -690.
 19 MR. DICKIE: -690? Is it page -690?
 20 THE DEPONENT: Okay.
 21 MR. DICKIE: I'm sorry. There are two
 22 page 22s attached.
 23 THE DEPONENT: Yes, this is my
 24 signature.
 25 ///

Page 154

1 BY MR. DICKIE:
 2 Q. This is an agreement that was entered
 3 into by you as a producer as of September 24th, 2008;
 4 isn't that correct?
 5 A. I would have to read it.
 6 Q. Well, did you read it before you
 7 signed it?
 8 A. (In English): I don't remember.
 9 Probably not.
 10 Q. And is it your practice not to read
 11 agreements that you sign?
 12 A. Yes.
 13 Q. And was a copy of this agreement
 14 provided to you in its entirety in the French
 15 language?
 16 A. I don't recall.
 17 Q. Directing your attention to page 6 of
 18 Exhibit 22, Mr. Guetta -- or not page 6. Excuse me.
 19 Paragraph 6. It appears on page 7.
 20 Do you see Item Number 6, it refers to
 21 "Samples."
 22 Do you see that section?
 23 (DOCUMENT REVIEWED BY THE DEPONENT.)
 24 BY MR. DICKIE:
 25 Q. And if you would turn over, please, to

Page 155

1 page 8, looking at Section 6(d).
 2 MR. DICKSTEIN: Do you want him to
 3 read that entire paragraph?
 4 MR. DICKIE: Just 6(d).
 5 THE DEPONENT: Do you want me to read
 6 it?
 7 BY MR. DICKIE:
 8 Q. If you can, yes.
 9 MR. SLOTNICK: Well, you know what?
 10 Let's have the translator --
 11 MR. DICKIE: Well, since he didn't
 12 have one, I would like him -- it wasn't in French.
 13 He never looked at it in French, and he signed this
 14 document.
 15 I would like him to look at this
 16 paragraph 6(d) and tell me whether he can read it.
 17 And if he is, then I'll ask him some questions.
 18 If he can't read it, then he can tell
 19 me he can't read it, but he signed it in English.
 20 MR. SLOTNICK: Well, he already --
 21 already said he never saw it to begin with.
 22 MR. DICKIE: I understand that.
 23 MR. SLOTNICK: So at this point you
 24 are asking him to -- you are asking him if he can
 25 understand something in English when his first

Page 156

1 language is French.
 2 MR. DICKIE: I asked him if he could
 3 read it first. I didn't ask him whether he
 4 understands it.
 5 MR. SLOTNICK: Okay.
 6 (DOCUMENT REVIEWED BY THE DEPONENT.)
 7 MR. DICKSTEIN: Dean, as a point of
 8 practice, can I just ask why we're going to
 9 Exhibit 22? I think the last number was 36.
 10 MR. DICKIE: Because this was already
 11 marked in this case as Exhibit 22.
 12 MR. DICKSTEIN: Thank you.
 13 THE DEPONENT: (In English): I feel
 14 sorry for you guys.
 15 (DOCUMENT REVIEWED BY THE DEPONENT.)
 16 THE DEPONENT: (In English): This is
 17 very technical, so to be honest, I don't totally
 18 understand it. It seems to me like --
 19 MR. SLOTNICK: Wait. There's no
 20 question.
 21 BY MR. DICKIE:
 22 Q. You can finish your answer.
 23 MR. SLOTNICK: Is there a question
 24 pending? I believe the question was: "Can you read
 25 it?"

Page 157

1 BY MR. DICKIE:
 2 Q. Did you read the paragraph?
 3 A. (In English): I wrote it.
 4 MR. SLOTNICK: Read it.
 5 THE DEPONENT: (In English): I read
 6 it.
 7 BY MR. DICKIE:
 8 Q. Did you understand generally what it
 9 provided for?
 10 MR. SLOTNICK: Objection --
 11 THE DEPONENT: (In English): More or
 12 less, but not exactly because it's very technical.
 13 BY MR. DICKIE:
 14 Q. Well, in the --
 15 MR. SLOTNICK: Use the translator,
 16 please.
 17 THE DEPONENT: Oh, sorry. Okay.
 18 (Via Interpreter): It's very
 19 technical, so I think I understood it more or less,
 20 but not precisely.
 21 BY MR. DICKIE:
 22 Q. Well, let me direct your attention to
 23 the section of Exhibit 22, Arabic paragraph 6,
 24 subpart (d). It begins with -- two-thirds of the way
 25 down the paragraph begins with the words "Producer

Page 158

1 shall..."

2 And I would ask the reporter to hand

3 this to the translator and have her read it in French

4 so there's no question that the witness understands

5 what words are being read.

6 (DOCUMENT HANDED TO THE INTERPRETER.)

7 MR. PINK: And, Counsel, do you have a

8 copy of that for -- for everyone here?

9 MR. DICKIE: Well, you all have copies

10 of them already since it's Exhibit 22 at a deposition

11 in which you participated. I didn't bring copies of

12 the documents for everyone.

13 MR. PINK: Everyone has --

14 MR. DICKIE: I've already given them.

15 MR. PINK: Well, I'll make an

16 objection that counsel bring copies for the attorneys

17 present.

18 (SPEAKING SIMULTANEOUSLY.)

19 MR. DICKIE: And what rule is that

20 required under?

21 MR. PINK: I'm not obligated to inform

22 you of that, Counsel. My objection stands.

23 MR. DICKIE: Nor am I required to

24 bring you an exhibit that you already have, thereby

25 causing more trees for paper of documents you already

Page 159

1 have.

2 MR. PINK: I disagree.

3 MR. DICKIE: You can disagree all you

4 want. Make a motion.

5 MR. PINK: I have, Counsel.

6 MR. DICKIE: Good.

7 THE DEPONENT: (In English): What

8 happened?

9 MR. SLOTNICK: Just wait for the

10 translation.

11 THE INTERPRETER: So --

12 MR. DICKIE: The one that's in

13 brackets.

14 THE INTERPRETER: The one that's in

15 brackets? Okay.

16 MR. DICKIE: Beginning with the word

17 "Producer" until the end of the bracket.

18 (TRANSLATED IN FRENCH.)

19 BY MR. DICKIE:

20 Q. Did you understand what the translator

21 just read, Mr. Guetta?

22 A. Not really.

23 Q. Well, has anyone on behalf of

24 Interscope/The Black Eyed Peas -- made any demand on

25 you for reimbursement of fees and expenses incurred

Page 160

1 by those entities in this lawsuit?

2 DEPOSITION OFFICER: Can you state the

3 entities again? I missed the last one. "Interscope,

4 The Black Eyed Peas..."? There was one more.

5 MR. DICKIE: Interscope, Black Eyes

6 Peas --

7 DEPOSITION OFFICER: Uh-huh.

8 MR. DICKIE: -- or any other

9 individual.

10 DEPOSITION OFFICER: Thank you.

11 THE INTERPRETER: May I repeat again

12 in French?

13 MR. DICKIE: Sure.

14 THE INTERPRETER: May the interpreter

15 repeat?

16 MR. DICKIE: Sure.

17 THE DEPONENT: No.

18 MR. DICKIE: Can I have my copy?

19 THE INTERPRETER: Sure.

20 (DOCUMENT HANDED TO COUNSEL.)

21 BY MR. DICKIE:

22 Q. Now, is there a word -- is the word

23 "indemnification" found in the French language?

24 A. "Indemnification"? No.

25 Do you mean there's a translation?

Page 161

1 Is "indemnities" a word that exists in

2 the French language?

3 Q. Yes, that was the question.

4 Is there -- does the word

5 "indemnities" exist in the French language?

6 MR. SLOTNICK: Objection as to form.

7 BY MR. DICKIE:

8 Q. What does the word "indemnities" mean

9 in the French language?

10 MR. PINK: Objection; overly broad,

11 calls for a legal conclusion.

12 MR. DICKSTEIN: Translator, did you

13 translate the question?

14 THE DEPONENT: I think that if one

15 party causes some liability to another party, then

16 that other party can ask for an indemnity to the

17 first party.

18 BY MR. DICKIE:

19 Q. Now, directing your attention to

20 page 10 of Exhibit 22. That provision, the heading

21 on Item 12 at the bottom of page 10, is

22 "Indemnity/Remedies"; is it not?

23 A. Yes.

24 Q. And that provision, paragraph 12(a),

25 Romanette (i), was found in the agreement at the time

Page 162

1 you signed it; isn't that correct?
 2 MR. SLOTNICK: Calls for
 3 speculation.
 4 THE DEPONENT: Like I said before --
 5 so the reason I have a partner in this business and
 6 the reason I have lawyers is that they take care of
 7 these aspects for me. And I don't read each sentence
 8 in the contracts.
 9 BY MR. DICKIE:
 10 Q. Well, is it your understanding,
 11 Mr. Guetta, that in the event Interscope or The Black
 12 Eyed Peas is found liable in this case, that you have
 13 agreed to pay, under this indemnification provision,
 14 the expenses and costs and damages incurred by those
 15 parties?
 16 MR. SLOTNICK: Objection;
 17 mischaracterizes the agreement, calls for
 18 speculation, calls for a legal conclusion.
 19 THE DEPONENT: Since you're a lawyer
 20 and you're reading a contract, I will entrust it to
 21 you that that's what it says.
 22 BY MR. DICKIE:
 23 Q. Let me direct your attention to
 24 page 16 of Exhibit 22.
 25 Do you see under "Writer/Ownership

Page 163

1 Percentages (Respective Shares)"?
 2 A. Yes.
 3 Q. And can you tell me how it was
 4 determined that you get 23.125 percent and
 5 Frederic Riesterer gets 23.125 percent for the
 6 song "I Gotta Feeling"?
 7 A. It's probably because we participated
 8 jointly in equal parts to the manufacturing of this
 9 piece.
 10 Q. Well, did you have any input into the
 11 determination of these percentages?
 12 A. Of course. Because when you deposit
 13 this towards SACEM, you see the amount of the
 14 percentages on the piece of paper.
 15 Q. So you were the one that fixed the
 16 percentages, or did someone else fix the
 17 percentages?
 18 MR. SLOTNICK: Objection;
 19 mischaracterizes his testimony.
 20 THE DEPONENT: I'm -- it's possible
 21 that I offered a percentage -- proposed a
 22 percentage --
 23 (In English) -- No. that I've been
 24 offered.
 25 THE INTERPRETER: That you were

Page 164

1 offered a percentage? And that you agreed to it --
 2 and you found it just, so you agreed to it.
 3 I agreed to it.
 4 (In English) "Just"?
 5 THE INTERPRETER: Fair.
 6 THE DEPONENT: (In English): "Fair."
 7 Okay.
 8 BY MR. DICKIE:
 9 Q. Who offered you this percentage?
 10 A. I don't recall, but it's probably
 11 Jean-Charles Carre.
 12 Q. Did you prepare any specific analysis
 13 as to the time spent in connection with the
 14 composition "I Gotta Feeling" by yourself as compared
 15 with that of Mr. Riesterer?
 16 MR. SLOTNICK: Objection as to form,
 17 foundation.
 18 THE DEPONENT: I agree.
 19 BY MR. DICKIE:
 20 Q. But you can answer the question.
 21 MR. SLOTNICK: Yes, you can.
 22 THE DEPONENT: I would like you to
 23 reformulate your question.
 24 MR. DICKIE: Could you read the
 25 question back, please.

Page 165

1 DEPOSITION OFFICER: Sure.
 2 (THE RECORD WAS READ AS FOLLOWS:
 3 Q. Did you prepare any specific
 4 analysis as to the time spent in
 5 connection with the composition
 6 "I Gotta Feeling" by yourself as
 7 compared with that of Mr. Riesterer?)
 8 THE DEPONENT: No.
 9 BY MR. DICKIE:
 10 Q. Now, directing your attention to
 11 page 27 of Exhibit 22. It's Exhibit C to the
 12 agreement.
 13 MR. SLOTNICK: Page 27?
 14 MR. DICKIE: Yes, BEP -695.
 15 BY MR. DICKIE:
 16 Q. Would you take a look at Exhibit C,
 17 Mr. Guetta?
 18 (DOCUMENT REVIEWED BY THE DEPONENT.)
 19 BY MR. DICKIE:
 20 Q. Have you ever filled out an Exhibit C
 21 pursuant to this agreement and submitted it to anyone
 22 at BEP Music, LLC?
 23 A. I do not recall.
 24 Q. Now, have you ever had any
 25 communications with or discussions with a gentleman

Page 166

1 by the name of Bryan Pringle?
 2 A. No.
 3 Q. Have you -- from time to time, do you
 4 speak with and converse with individuals who you have
 5 not met before while you were at a DJ session in some
 6 club?
 7 MR. PINK: Objection; overly broad.
 8 MR. SLOTNICK: Overly broad; calls for
 9 speculation.
 10 MR. DICKIE: That's right.
 11 MR. PINK: Lacks foundation.
 12 BY MR. DICKIE:
 13 Q. It's a broad question. Agreed.
 14 A. It's pretty broad.
 15 Q. So the answer would be "yes," isn't
 16 it?
 17 DEPOSITION OFFICER: Wait, everybody.
 18 Please take turns.
 19 THE DEPONENT: What is the question?
 20 (REASKED IN FRENCH.)
 21 THE DEPONENT: It's possible.
 22 BY MR. DICKIE:
 23 Q. So you can't say as a matter of fact
 24 that you have never at any time in Europe or the
 25 United States spoken to Bryan Pringle; correct?

Page 167

1 MR. PINK: Objection; overly broad.
 2 MR. SLOTNICK: Objection.
 3 MR. PINK: Calls for speculation,
 4 lacks foundation, argumentative, and just plain
 5 ridiculous.
 6 THE DEPONENT: I can say that I've
 7 never spoken to him knowing that it was actually
 8 him.
 9 BY MR. DICKIE:
 10 Q. Have you ever written to Bryan Pringle
 11 in an e-mail or a letter?
 12 A. I don't think so.
 13 Q. Have you ever heard the name
 14 DJ Spanky?
 15 A. No.
 16 Q. Have you ever heard of anyone by the
 17 name of Altared States?
 18 "Altared States."
 19 THE INTERPRETER: "Altered States"?
 20 MR. DICKSTEIN: Could you spell it,
 21 maybe?
 22 MR. DICKIE: What is it? A-l-t-r-e --
 23 MR. VERNON: "Altered"?
 24 THE INTERPRETER: Altered,
 25 A-l-t-e-r-e-d?

Page 168

1 MR. DICKIE: No. No. No. No.
 2 THE INTERPRETER: "No"?
 3 MR. DICKIE: A-l-t-a-r-e-d.
 4 THE DEPONENT: No.
 5 BY MR. DICKIE:
 6 Q. Have you ever reviewed any music from
 7 an entity referred to as Dead Beats Club?
 8 MR. SLOTNICK: Objection as to time.
 9 MR. DICKIE: Ever, I believe, was the
 10 fix as to time.
 11 MR. SLOTNICK: Including after the
 12 commencement of the lawsuit?
 13 MR. DICKIE: Ever.
 14 THE DEPONENT: I don't think so.
 15 MR. DICKIE: What's the next exhibit?
 16 37, is it?
 17 MR. SLOTNICK: That's what I have,
 18 yeah.
 19 DEPOSITION OFFICER: Here you go.
 20 MR. DICKSTEIN: Hold on. Before you
 21 ask a question, is this the entire document as
 22 produced? It doesn't seem to have Bates numbers.
 23 Is that --
 24 MR. VERNON: When we printed it off,
 25 it didn't have any.

Page 169

1 MR. DICKIE: What we got had no Bates
 2 numbers. We just had the number --
 3 MR. VERNON: The --
 4 DEPOSITION OFFICER: I can't hear you,
 5 Joe.
 6 MR. VERNON: The file name had the
 7 Bates number.
 8 MR. DICKSTEIN: And when you opened
 9 the pdf document, there were no Bates number on it?
 10 MR. VERNON: No.
 11 MR. DICKSTEIN: Okay. That may have
 12 been an inadvertent mistake, but they should have
 13 been Bates-numbered and marked "highly confidential."
 14 I'll just note that for the record.
 15 MR. VERNON: So one's a file name of
 16 GUETTA -5.
 17 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
 18 37 WAS MARKED FOR IDENTIFICATION BY
 19 THE DEPOSITION OFFICER.)
 20 BY MR. DICKIE:
 21 Q. Mr. Guetta, I've handed you what I've
 22 marked as Exhibit 37 for identification.
 23 What is this?
 24 (DOCUMENT REVIEWED BY THE DEPONENT.)
 25 THE DEPONENT: I think it's an e-mail

Page 170

1 that I sent to Fred Rister.
 2 BY MR. DICKIE:
 3 Q. Is Fred Rister different than
 4 Fred Riesterer?
 5 A. No.
 6 Q. And on this document, am I correct
 7 that there are three boxes which have the word
 8 "redacted" in them?
 9 A. What does "redacted" mean?
 10 Q. Something is left out.
 11 A. Are you asking me if I can read the
 12 word "redacted" on this document?
 13 Q. No, I just asked you to see it.
 14 My question is: Do you know what has
 15 been omitted?
 16 A. No.
 17 Q. And is there an e-mail address for
 18 yourself at Gum Productions?
 19 A. I think that the reason the e-mail
 20 address was omitted was because we were dealing with
 21 a crazy person and we don't want him to flood my
 22 in-box.
 23 Q. Now --
 24 A. (In English): "With bullshit."
 25 You forgot that part.

Page 171

1 Q. Mr. Guetta, is this one of the
 2 documents that you say you saw yesterday?
 3 A. I believe I saw the exchanges with
 4 Will.i.am. This is not one with Will.i.am.
 5 Q. Does this document come from the
 6 business records of Gum Productions?
 7 A. I don't know.
 8 Q. Well, on the top do you see where it
 9 says "Gum P-r-o-d" and then it has some sort of
 10 figure or icon?
 11 A. Yes.
 12 Q. Is that a document which appears on
 13 Gum Productions' e-mails and stationery?
 14 MR. SLOTNICK: Objection as to form.
 15 THE DEPONENT: What -- what exactly is
 16 your question?
 17 BY MR. DICKIE:
 18 Q. Is this a logo for Gum Productions?
 19 A. Yes.
 20 Q. And how long has this logo been in
 21 effect?
 22 MR. DICKSTEIN: Objection to form.
 23 BY MR. DICKIE:
 24 Q. Since 2001 when you formed the
 25 business?

Page 172

1 MR. SLOTNICK: Objection.
 2 THE DEPONENT: I don't recall.
 3 BY MR. DICKIE:
 4 Q. And what is the -- this February -- or
 5 April 15th, 2009, 5:34 a.m. e-mail about?
 6 A. I think these are comments -- I
 7 think these are comments that I'm making to
 8 Frederic Riesterer about the remix of "I Gotta
 9 Feeling."
 10 Q. Well, can you read the e-mail into the
 11 record and then translate it into English?
 12 THE INTERPRETER: Um --
 13 MR. DICKIE: No. The witness can read
 14 it in French.
 15 THE DEPONENT: "Hooray. This is
 16 gigantic."
 17 Okay. "At 2:15 soften the reverb on
 18 'Feeling.'"
 19 (In English): Maybe -- because this
 20 is really technical, maybe I should do this one.
 21 THE INTERPRETER: You give me the
 22 technical words, if you want.
 23 THE DEPONENT: (In English): "At 2:15
 24 create a reverb tail --
 25 (Via Interpreter): ...Reverb tail on

Page 173

1 'Feeling' so that it softens it, it's less harsh.
 2 (In English): "So that it's less
 3 dry."
 4 (Via Interpreter): ...less dry.
 5 "At 3:14 so do a little reverse before
 6 the chorus."
 7 (In English): Good luck.
 8 (Via Interpreter): "At 4:07 a little
 9 wishes reverse."
 10 DEPOSITION OFFICER: "A little...?"
 11 THE DEPONENT: (In English):
 12 Wishes -- "wishes reverse."
 13 (Via Interpreter): "You might also
 14 want to explode."
 15 (SIMULTANEOUSLY SPEAKING.)
 16 THE DEPONENT: (In English): No.
 17 "Even maybe an explode -- an explode.
 18 And then you move everything to the right, leave a
 19 space, and then come back to it."
 20 (Via Interpreter): But we'll see --
 21 (In English): "Let's see."
 22 (Via Interpreter): "Let's see."
 23 BY MR. DICKIE:
 24 Q. Now, did you personally make these
 25 changes to the remix or was it Mr. Riesterer who made

Page 174

1 these changes?
 2 A. (In English): Mr. Riesterer. I was
 3 asking him to make those changes.
 4 MR. SLOTNICK: Wait for the
 5 translation.
 6 THE DEPONENT: (In English): Oh,
 7 pardon.
 8 BY MR. DICKIE:
 9 Q. And did you search for and obtain this
 10 document?
 11 A. When?
 12 Q. At any time.
 13 A. Research in my own e-mails?
 14 Q. Well, I take it this is an e-mail at
 15 Gum Productions, not your own personal e-mail;
 16 right?
 17 A. I don't know. I didn't ask for any
 18 research.
 19 Q. Has the -- this e-mail comes from your
 20 own computer?
 21 A. I'm not sure.
 22 Q. Can you explain why it was not
 23 produced until yesterday?
 24 MR. DICKSTEIN: Objection --
 25 THE DEPONENT: I didn't know about

Page 175

1 it.
 2 DEPOSITION OFFICER: "Didn't"?
 3 THE INTERPRETER: "Didn't."
 4 DEPOSITION OFFICER: And the
 5 objection?
 6 MR. DICKSTEIN: Objection;
 7 speculation.
 8 THE DEPONENT: Is it possible for me
 9 to add something?
 10 BY MR. DICKIE:
 11 Q. If you haven't completed your answer,
 12 please do.
 13 A. So I believe that these comments
 14 concern the remix.
 15 Not 100 percent sure, but I was there
 16 during the original version. So my memory could be
 17 failing me, but I do believe that this concerns the
 18 remix and not the original version.
 19 Q. Well --
 20 A. If you need -- if you need more
 21 research on this e-mail, I can go check what
 22 corresponds to the seconds and the minutes indicated
 23 in this e-mail to make sure which version it is.
 24 Q. Well, was the remix version done
 25 before "I Gotta Feeling" was released as a single?

Page 176

1 A. I don't recall.
 2 Q. Typically, remixes are done after the
 3 original is released; isn't that correct?
 4 MR. SLOTNICK: Objection as to the
 5 characterization.
 6 THE DEPONENT: It's incorrect.
 7 BY MR. DICKIE:
 8 Q. So it's typical to have remixes done
 9 before there is a completed original song to remix --
 10 MR. SLOTNICK: Objection as to the
 11 characterization.
 12 BY MR. DICKIE:
 13 Q. -- is that what you're saying?
 14 A. So it really depends on the type of
 15 artist. And because in general the club scene is so
 16 important for me as a DJ, I often tell an artist,
 17 "Why don't we do a remix club before the single even
 18 comes out?"
 19 So we create a buzz through
 20 specialized DJ, even before it's launched on the
 21 radio.
 22 Q. Did you do that in connection with "I
 23 Gotta Feeling"?
 24 A. I don't recall.
 25 Q. When was "I Gotta Feeling" released as

Page 177

1 a single?
 2 A. I don't remember the exact date.
 3 Q. When was the track "I Gotta Feeling"
 4 completed?
 5 A. I would need to search the schedule
 6 that particular year, but I could find the date if
 7 you wish me to.
 8 Q. Mr. Guetta, you would agree with me,
 9 would you not, sir, that as of February 4th, 2009, "I
 10 Gotta Feeling" had yet to be completed?
 11 A. February 4th, 2009? I don't know.
 12 MR. DICKIE: Mark this as Exhibit 38,
 13 please, Ms. Fox.
 14 THE DEPONENT: But as I said before, I
 15 can verify it.
 16 MR. DICKSTEIN: Just one second,
 17 please.
 18 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
 19 38 WAS MARKED FOR IDENTIFICATION BY
 20 THE DEPOSITION OFFICER.)
 21 THE DEPONENT: (In English): I --
 22 MR. SLOTNICK: There's no question.
 23 DEPOSITION OFFICER: Hold on. Just a
 24 minute.
 25 THE DEPONENT: (In English): I wanted

Page 178

1 to --

2 DEPOSITION OFFICER: Hold on one

3 second.

4 THE DEPONENT: (In English): Because

5 maybe I can answer the previous question.

6 DEPOSITION OFFICER: Hold on one

7 second.

8 MR. DICKIE: You've answered the

9 question.

10 MR. DICKSTEIN: There's no question.

11 MR. SLOTNICK: There's no question.

12 He'll ask you another question.

13 MR. DICKSTEIN: Has that document been

14 marked?

15 MR. DICKIE: Exhibit 38.

16 MR. DICKSTEIN: And I'll just note for

17 the record that Exhibit 38 was produced as

18 GUETTA 00006. It's "highly confidential," but for

19 some reason this copy does not bear those Bates

20 numbers or confidentiality designation.

21 MR. DICKIE: I don't know why it would

22 be a confidentiality designation.

23 But in any event, it only -- the only

24 thing we have is GUETTA -6, which is why I've marked

25 it as 38. But we agree it was marked and sent as

Page 179

1 Exhibit GUETTA -6.

2 BY MR. DICKIE:

3 Q. Do you have Exhibit 38, Mr. Guetta?

4 A. Yes.

5 Q. And this Exhibit 38 is another e-mail

6 that comes from Gum Productions records; isn't that

7 right?

8 A. It's obviously an e-mail that I sent

9 to Will.i.am, but I do not recall from which computer

10 I sent it.

11 Q. Well, if it didn't come from Gum

12 Productions, why is the Gum Productions logo on this

13 copy?

14 A. I didn't tell you that it didn't come

15 from Gum Productions.

16 Q. Did it come from Gum Productions,

17 Mr. Guetta?

18 MR. DICKSTEIN: Objection.

19 THE DEPONENT: As I said before, I

20 don't recall if it comes from the computer of Gum

21 Productions or from my personal computer.

22 BY MR. DICKIE:

23 Q. Regardless of the computer from which

24 it comes, you would agree that based upon your

25 statement in this e-mail, Exhibit 38, the track "I

Page 180

1 Gotta Feeling" had not been completed and finished;

2 isn't that correct?

3 MR. SLOTNICK: Objection as to the

4 characterization.

5 You can answer the question.

6 THE DEPONENT: It depends on what you

7 call completed. If we're talking about the final

8 version, obviously not.

9 BY MR. DICKIE:

10 Q. Obviously not completed, is that what

11 you meant?

12 MR. DICKSTEIN: I'm going to object

13 and just note that this document doesn't reference

14 "I Gotta Feeling"

15 THE DEPONENT: What?

16 MR. DICKSTEIN: I just objected. I

17 just noted that this doesn't reference "I Gotta

18 Feeling"

19 BY MR. DICKIE:

20 Q. Well, let's explore that.

21 It says:

22 "It would be great to have

23 the voices today so I can finish

24 the track..."

25 The track to be finished is "I Gotta

Page 181

1 Feeling"; isn't that correct?

2 A. Maybe. But --

3 Q. Well, if it didn't have something --

4 A. -- maybe not.

5 Q. -- to do with "I Gotta Feeling," then

6 why was it produced in this case which is about "I

7 Gotta Feeling"?

8 MR. SLOTNICK: Objection.

9 MR. DICKSTEIN: Objection.

10 DEPOSITION OFFICER: Hang on.

11 THE DEPONENT: I'm not --

12 BY MR. DICKIE:

13 Q. You wrote this e-mail, Exhibit 38.

14 Was it about "I Gotta Feeling" or wasn't it?

15 MR. SLOTNICK: He's answered the

16 question.

17 If you can answer it again, go ahead.

18 DEPOSITION OFFICER: I just need

19 everybody to take turns, please.

20 Thank you.

21 MR. SLOTNICK: Objection; calls for

22 speculation.

23 If you can answer the question, please

24 do so.

25 THE DEPONENT: It's possible, but I

Page 182

1 can't guarantee it because I produced several tracks
 2 for The Black Eyed Peas.
 3 BY MR. DICKIE:
 4 Q. Well, under the agreement, Exhibit 22,
 5 that was specifically for "I Gotta Feeling"; isn't
 6 that correct?
 7 MR. DICKSTEIN: Do you want him to
 8 look at 22?
 9 MR. DICKIE: Sure, if he doesn't know
 10 that's what we're talking about. I think he does.
 11 THE DEPONENT: (In English): I really
 12 don't.
 13 (Vin Interpreter): What is the
 14 question, again?
 15 BY MR. DICKIE:
 16 Q. The agreement, Exhibit 22, concerns
 17 the song "I Gotta Feeling"; isn't that right?
 18 MR. SLOTNICK: Objection. The witness
 19 hasn't read the agreement. If you want him to look
 20 through it to see if there's a reference to "I Gotta
 21 Feeling" in it, that's fine.
 22 MR. DICKIE: Well --
 23 MR. SLOTNICK: But I don't see it.
 24 MR. DICKIE: -- why don't we take a
 25 look at the first paragraph, Counsel.

Page 183

1 MR. SLOTNICK: Okay.
 2 MR. DICKIE: And we look down about
 3 five or six lines -- let me count them.
 4 In the sixth line it references "I
 5 Gotta Feeling"; isn't that correct?
 6 MR. SLOTNICK: It does.
 7 THE DEPONENT: If my lawyer says it's
 8 correct, then it's correct.
 9 BY MR. DICKIE:
 10 Q. So in looking back at Exhibit 38, am I
 11 correct that you looked to Will.i.am to provide the
 12 voices or verbal part of "I Gotta Feeling," and
 13 that's what Exhibit 38 is about, so you could finish
 14 the "I Gotta Feeling" track?
 15 MR. PINK: Objection, asked and
 16 answered.
 17 MR. DICKSTEIN: Objection.
 18 MR. SLOTNICK: Can you repeat the
 19 question in English, please.
 20 (THE RECORD WAS READ AS FOLLOWS:
 21 Q. So in looking back at
 22 Exhibit 38, am I correct that
 23 you looked to Will.i.am to
 24 provide the voices or verbal
 25 part of "I Gotta Feeling," and

Page 184

1 that's what Exhibit 38 is about,
 2 so you could finish the
 3 "I Gotta Feeling" track?)
 4 DEPOSITION OFFICER: And may I please
 5 just say everyone needs to let her finish and then
 6 make your objections.
 7 Thank you.
 8 MR. SLOTNICK: Let me object. It's
 9 been asked and answered. He said he didn't know.
 10 You can ask him again and he'll tell
 11 you what he may recall differently now than he did a
 12 minute ago.
 13 THE DEPONENT: I'm sorry, but -- I'm
 14 sorry, but there's something I don't understand.
 15 I don't understand why you came back
 16 to the previous document. I could ask my lawyer to
 17 explain it to me, but I'd rather ask you.
 18 Are you trying to connect this
 19 document and that document (indicating)?
 20 BY MR. DICKIE:
 21 Q. No.
 22 He said he couldn't answer this
 23 document -- the question about whether this document,
 24 Exhibit 38, had to do with "I Gotta Feeling."
 25 So I drew his attention to the

Page 185

1 agreement that references "I Gotta Feeling" to see if
 2 perchance that would refresh his recollection to make
 3 sure that we're talking about "I Gotta Feeling" in
 4 Exhibit 38.
 5 A. So if the question -- so the question
 6 is if this document helps me understand that this
 7 e-mail is about "I Gotta Feeling"? No, it doesn't
 8 help.
 9 Q. Did you have an agreement with the --
 10 any company to produce any song other than "I Gotta
 11 Feeling" for The Black Eyed Peas as of February 4,
 12 2009?
 13 A. So I don't recall. I produced two
 14 songs for The Black Eyed Peas, so --
 15 Q. That wasn't my question.
 16 My question was whether there was
 17 another agreement in place as of February 4th, 2009,
 18 for any song other than "I Gotta Feeling"?
 19 MR. PINK: I'm going to request that
 20 the translator complete the translation of his last
 21 answer -- the witness's last answer -- before we move
 22 on to Counsel's next question.
 23 THE INTERPRETER: Yes. Okay.
 24 Which I don't recall. I apologize.
 25 This is going too fast.

Page 186

1 Maybe the witness can repeat what he
 2 said before.
 3 BY MR. DICKIE:
 4 Q. Yeah, let me move on.
 5 Why was this urgent --
 6 MR. PINK: No, no, no. Let's -- let's
 7 get the witness's answer.
 8 MR. SLOTNICK: Yeah, hold on.
 9 Everybody slow down. Everybody take a breath.
 10 Let's ask the question again and then
 11 the witness can answer it again.
 12 THE INTERPRETER: So the question is?
 13 Go ahead. Would you like to read it?
 14 DEPOSITION OFFICER: I'm going to.
 15 (THE RECORD WAS READ AS FOLLOWS:
 16 Q. Did you have an agreement
 17 with the -- any company to produce
 18 any song other than "I Gotta
 19 Feeling" for The Black Eyed Peas
 20 as of February 4, 2009?
 21 A. So I don't recall. I produced
 22 two songs for The Black Eyed Peas,
 23 so --)
 24 THE DEPONENT: I don't recall the
 25 exact date, but what I do recall is I produced two

Page 187

1 different songs for The Black Eyed Peas.
 2 That's why I'm not sure if in this
 3 e-mail I'm referring to "I Gotta Feeling" or "Rock My
 4 Body" -- "Rock That Body."
 5 BY MR. DICKIE:
 6 Q. Why was this message on Exhibit 38
 7 marked "urgent" in 20-plus point type?
 8 A. Probably because it was urgent.
 9 Q. Why was it urgent?
 10 A. I left for the U.S. to mix, so I left
 11 to the U.S. to mix two songs, "I Gotta Feeling" and
 12 "Rock That Body," in the studio.
 13 But because I'm not experienced with
 14 large studios, I wanted to be able to use either
 15 Fred's studio or my own studio which would help me
 16 situate myself in terms of sound rather than another
 17 studio that I didn't know.
 18 (In English): In terms of acoustic.
 19 No. No. No.
 20 THE INTERPRETER: (In english): I
 21 wrote it down.
 22 So "sound."
 23 THE DEPONENT: (Via Interpreter): In
 24 terms of acoustics.
 25 ///

Page 188

1 BY MR. DICKIE:
 2 Q. Mr. Guetta, did Will.i.am tell you
 3 that by contract The Black Eyed Peas had to complete
 4 an album by March 2009 or have their advance reduced,
 5 and that's why this message was urgent?
 6 A. Absolutely -- no.
 7 Q. Were you aware that under their
 8 contract with Interscope Records, The Black Eyed Peas
 9 stood to lose at least 3 million dollars of their
 10 8-million-dollar advance if they didn't deliver a
 11 finished album by March 2009?
 12 A. I was not privy to any of this
 13 information.
 14 Q. So nobody told you that?
 15 A. If somebody told me, I would know
 16 about it.
 17 Q. So no one suggested to you that there
 18 was a time urgency to getting all the songs for the
 19 album "The E.N.D." completed?
 20 A. I've never had once in my professional
 21 career a music label not say that it was urgent for
 22 me to give back my work.
 23 MR. PINK: And I'm going to interject
 24 an objection to the extent -- and move to strike to
 25 the extent that Mr. Dickie's questions have disclosed

Page 189

1 information that The Black Eyed Peas have designated
 2 as highly confidential.
 3 BY MR. DICKIE:
 4 Q. Let me give you, Mr. Guetta,
 5 Exhibit 10 for identification and ask you if this is
 6 a true, correct, and accurate copy of an e-mail you
 7 sent to William Adams?
 8 MR. DICKSTEIN: Could we have a date?
 9 MR. DICKIE: September 20th, 2008.
 10 (PLAINTIFF'S EXHIBIT NUMBER 10 WAS
 11 PREVIOUSLY MARKED FOR IDENTIFICATION.)
 12 (DOCUMENT REVIEWED BY THE DEPONENT.)
 13 THE DEPONENT: So the question -- is
 14 the question to ask if I wrote the mail?
 15 BY MR. DICKIE:
 16 Q. Did you send it and write it on or
 17 about the date it bears?
 18 A. I recall sending this mail.
 19 Q. And then there are four -- underneath
 20 the "Here you go" subject line -- you are sending him
 21 basically four links to something -- to files;
 22 right?
 23 A. That's correct.
 24 Q. What files were you sending to him?
 25 What information is in these files?

Page 190

1 A. It's easy for me to answer regarding
 2 the last three links -- for the second and fourth
 3 one. Sorry.
 4 But it's more difficult for the first
 5 and third ones because they are zip files, which
 6 means that there could be inside of these zip files
 7 several tracks.
 8 And especially in the first link if I
 9 wrote tracks for three x's, it's possibly because
 10 there were several tracks in that zip file.
 11 Unfortunately I can't recall which
 12 ones because this is something that happened a long
 13 time ago.
 14 Q. Well, can you recall specifically what
 15 music files were in each of the four links that are
 16 set forth?
 17 A. I just answered you.
 18 Q. Well, what specific music tracks? Did
 19 they have titles? Did they have --
 20 A. I'm going to reformulate the answer I
 21 gave you previously.
 22 In link number one -- so the link
 23 attached contains several x's, which means there's
 24 several tracks in the file, but I cannot see the name
 25 of these tracks.

Page 191

1 In link number two, I see that it's
 2 written "blondafin.mp3", which there is only one
 3 track, the name of which is "Blondafin."
 4 In link number three, I see that it
 5 says "Say It Again.zip," which probably means that I
 6 sent a track called "Say It Again."
 7 But because it's a dot.zip, there's --
 8 it's possible that there's -- there are more tracks
 9 inside of this file.
 10 And in link number four -- I see that what
 11 I just read is written -- so this means that in the
 12 fourth link there is only one track called "Next Era
 13 12 Organ Neyo Style."
 14 THE VIDEOGRAPHER: I have to change
 15 the tape.
 16 MR. DICKIE: We have to change the
 17 tape.
 18 THE VIDEOGRAPHER: This is the end of
 19 Media Number Five in the deposition of David Guetta.
 20 We are now going off the record. The
 21 time is 6:31 p.m.
 22 (WHEREUPON, A RECESS WAS HELD
 23 FROM 6:31 P.M. TO 6:48 P.M.)
 24 THE VIDEOGRAPHER: This is the
 25 beginning of Media Number Six in the deposition of

Page 192

1 David Guetta in the matter of Bryan Pringle vs.
 2 William Adams, et al.
 3 We are now going on the record. The
 4 time is 6:48 p.m.
 5 BY MR. DICKIE:
 6 Q. Are you all set to begin,
 7 Mr. Guetta?
 8 A. Yes.
 9 MR. DICKIE: Mark this Exhibit 39,
 10 please.
 11 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
 12 39 WAS MARKED FOR IDENTIFICATION BY
 13 THE DEPOSITION OFFICER.)
 14 BY MR. DICKIE:
 15 Q. Mr. Guetta, I've handed you what I've
 16 marked as Exhibit 39 for identification. It bears
 17 production -- Guetta Production Number -3.
 18 Would you take a look at this exhibit
 19 and tell me if this is a true, correct, and accurate
 20 copy of an e-mail that you sent to William Adams --
 21 or received from William Adams on or about
 22 January 24th, 2009?
 23 (DOCUMENT REVIEWED BY THE DEPONENT.)
 24 THE DEPONENT: I think so.
 25 ///

Page 193

1 BY MR. DICKIE:
 2 Q. And in the first line, the words "Yes,
 3 yes, yes" appears.
 4 To what does that refer?
 5 MR. PINK: Calls for speculation.
 6 THE DEPONENT: I'm not sure.
 7 BY MR. DICKIE:
 8 Q. And this is Mr. Adams' -- Will.i.am's
 9 e-mail to you; correct?
 10 A. Yes.
 11 Q. And then it says in the second line,
 12 "We are using two songs."
 13 What two songs is he referring to?
 14 MR. PINK: Calls for speculation, lack
 15 of foundation.
 16 THE DEPONENT: I suppose that he's
 17 referring to two instrumentations that he will use
 18 for The Black Eyed Peas.
 19 BY MR. DICKIE:
 20 Q. But what two songs is he referring
 21 to?
 22 A. I think that it's "I Gotta Feeling"
 23 and "Rock That Body."
 24 Q. Well, as of January 24th, 2009, had
 25 you provided -- strike that.

Page 194

1 What had you provided to Mr. Adams
 2 with respect to each of those songs, if anything?
 3 THE INTERPRETER: Sorry.
 4 THE DEPONENT: So I had provided him
 5 with what we call a demo, which is the core of the
 6 elements but without the mix.
 7 BY MR. DICKIE:
 8 Q. Well, when was that demo provided?
 9 A. I don't recall.
 10 Q. How was the demo provided? Was it
 11 sent by mail? Sent by Federal Express? Hand
 12 delivered?
 13 MR. DICKSTEIN: Objection as to which
 14 song we're talking about.
 15 BY MR. DICKIE:
 16 Q. You can answer the question.
 17 A. Which song are you talking about?
 18 Q. Well, you said you provided a demo,
 19 singular.
 20 Were there multiple songs on that demo
 21 or just one song?
 22 A. Maybe it got lost in translation, but
 23 I never said there was a single demo. I sent
 24 multiple tracks to Will.i.am.
 25 Q. You said -- and I quote -- "So I had

Page 195

1 provided him with what we call a demo, which is the
 2 core of elements but without the mix."
 3 Is that what you provided to him?
 4 A. In the sentence that you were
 5 referring to, I was trying to explain the nature and
 6 the level of accomplishment, of achievement, of what
 7 I had sent to Will.i.am.
 8 But there were several tracks.
 9 Q. Did you send him several tracks on a
 10 single demo or did you send him several demos?
 11 A. So, for example, if we want to look at
 12 the mail we were talking about before the break, we
 13 see that -- that it -- it can be either/or case.
 14 For example, some have one zip file
 15 which contains several tracks or a single track
 16 pertaining to one link.
 17 Q. Which of the four links on Exhibit 10,
 18 the document to which you just referred, contains
 19 I -- the "I Gotta Feeling" song?
 20 A. I'm not even sure if "I Gotta Feeling"
 21 was in any of these links.
 22 And if it were there, I wouldn't be
 23 able to answer your question, given that there are
 24 two zip files, as I was explaining to you earlier.
 25 Q. Do you recall when it was -- excuse

Page 196

1 me -- that you provided some demo or some link to
 2 Will.i.am which contained "I Gotta Feeling" or some
 3 version or some aspect of it?
 4 A. No.
 5 Q. How -- strike that.
 6 Did you provide the "I Gotta Feeling"
 7 link or demo to Mr. Adams in person?
 8 A. What do you mean by giving in person
 9 when referring to a link? You mean giving it to him
 10 by hand?
 11 Q. Yes.
 12 A. But it's impossible to give manually a
 13 link to the Internet.
 14 Q. But it's not impossible to give a demo
 15 CD and hand it, is it?
 16 A. That's possible, but that's not what I
 17 did.
 18 Q. And what did you -- when you provided
 19 "I Gotta Feeling" to Mr. Will.i.am, did you do it as
 20 a link attached or set out in the context of an
 21 e-mail?
 22 A. I sent it in the context of an
 23 e-mail.
 24 MR. DICKIE: Mark this as Exhibit 40,
 25 please.

Page 197

1 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
 2 40 WAS MARKED FOR IDENTIFICATION BY
 3 THE DEPOSITION OFFICER.)
 4 BY MR. DICKIE:
 5 Q. Mr. Guetta I've asked the court
 6 reporter to hand you what I've marked as Exhibit 40
 7 for identification. It bears Production Number
 8 GUETTA 00002.
 9 It's an e-mail that appears to be from
 10 you to Will.i.am dated January 24th, 2009, as sent
 11 some time in the morning.
 12 Can you confirm for me that this is a
 13 true, correct, and accurate copy of an e-mail you
 14 sent to Mr. Adams on or about the date it bears?
 15 (DOCUMENT REVIEWED BY THE DEPONENT.)
 16 THE DEPONENT: Yes, this is from me.
 17 BY MR. DICKIE:
 18 Q. Now, there's a reference to your "swap
 19 deal" in a couple of places on this e-mail.
 20 What are the terms of the swap deal?
 21 A. So the basis of our verbal agreement
 22 is that I would produce two songs for his album, in
 23 exchange for which, he would appear and be featured
 24 on my album in two songs.
 25 Q. And that was an oral agreement, not a

Page 198

1 written agreement?
 2 A. Personally, I only make verbal, oral
 3 agreements; and Jean-Charles Carre is the one who
 4 does written agreements.
 5 Q. Well, did Mr. Carre reduce this swap
 6 deal, as you've described it, to a writing?
 7 A. I don't know.
 8 Q. Now, looking at the -- there are five
 9 links that appear in this Exhibit 40; isn't that
 10 correct?
 11 A. That's correct.
 12 Q. And can you tell me which one of these
 13 specific links contains "I Gotta Feeling," if any?
 14 MR. DICKSTEIN: Objection.
 15 MR. DICKIE: What did he say?
 16 THE INTERPRETER: I didn't hear. I'm
 17 sorry. He was turned towards the other side. I
 18 didn't hear.
 19 THE DEPONENT: (In English): It has
 20 nothing to do with anything.
 21 I just said, "Oh, it's funny. There
 22 was a demo of --
 23 DEPOSITION OFFICER: "It was a demo
 24 of..."?
 25 THE DEPONENT: There was a demo of

Page 199

1 "Sexy Bitch" on it.
 2 (In English): It is irrelevant to our
 3 conversation. Sorry.
 4 MR. DICKIE: Perhaps.
 5 THE DEPONENT: (In English): But he
 6 should have picked it. Sorry.
 7 I don't see the -- the instrumental of
 8 "I Gotta Feeling." It was called --
 9 BY MR. DICKIE:
 10 Q. It's not in any of those, is it?
 11 A. (In English): -- "David Pop," and I
 12 don't see those titles there -- this title there.
 13 My understanding --
 14 MR. DICKSTEIN: Let the translator go.
 15 Talk to the translator.
 16 BY MR. DICKIE:
 17 Q. Well, if you can answer, fine.
 18 I just -- well, would it be correct to
 19 say -- well, finish your answer. I don't mean to
 20 interrupt you.
 21 It would be correct, then, that so far
 22 as you can tell, none of those five links contain "I
 23 Gotta Feeling," the instrumental version; correct?
 24 A. Yes, it's correct.
 25 Q. By the way, had you done business with

Page 200

1 or worked on any music project with Will.i.am prior
 2 to your work in connection with the two songs on "The
 3 E.N.D." album?
 4 A. No.
 5 Q. Had you had any experience with any of
 6 The Black Eyed Peas prior to this project?
 7 MR. DICKSTEIN: Objection; form.
 8 THE DEPONENT: Yes.
 9 BY MR. DICKIE:
 10 Q. With whom had you had interaction
 11 before?
 12 A. With Will.i.am.
 13 Q. I -- had you -- you had done no
 14 business with him, but you knew who Will.i.am was; is
 15 that correct?
 16 A. That's -- that's correct.
 17 Q. And your involvement with Will.i.am
 18 began when?
 19 MR. SLOTNICK: Objection as to the
 20 form.
 21 THE DEPONENT: (In English): Thank
 22 you. That's what I was going to say.
 23 (Via Interpreter): Could you define
 24 the concept of "involvement?"
 25 ///

Page 201

1 BY MR. DICKIE:
 2 Q. Sure.
 3 When did you meet Will.i.am for the
 4 first time?
 5 A. I met him the summer before the
 6 release of the album "The E.N.D."
 7 Q. You mean 2008?
 8 A. (In English): When was the release?
 9 Q. June of 2009.
 10 A. (In English): So I met him in July.
 11 (Via Interpreter): Was it in June of
 12 2008, the release of the album?
 13 Q. No. The release was 2009, June.
 14 A. So I believe I met him in the summer
 15 of 2008.
 16 Q. Where did you meet him?
 17 A. At the Pacha at Ibiza.
 18 Q. Was that while you were performing as
 19 a DJ?
 20 A. Yes.
 21 MR. DICKIE: Mark that Exhibit 41.
 22 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
 23 41 WAS MARKED FOR IDENTIFICATION BY
 24 THE DEPOSITION OFFICER.)
 25 MR. PINK: Do you have any more copies

Page 202

1 of that, Counsel?
 2 MR. DICKIE: Just the one I'm using.
 3 MR. PINK: Okay. So you didn't bring
 4 enough copies for all counsel?
 5 Thank you.
 6 MR. DICKIE: You're welcome.
 7 MR. PINK: I'll object to this line
 8 of questioning given the fact that there aren't
 9 sufficient numbers of copies of the exhibit.
 10 BY MR. DICKIE:
 11 Q. I've handed you, Mr. Guetta,
 12 Exhibit 41 for identification.
 13 This appears to be two e-mails dated
 14 February 6th, 2009.
 15 On the top there's a reference to an
 16 e-mail sent by you to Will.i.am; is that correct?
 17 (DOCUMENT REVIEWED BY THE DEPONENT.)
 18 THE DEPONENT: Yes.
 19 BY MR. DICKIE:
 20 Q. And the second e-mail, or the one on
 21 the lower portion of this document, that's an e-mail
 22 from Will.i.am to you on the same date, February 6th,
 23 2009; isn't that correct?
 24 A. Yes.
 25 Q. And do you see where he says, "Please,

Page 203

1 I beg you be very protective of this?"
 2 Do you see that?
 3 A. Yes.
 4 Q. And what did he send you that you were
 5 to be protective of?
 6 MR. SLOTNICK: Objection as to form.
 7 THE DEPONENT: I don't remember
 8 precisely, but most certainly vocals.
 9 BY MR. DICKIE:
 10 Q. Well, do you see up above where you
 11 say, "I need you" -- meaning Will.i.am -- "to send
 12 you [sic] the other demo tonight"?
 13 Why did you need it at night?
 14 A. I don't recall exactly, but I see two
 15 possible explanations.
 16 Q. Well, do you know the identity of the
 17 specific demo to which you had reference, as you sit
 18 here today?
 19 A. I'm not sure, but I think I'm asking
 20 for the demo of something that's going to go on my
 21 album within the extent of the swap.
 22 And most -- most certainly I'm
 23 requesting to see his good faith prior to leaving for
 24 the U.S.
 25 DEPOSITION OFFICER: "For the U.S."?

Page 204

1 THE DEPONENT: (In English): Let me
 2 see the date.
 3 BY MR. DICKIE:
 4 Q. This is February 6th, 2009.
 5 A. (In English): Exactly. This is
 6 before I go to America.
 7 Q. Do you see in the last -- the
 8 next-to-the-last sentence on the top e-mail, you
 9 refer -- you state to Mr. Adams:
 10 "You told me you were
 11 recording on one of my tracks again
 12 tonight. Please send me ASAP as I'm
 13 dying to hear it."
 14 Did he do that?
 15 A. Yes. I see it.
 16 THE INTERPRETER: I'm so sorry. My
 17 mistake.
 18 THE DEPONENT: I don't recall.
 19 BY MR. DICKIE:
 20 Q. Did he send you a link of what he
 21 recorded on the night of February 6th, 2009, at or
 22 around that date?
 23 A. I don't recall.
 24 Q. Do you recall receiving any specific
 25 link to any music that Mr. Adams recorded at or

Page 205

1 around the time of this e-mail which he sent to you
 2 as either an attachment or a link?
 3 MR. DICKSTEIN: Objection to form.
 4 THE DEPONENT: I don't remember that
 5 precisely, but that's what I see in this e-mail.
 6 BY MR. DICKIE:
 7 Q. And then in looking at the two
 8 e-mails, did you send your e-mail to Mr. Adams before
 9 or after you received his e-mail?
 10 A. It seems to me -- it seems to me that
 11 my e-mail comes after Mr. Will.i.am's e-mail, but I'm
 12 not sure.
 13 Q. Now, do you see in Mr. Will.i.am's
 14 e-mail, he says:
 15 "...you be very protective of
 16 this. You're the only one who has
 17 this -- not management, record company,
 18 just me and you."
 19 What was -- what is the point of this
 20 secrecy?
 21 MR. DICKSTEIN: Objection to
 22 characterization.
 23 MR. PINK: Objection; calls for
 24 speculation, lack of foundation.
 25 THE DEPONENT: So it has often

Page 206

1 happened that music has been leaked on the Internet
 2 before the official release of an album.
 3 So he's obviously asking me to be
 4 protective so that a third party does not put this on
 5 the Internet.
 6 BY MR. DICKIE:
 7 Q. Why did he not want management or the
 8 record company to know about what was going on
 9 between you and him, particularly in light of the
 10 agreement that was executed between BEP Music, LLC,
 11 and the other entity which is on Exhibit 22?
 12 MR. SLOTNICK: Objection; calls for
 13 speculation, mischaracterizes the evidence.
 14 THE DEPONENT: That's not at all what
 15 is written in this e-mail.
 16 BY MR. DICKIE:
 17 Q. Why wouldn't the management company or
 18 record company have information or be entitled to
 19 information about what was being exchanged between
 20 Mr. Adams and yourself?
 21 MR. SLOTNICK: Objection; calls for
 22 speculation.
 23 MR. PINK: Lacks foundation.
 24 THE DEPONENT: He's not talking about
 25 information.

Page 207

1 BY MR. DICKIE:
 2 Q. Well, he's talking about the --
 3 whatever it was he was sending to you; isn't that
 4 right?
 5 A. Yes. But it's not a piece of
 6 information. It's music.
 7 Q. Did you understand Mr. Adams' e-mail
 8 to you, which is part of Exhibit 41, to mean that he
 9 did not want management or the record company to know
 10 about the music which the two of you were
 11 exchanging?
 12 A. (In English): No.
 13 Q. So you --
 14 A. No.
 15 Q. So you read the e-mail from Mr. Adams
 16 that's on Exhibit 41 to mean that you could certainly
 17 discuss and show to the management and the record
 18 company what Mr. Adams was providing to you and not
 19 be in violation of what he had asked you not to do;
 20 is that right?
 21 MR. SLOTNICK: Objection; calls for
 22 speculation.
 23 THE DEPONENT: What Mr. Adams is
 24 asking me is not to give the physical file of the
 25 music to management or to a music company. He's not

Page 208

1 asking me not to talk about it.
 2 BY MR. DICKIE:
 3 Q. Did you talk about it with anybody at
 4 any record label or anyone outside of Mr. Riesterer
 5 after you received Exhibit 41?
 6 A. Yes.
 7 Q. Who did you provide the music to?
 8 MR. SLOTNICK: Objection;
 9 mischaracterizes his answer.
 10 MR. PINK: Lacks foundation.
 11 BY MR. DICKIE:
 12 Q. Well, did you discuss what Mr. Adams
 13 had sent to you with other than Mr. Riesterer or
 14 maybe Mr. Garraud?
 15 A. It's possible that I talked about the
 16 common project that I had with Will.i.am to my wife,
 17 to -- to other people. It doesn't matter.
 18 MR. DICKSTEIN: I object to the prior
 19 question on foundation grounds.
 20 BY MR. DICKIE:
 21 Q. Did you talk to anybody at a record
 22 label or management of a record label about the
 23 content of Exhibit 41?
 24 A. What do you mean by "content of
 25 Exhibit 41"?

Page 209

1 Q. Well, did you tell them about --
 2 anything about the music, about what Mr. Adams said
 3 you and he were the only ones to have?
 4 A. You are associating two different
 5 ideas in the same question. I would really like you
 6 to answer question by question [sic].
 7 Q. Did you talk to anybody at the
 8 management of a record label involved in this project
 9 about what you and Mr. Adams were the only two to
 10 have information about, as set forth in Exhibit 41?
 11 MR. SLOTNICK: Objection as to form,
 12 time frame.
 13 MR. PINK: Vague and ambiguous.
 14 THE DEPONENT: You're mixing two ideas
 15 again.
 16 Mr. Adams is asking me not to give the
 17 physical file of the music, but he's not asking me
 18 not to talk about the project we have together.
 19 BY MR. DICKIE:
 20 Q. Did you talk about the project you had
 21 together and his request of you not to give the
 22 physical file to anyone, with any member of any
 23 record label?
 24 MR. PINK: Asked and answered.
 25 MR. SLOTNICK: Objection.

Page 210

1 THE DEPONENT: It's possible that I
2 mentioned that we were going to be working and were
3 working together, but I did not say that
4 Mr. Will.i.am had asked me not to reveal the project.
5 (In English): No, not the project.
6 The file.
7 (Via Interpreter): The file.
8 BY MR. DICKIE:
9 Q. Let me show you what I've marked
10 before -- or has been marked before as Exhibit 11 for
11 identification. It has a handwritten number:
12 BEP-PR-1D.
13 (PLAINTIFF'S EXHIBIT NUMBER 11 WAS
14 PREVIOUSLY MARKED FOR IDENTIFICATION.)
15 BY MR. DICKIE:
16 Q. Did you write this e-mail on or about
17 February 6th, 2009?
18 (DOCUMENT REVIEWED BY THE DEPONENT.)
19 THE DEPONENT: Yes.
20 BY MR. DICKIE:
21 Q. Now, did you send or receive any other
22 e-mails from or to Will.i.am other than those which
23 have been marked and that I've shown to you this
24 evening?
25 A. I don't know.

Page 211

1 Q. Do you have a recollection of having
2 extended e-mail communications with Mr. Adams
3 regarding the project by which you were swapping two
4 songs to one another?
5 MR. SLOTNICK: Objection as to form.
6 THE DEPONENT: Are you talking about
7 the principal of the exchange, of the swap?
8 BY MR. DICKIE:
9 Q. No.
10 I'm talking about e-mails dealing with
11 this project where Mr. Guetta -- where you were
12 involved with Mr. Adams in any kind of exchange with
13 respect to music during the period from late 2008
14 through the period March 2009.
15 A. So your question is were the -- was
16 the exchange of e-mails important, numerous e-mails?
17 Q. No. My question was: Were there
18 numerous e-mails?
19 A. What do you mean by "numerous"?
20 Q. More than the group that I've shown
21 you here.
22 MR. DICKSTEIN: Objection; asked and
23 answered.
24 THE DEPONENT: It's possible that
25 there were other e-mails. I'm not sure.

Page 212

1 BY MR. DICKIE:
2 Q. As you sit here today, can you tell us
3 that the e-mails which have been marked and you've
4 looked at during this deposition constitute all of
5 the e-mails that were sent by you to Mr. Adams and
6 Mr. Adams to you regarding the song "I Gotta
7 Feeling"?
8 A. I do not recall the totality of the
9 e-mails that I exchanged with Will.i.am. They could
10 be the only ones, but it's possible that there were
11 others.
12 Q. As he sits here today -- as you sit
13 here today, Mr. Guetta, can you state that all of the
14 e-mails I've shown you represent all of the e-mails
15 that were exchanged between you and Mr. Adams
16 regarding "I Gotta Feeling"?
17 MR. SLOTNICK: Objection; asked and
18 answered, argumentative.
19 THE DEPONENT: I think I just answered
20 your question.
21 If you think I'm wrong -- if you think
22 I'm wrong, then maybe you should reformulate your
23 question so I'm under the impression it's a new
24 question.
25 ///

Page 213

1 BY MR. DICKIE:
2 Q. Have you done anything to determine
3 whether all of the e-mails that were exchanged
4 regarding "I Gotta Feeling" have been produced by you
5 or your counsel in this case?
6 MR. DICKSTEIN: Objection; form.
7 THE DEPONENT: So it's my partner,
8 Jean-Charles Carre, that takes care of this part of
9 the business, and as well as my lawyers who are in
10 charge of this case.
11 BY MR. DICKIE:
12 Q. Well, that wasn't my question.
13 My question was: Have you,
14 David Guetta, done anything to determine whether all
15 of the e-mails that were exchanged between yourself
16 and Will.i.am in connection with the project which
17 resulted in "I Gotta Feeling" have been produced?
18 MR. SLOTNICK: Objection; asked and
19 answered.
20 THE DEPONENT: Well, I met with my --
21 my appointment with my lawyers was only yesterday,
22 and that's when I was given the e-mails, probably
23 collected by Jean-Charles Carre.
24 So I could not have checked if more
25 e-mails had been sent or not.

Page 214

1 BY MR. DICKIE:
 2 Q. Well, prior to meeting with your
 3 lawyers in the last day or so, had you done anything
 4 to -- to search for or make a determination that all
 5 of the e-mails had been produced?
 6 MR. SLOTNICK: Objection; asked and
 7 answered.
 8 MR. DICKSTEIN: Form.
 9 THE DEPONENT: Do I have to repeat the
 10 same answer a million times?
 11 BY MR. DICKIE:
 12 Q. No. I think you just need to answer
 13 my question.
 14 A. I did.
 15 MR. DICKIE: Would you repeat the
 16 question, please.
 17 (THE RECORD WAS READ AS FOLLOWS:
 18 Q. Well, prior to meeting with
 19 your lawyers in the last day or so,
 20 had you done anything to -- to
 21 search for or make a determination
 22 that all of the e-mails had been
 23 produced?)
 24 MR. SLOTNICK: Same objections.
 25 THE DEPONENT: Well, my partner,

Page 215

1 Jean-Charles Carre, told me about the case prior and
 2 that he had been collecting all of these -- the
 3 e-mails related to this case. And I trust him.
 4 BY MR. DICKIE:
 5 Q. So, Mr. Guetta, is the answer to my
 6 question no, you did not do anything to personally
 7 determine whether all of the e-mails had been
 8 produced other than discussing something with
 9 Mr. Carre?
 10 MR. SLOTNICK: Objection;
 11 mischaracterizes his testimony, argumentative.
 12 MR. PINK: And asked and answered.
 13 THE DEPONENT: I consider that if
 14 during a discussion Mr. Carre tells me that he is
 15 looking for the documents, it is useless for me to
 16 ask him to look for documents since he has already
 17 told me that he was doing it.
 18 BY MR. DICKIE:
 19 Q. Have you ever owned or licensed the
 20 disk called "The Vince Clark Lucky Bastard"?
 21 "Vince Clark Lucky Bastard."
 22 A. I don't know.
 23 Q. Did you ever put out a song called
 24 "Open Your Eyes"?
 25 A. Yes.

Page 216

1 Q. And in that song, "Open Your Eyes," do
 2 you recall using any sequences from the track called
 3 "Vince Clark Lucky Bastard"?
 4 A. I don't recall.
 5 Q. Are you familiar with the disk "Vince
 6 Clark Lucky Bastard"?
 7 MR. PINK: Objection; asked and
 8 answered.
 9 MR. VERNON: Listen to the question.
 10 MR. PINK: Listen to the objections.
 11 MR. VERNON: That question wasn't
 12 asked.
 13 THE DEPONENT: It --
 14 BY MR. DICKIE:
 15 Q. Are you familiar with a group called
 16 "Erasure"?
 17 A. It might be --
 18 MR. SLOTNICK: Can we get an answer?
 19 MR. DICKIE: He did.
 20 MR. SLOTNICK: I didn't hear it in
 21 English.
 22 THE DEPONENT: It might be a disk --
 23 well, I'm not sure.
 24 BY MR. DICKIE:
 25 Q. Are you familiar with a group called

Page 217

1 "Erasure"?
 2 A. Yes.
 3 Q. And did Erasure do a disk or a track
 4 called "Vince Clark Lucky Bastard"?
 5 A. I don't know.
 6 MR. DICKIE: Why don't we take four or
 7 five minutes. Let me see if I'm done, because we're
 8 pretty close to time.
 9 THE VIDEOGRAPHER: We are now going
 10 off the record. The time is 7:40 p.m.
 11 (WHEREUPON, A RECESS WAS HELD
 12 FROM 7:40 P.M. TO 7:48 P.M.)
 13 THE VIDEOGRAPHER: We are now going
 14 back on the record. The time is 7:48 p.m.
 15 BY MR. DICKIE:
 16 Q. Mr. Guetta, I just have a couple of
 17 other questions.
 18 First, can you tell me what e-mail
 19 addresses you have used since 2005?
 20 MR. SLOTNICK: Objection.
 21 THE DEPONENT: Well, it's possible,
 22 since you're working for a crazy lunatic, I would
 23 really appreciate not having to reveal any of my
 24 e-mail addresses.
 25 ///

Page 218

1 BY MR. DICKIE:
 2 Q. Well, I'm not sure that you can do
 3 that.
 4 Are you refusing?
 5 Are you being instructed not to answer
 6 that question?
 7 MR. SLOTNICK: We are going to
 8 instruct him not to answer that question.
 9 If there are old e-mail addresses that
 10 he no longer uses, he's free to provide you with
 11 those.
 12 But your client has already testified
 13 that not only does he send things to people, he
 14 sends -- when people make a point of not wanting
 15 things, he sends more things to them.
 16 And one lawsuit from Mr. Pringle is
 17 enough for us.
 18 MR. DICKIE: I'm more than happy to
 19 designate whatever the answer is as "Attorneys' Eyes
 20 Only," but I think I'm entitled to have that answer
 21 to verify with respect to the e-mail addresses in the
 22 documents that have been produced.
 23 MR. SLOTNICK: If it's "Attorneys'
 24 Eyes Only," that's fine.
 25 He will not show it to his client.

Page 219

1 MR. DICKSTEIN: And for the record,
 2 we're going to designate the entire transcript and
 3 video as "highly confidential" under the Stipulated
 4 Protective Order.
 5 MR. DICKIE: I disagree that that's
 6 appropriate at all.
 7 BY MR. DICKIE:
 8 Q. But you can answer the question.
 9 A. So my e-mail address is
 10 david.guetta@gumprod.com.
 11 DEPOSITION OFFICER: "Prod," p-r-o-d?
 12 THE DEPONENT: Yes.
 13 BY MR. DICKIE:
 14 Q. Is that the only e-mail address you've
 15 used since 2005?
 16 A. I think I've already answered this
 17 question in speaking with you, but --
 18 MR. DICKSTEIN: Asked and answered.
 19 THE DEPONENT: I think that at some
 20 point Jean-Charles had created a second account for
 21 me, but I've never used it. I've always used the one
 22 I gave you.
 23 BY MR. DICKIE:
 24 Q. And does Mr. Carre have access to your
 25 e-mail at david.guetta.prod?

Page 220

1 A. Jean-Charles Carre has access to the
 2 e-mail david.guetta@gumprod.com.
 3 Because the address you gave me was
 4 not the address I gave you previously.
 5 Q. And am I correct, sir, that you, since
 6 2005, have never had a separate personal e-mail?
 7 A. As I've told before, I believe there
 8 was a second address that was created, but I've never
 9 used it.
 10 Q. Is there any other e-mail address,
 11 whether it's yours -- even though it may not be
 12 yours, that you use from time to time?
 13 A. No.
 14 Q. Does your wife have her own e-mail?
 15 A. Yes.
 16 Q. Do you ever use her e-mail for
 17 communication purposes yourself?
 18 MR. SLOTNICK: Asked and answered.
 19 THE DEPONENT: I've already answered
 20 the question since you asked me if I have other
 21 addresses.
 22 BY MR. DICKIE:
 23 Q. But my question -- this question was a
 24 little different.
 25 Do you ever use someone else's

Page 221

1 e-mail --
 2 A. No.
 3 Q. -- for purposes of e-mail
 4 communication?
 5 A. I've never used anyone else's address
 6 for personal purposes. And I don't use my wife's
 7 e-mail for personal purposes either.
 8 Q. And one final question: Were all of
 9 the e-mails that were exchanged between you and
 10 Will.i.am from the david.guetta@gumprod.com
 11 address?
 12 A. Yes.
 13 MR. DICKIE: Thank you very much,
 14 Mr. Guetta. I have no further questions.
 15 MR. DICKSTEIN: Before we conclude,
 16 we'll reserve signature.
 17 MR. DICKIE: Sure. Federal rules.
 18 That's fine.
 19 MR. DICKSTEIN: We're designating --
 20 we're requesting the right to review and sign the
 21 transcript under Federal rules is what I mean.
 22 THE VIDEOGRAPHER: Okay. The --
 23 MR. DICKSTEIN: And -- I'm sorry. One
 24 more thing.
 25 We notice that the translator has been

Page 222

1 taking notes which is understandable to help her in
 2 her duties.
 3 Since under the Federal rules the
 4 transcript and the video are the official recording,
 5 can we agree as we did at Mr. Riesterer's deposition
 6 that neither party will seek to obtain the
 7 translator's notes --
 8 MR. DICKIE: Sure.
 9 MR. DICKSTEIN: -- and that they will
 10 remain with her?
 11 MR. DICKIE: No problem.
 12 MR. DICKSTEIN: That's it.
 13 MR. DICKIE: That's fine.
 14 MR. SLOTNICK: Thank you.
 15 THE VIDEOGRAPHER: This concludes the
 16 videotape deposition of David Guetta in the matter of
 17 Bryan Pringle vs. William Adams, et al.
 18 The master tapes of today's testimony
 19 will remain in the custody of Tracy Fox & Associates.
 20 We are now going off the record. The
 21 time is 7:55 p.m.
 22 DEPOSITION OFFICER: Regular orders?
 23 MR. PINK: Yes.
 24 MR. DICKSTEIN: Yes.
 25 DEPOSITION OFFICER: Off the record.

Page 223

1 * * *
 2 (WHEREUPON, AT 7:55 P.M., THE
 3 DEPOSITION PROCEEDINGS WERE CONCLUDED.)
 4 ---o0o---
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Page 224

1 DEPONENT'S SIGNATURE
 2
 3 Please be advised I, _____,
 4 have read the foregoing deposition pages _____
 5 through _____, inclusive. I hereby state
 6 there are:
 7
 8 (CHECK ONE):
 9 _____ NO CORRECTIONS.
 10 _____ CORRECTIONS PER ATTACHED.
 11
 12
 13 _____
 14 (SIGNATURE OF THE DEPONENT)
 15
 16 ---o0o---
 17
 18
 19
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 21
 22
 23
 24
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Page 225

1 DEPONENT'S CHANGES OR CORRECTIONS
 2 NOTE: If you are adding to your testimony, print the
 3 exact words you want to add. If you are deleting
 4 from your testimony, print the exact words you want
 5 to delete. Specify with "Add" or "Delete" and sign
 6 this form.
 7 DEPOSITION OF: DAVID GUETTA
 8 CASE TITLE: PRINGLE VS. ADAMS
 9 DATE OF DEPOSITION: MONDAY, SEPTEMBER 26, 2011
 10 I, _____,
 11 have the following corrections to make to my
 12 deposition:
 13 PAGE LINE CHANGE/ADD/DELETE
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 _____
 25 _____

Page 226

1 ERRATA SHEET (CONTINUED:)
2
3
4 PAGE LINE CHANGE/ADD/DELETE
5
6 _____
7 _____
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12 _____
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Page 228

1 STATE OF CALIFORNIA)
) .SS
2 COUNTY OF LOS ANGELES)
3
4 I, TRACY M. FOX, CERTIFIED SHORTHAND
5 REPORTER, CERTIFICATE NUMBER 10449, FOR THE
6 STATE OF CALIFORNIA, HEREBY CERTIFY:
7 THE FORGOING PROCEEDINGS WERE TAKEN
8 BEFORE ME AT THE TIME AND PLACE THEREIN
9 SET FORTH, AT WHICH TIME THE DEPONENT WAS PLACED
10 UNDER OATH BY ME;
11 THE TESTIMONY OF THE DEPONENT AND ALL
12 OBJECTIONS MADE AT THE TIME OF THE EXAMINATION
13 WERE RECORDED STENOGRAPHICALLY BY ME AND WERE
14 THEREAFTER TRANSCRIBED;
15 THE FOREGOING TRANSCRIPT IS A TRUE AND
16 CORRECT TRANSCRIPT OF MY SHORTHAND NOTES SO TAKEN;
17 I FURTHER CERTIFY THAT I AM NEITHER COUNSEL
18 FOR NOR RELATED TO ANY PARTY TO SAID ACTION,
19 NOR IN ANY WAY INTERESTED IN THE OUTCOME THEREOF.
20 IN DEPONENT WHEREOF, I HAVE HEREUNTO SUBSCRIBED
21 MY NAME THIS 29th DAY OF SEPTEMBER, 2011.
22
23
24 _____
TRACY FOX, C.S.R. No. 10449
CERTIFIED SHORTHAND REPORTER
25

Page 227

1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF LOS ANGELES)
3
4 I, _____, declare:
5 My address is _____
6 _____;
7 I am a person who speaks the language of
8 the deponent, namely, _____;
9 On the _____ day of _____, 2011,
10 I did translate the within deposition from the
11 English language into the _____ language,
12 translating/reading same to the deponent to the best
13 of my ability;
14 All corrections and changes requested by
15 the deponent were made on the transcript by me and
16 initialed by the deponent;
17 Upon completion of said reading, the
18 deponent did confirm to me that he/she understood the
19 reading.
20 I certify and/or declare under penalty of
21 perjury under the laws of the State of California
22 that the foregoing is true and correct.
23 Executed at _____ on
_____, 2011.
24
25 _____

Page 228