EXHIBIT D



Transcript of the Testimony of WILLIAM ADAMS

Date: July 25, 2011

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

FOX AND ASSOCIATES COURT REPORTERS, INC.

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                  UNITED STATES DISTRICT COURT
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       CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION
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    BRYAN PRINGLE, an individual, )
                    Plaintiff,
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7
                                    ) Case No.
          vs.
8
                                    ) SACV 10-1656 JST(RZx)
     WILLIAM ADAMS, JR.; STACY
9
     FERGUSON; ALLAN PINEDA; and,
     JAIME GOMEZ, all individually )
     and collectively as the music )
10
     group The Black Eyed Peas,
11
     et al.,
                    Defendants.
12
13
                    CONFIDENTIAL
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15
             (PURSUANT TO PROTECTIVE ORDER, THIS
                   TRANSCRIPT HAS BEEN DEEMED
16
             "CONFIDENTIAL - ATTORNEYS' EYES ONLY")
17
                  DEPOSITION OF WILLIAM ADAMS
                      (a/k/a "Will.i.am")
18
         TAKEN ON MONDAY, JULY 25, 2011, AT 10:31 A.M.
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     REPORTED BY:
22
     TRACY M. FOX
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    CSR NUMBER 10449
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Page 2
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                                                                               APPEARANCES OF COUNSEL (CONTINUED):
             UNITED STATES DISTRICT COURT
      CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION
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                                                                               FOR THE DEFENDANTS WILLIAM ADAMS, JR.;
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                                                                                WILL.I.AM MUSIC, LLC; STACY FERGUSON;
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                                                                               ALLAN PINEDA; JAIME GOMEZ; TAB MAGNETIC
                                                                               PUBLISHING; CHERRY RIVER MUSIC CO.
 5
    BRYAN PRINGLE, an individual, )
                                                                               HEADPHONE JUNKIE PUBLISHING; JEEPNEY
                                                                                MUSIC; and EMI APRIL MUSIC, INC .:
 6
               Plaintiff,
                                                                                  BRYAN CAVE, LLP
 7
                                                                            7
                                                                                  BY: JONATHAN S. PINK, ESQ. (NOT PRESENT)
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                                                                                  3161 Michelson Drive
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    JAIME GOMEZ, all individually)
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     and collectively as the music )
                                                                                  -- AND --
10
    group The Black Eyed Peas, )
                                                                            11
     et al.,
                                                                                  BRYAN CAVE, LLP
                                                                                  BY: KARA E.F. CENAR, ESQ. (PRESENT)
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               Defendants.
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              TRANSCRIPT HAS BEEN DEEMED
                                                                            16
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          "CONFIDENTIAL - ATTORNEYS' EYES ONLY")
                                                                               FOR THE DEFENDANTS THE BLACK EYED PEAS and
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                                                                               WILLIAM ADAMS:
                                                                                  HERTZ & LICHTENSTEIN, LLP
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                                                                                  BY: RACHEL ROSOFF, ESQ. (PRESENT)
           VIDEOTAPED DEPOSITION OF WILLIAM ADAMS,
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                                                                                  450 North Roxbury Drive
           a/k/a "Will.i.am," TAKEN ON BEHALF OF
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                                                                                  8th Floor
           THE PLAINTIFF AT 450 NORTH ROXBURY
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           DRIVE, 8TH FLOOR, IN BEVERLY HILLS,
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                                                                                  rr@hlmedialaw.com
           CALIFORNIA, COMMENCING AT 10:31 A.M.,
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23
           ON MONDAY, JULY 22, 2011, BEFORE
                                                                            23
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           TRACY M. FOX, CERTIFIED SHORTHAND
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           REPORTER NUMBER 10449.
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    APPEARANCES OF COUNSEL:
                                                                                APPEARANCES OF COUNSEL (CONTINUED):
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    FOR THE PLAINTIFF:
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                                                                                FOR THE DEFENDANTS STACY FERGUSON and HEADPHONE
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                                                                                JUNKIE PUBLISHING, LLC:
        MILLER, CANFIELD, PADDOCK AND STONE, PLC
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        -- AND --
                                                                                FOR THE DEFENDANTS DAVID GUETTA; FREDERIC RIESTERER;
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        GOULD LAW GROUP
                                                                                and SHAPIRO, BERNSTEIN:
        BY: IRA GOULD, ESQ. (PRESENT)
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                                                                                   LOEB AND LOEB, LLP
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1	Page APPEARANCES OF COUNSEL (CONTINUED):	e 6	1	Page 8 I N D E X (CONTINUED):
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	FOR THE DEFENDANTS UMG RECORDINGS, INC., and INTERSCOPE RECORDS: CALDWELL LESLIE AND PROCTOR, PC BY: LINDA M. BURROW, ESQ. (NOT PRESENT) 1000 Wilshire Boulevard Suite 600 Los Angeles, California 90017 213.629.9040 burrow@caldwell-leslie.com AND UNIVERSAL MUSIC GROUP: BY: DARREN J. SCHMIDT, ESQ. (NOT PRESENT) IN-HOUSE COUNSEL 2220 Colorado Avenue Santa Monica, California 90404 310.865.5634 darren.schmidt@umusic.com ALSO PRESENT: Kenneth B. Hertz, Esq. (Hertz & Lichtenstein) Annette Cain, Videographer, Tracy Fox & Associates Court Reporters, Inc.		2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DEFENDANTS': (MARKED HIGHLY CONFIDENTIAL) 1, 2 - Copy of a CD labeled "Feeling, 12 David Pop" and a copy of a dropdown menu/screen, labled BEP-PR 1A and 1B QUESTIONS UNANSWERED BY THE DEPONENT: PAGE: LINE: 30 12
1 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Page I N D E X DEPONENT: EXAMINED BY: PAGE: WILLIAM ADAMS MR. GOULD 14, 304 a/k/a "Will.i.am" MS. CENAR 313 (AFTERNOON SESSION) 107 EXHIBITS FOR IDENTIFICATION: PLAINTIFF'S/DEPOSITION: (MARKED "HIGHLY CONFIDENTIAL") 8 - Copy of a CD labeled "Feeling, David Pop" and a copy of a dropdown menu/screen, labled BEP-PR 1A and 1B 78 9 - Document with the header "Black Eyed Peas Sample Based Music/Who Sampled," www.whosampled.com 176 10 - E-mail to Will from David Guetta,	₹	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 16 16 16 16 16 16 16 16 16 16 16 16	Page 9 BEVERLY HILLS, CALIFORNIA, MONDAY JULY 25, 2011 10:31 A.M. THE VIDEOGRAPHER: Good morning. My name is Annette Cain, video technician and notary public for the State of California, here on behalf of Tracy Fox & Associates. Today's date is July 25th, year 2011. This marks the beginning of Media Number One of the videotaped deposition of William Adams in the matter of "Bryan Pringle v. William Adams, et al.," pending before the United States District Court, Central District of California, Southern Division; Case Number SACV 10-1656 JST (RZx).
17 18 19 20 21 22 23 24 25	dated December 20, 2008, labeled BEP-PR 1C 304 11 - E-mail to Will.i.am from David Guetta, "subject: Here you go" Dated February 6, 2009, labeled BEP-PR 1D 305		17 18 19 20 21 22 23 24 25	This deposition is being taken on behalf of the plaintiff and is being held at the law offices of Hertz & Lichtenstein, address 450 North Roxbury Drive, 8th Floor, in Beverly Hills, California. We are now going on the record. The time is 10:31 a.m. Would counsel and all present please identify yourselves for the record.

	Page 10		Page 12
1	MR. GOULD: Ira Gould, Gould Law	1	MR. DICKIE: Ms. Fox
2	Group, on behalf of the plaintiffs plaintiff.	2	DEPOSITION OFFICER: Hang on just a
3	MR. GREELY: Ryan Greely, Gould Law	3	minute, please.
4	Group, on behalf of the plaintiff Bryan Pringle.	4	Yes?
5	MR. DICKIE: Dean Dickie of Miller	5	MR. DICKIE: It occurs to me that the
6	Canfield on behalf of the plaintiff.	6	documents should not be marked as Adams 1 and 2 since
7	MR. MCPHERSON: Ed McPherson on behalf	7	we established in the earlier depositions in this
8	of Stacy Ferguson.	8	case that we would have running exhibits.
9	MR. DICKSTEIN: Tal Dickstein,	9	I suggest that they simply be marked
10	Loeb and Loeb, on behalf of David Guetta;	10	as the continuing next two exhibits in the string so
11	Frederic Riesterer; Shapiro, Bernstein.	11	as not to confuse the record, because that would then
	MS. ROSOFF: Rachel Rosoff of	12	create two Number 1's and two Number 2's and the
12			
13	Hertz & Lichtenstein on behalf of The Black Eyed Peas	13	judge will not want that.
14	and William Adams.	14	So I simply ask Ms. Cenar to accept
15	MS. CENAR: Kara Cenar, Bryan Cave, on	15	the fact that they should be numbered consecutively
16	behalf of William Adams; Allan Pineda; Jaime Gomez;	16	with respect to what the rest of the exhibits are.
17	Will.i.am Music, LLC; Jeepney Music, Inc.;	17	MS. CENAR: And I'll disagree with
18	Tab Magnetic Publishing; Cherry River Music, Co.;	18	that because these are our exhibits and we have
19	EMI April Music, Inc.; Stacy Ferguson; Headphone	19	marked them as 1 and 2.
20	Junky Publishing, LLC.	20	MR. DICKIE: No. Then they should be
21	THE VIDEOGRAPHER: And would the	21	marked for the Defendant as A and B, not with
22	reporter please administer the oath.	22	numbers; obviously, you know that.
23	///	23	(WHEREUPON, DEFENDANTS' 1 AND 2
24	///	24	WERE MARKED FOR IDENTIFICATION
25	///	25	BY THE DEPOSITION OFFICER.)
	Dage 11		Page 13
1	Page 11 WILLIAM ADAMS,	1	DEPOSITION OFFICER: Give these to the
2	(a/k/a "Will.i.am")	2	witness, or do you want me to give this to Counsel?
_	· · · · · · · · · · · · · · · · · · ·	_	Withess, of do you want the to dive this to counsel:
2			
3	called as a deponent and sworn in by	3	MS. CENAR: You can give them to
4	the deposition officer, was examined	3 4	MS. CENAR: You can give them to Counsel.
4 5		3 4 5	MS. CENAR: You can give them to Counsel. MR. GOULD: All set.
4 5 6	the deposition officer, was examined and testified as follows:	3 4 5 6	MS. CENAR: You can give them to Counsel. MR. GOULD: All set. THE DEPONENT: What's all that?
4 5 6 7	the deposition officer, was examined and testified as follows: DEPOSITION OFFICER: Would you raise	3 4 5 6 7	MS. CENAR: You can give them to Counsel. MR. GOULD: All set. THE DEPONENT: What's all that? MS. CENAR: I'll explain it to you in
4 5 6 7 8	the deposition officer, was examined and testified as follows: DEPOSITION OFFICER: Would you raise your right hand.	3 4 5 6 7 8	MS. CENAR: You can give them to Counsel. MR. GOULD: All set. THE DEPONENT: What's all that? MS. CENAR: I'll explain it to you in little bit.
4 5 6 7 8 9	the deposition officer, was examined and testified as follows: DEPOSITION OFFICER: Would you raise your right hand. Do you solemnly state that the	3 4 5 6 7 8 9	MS. CENAR: You can give them to Counsel. MR. GOULD: All set. THE DEPONENT: What's all that? MS. CENAR: I'll explain it to you in little bit. And just for the record, this
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Page 14 Page 16 Q. Okay. During the deposition should I hotels. If I had an apartment, I wouldn't --1 1 2 call you Mr. Adams? I won't call you "Mr. Am." I'll 2 BY MR. GOULD: 3 call you Mr. Adams. 3 Q. A hotel is not a house, sir. 4 Is that okay with you? 4 A. And neither is an apartment. 5 A. Why would you call me "Mr. Am" when 5 Q. I want you --I've said my name is William Adams? DEPOSITION OFFICER: I need everybody 6 6 7 Q. I just want to make that clear. 7 to just slow down, and I cannot have everyone talking 8 Okay. Give me your age. 8 at the same time. 9 9 BY MR. GOULD: A. 36. 10 Q. And where do you live? 10 Q. It's called a house. A. At my house. 11 A. Well, if I --11 Q. That's good. 12 12 Q. You know what a house is, don't you? 13 A. Los Angeles. 13 A. Well, if I lived in an apartment, what 14 Q. Where's your house? 14 is that? A. I travel a lot, so sometimes I live in 15 15 Q. Okay. You think a -- you think a --L.A., sometimes I stay in hotels around the world. you think a hotel is a house? 16 16 Q. Where is your house? It's called an A. It's my home when I stay there. 17 17 Q. So it's a house to you? 18 18 address. 19 A. Home. 19 A. When I'm on the road, it is. 20 MS. CENAR: We instruct the witness 20 Q. Okay. 21 not to answer on privacy grounds. If you have a need 21 MS. CENAR: Objection to the form of 22 for his personal home address, you can get that 22 the question. 23 through counsel. 23 BY MR. GOULD: 24 MR. GOULD: That's the purpose of 24 Q. Give me the --25 designating something highly confidential. You're 25 MS. CENAR: Harassment. Page 15 Page 17 instructing him not to answer where he lives? BY MR. GOULD: 1 1 2 MS. CENAR: I've given my instruction, 2 Q. Tell me the different locations where 3 Counsel. 3 your houses are, including hotels. All around the 4 4 BY MR. GOULD: world. 5 5 Q. Okay. How many homes do you have? MS. CENAR: Objection to the form. (NO AUDIBLE RESPONSE BY THE DEPONENT.) THE DEPONENT: I -- I really don't 6 6 7 7 understand what this question is about, and I don't BY MR. GOULD: 8 Q. How many homes do you have? 8 feel comfortable giving you --MS. CENAR: You can --9 9 BY MR. GOULD: 10 Q. It's about where you live. That's 10 BY MR. GOULD: Q. It's not complicated. How many homes 11 11 what it's about. do you have? 12 12 A. And I tell you -- I told you where I 13 A. I have a lot. 13 live. 14 Q. Okay. How many is a lot? 14 Q. Okay. Is your principal location 15 A. About 30. 15 where you live in L.A.? Q. Thirty houses? A. As far -- as far as the majority of 16 16 A. No. no. 30 homes. time spent, yes. 17 17 18 18 Q. 30 homes? Q. That's principal? 19 A. Yes. 19 A. The majority of time spent would be in London at the Metropolis Hotel. 20 Q. Okay. Does that include condos? 20 A. No. hotels. Q. Okay. I'm going to give you some 21 21 22 Q. Hotels. 22 guidelines for the deposition -- okay? -- that So you're saying that you own hotels? 23 hopefully will be -- that we all can agree with that 23 will make things go a little smoother. (SPEAKING SIMULTANEOUSLY.) 24 24 THE DEPONENT: No, no, no. I stay in 25 25 You're going to hear during the course

Page 18 Page 20 of the deposition, undoubtedly, objections on the 1 Q. 1993? 2 grounds of attorney-client privilege -- okay? -- by 2 Did you have any musical training in 3 3 your lawyer. high school? 4 Meaning, you don't disclose any 4 MS. CENAR: Objection to the form. confidential -- any information regarding any 5 5 BY MR. GOULD: communication you had with your lawyer. 6 6 Q. Remember I gave you the instruction? 7 I want to make it clear to you that 7 A. You said what? there will be no question asking for attorney-client 8 8 Q. I told you we would get objections 9 communication. None. Okay? 9 with respect to the form, and then I told you to just 10 If I ever ask you for an answer the question. 10 attorney-client communication, just tell me, "I can't MS. CENAR: Counsel, please stop 11 11 give it. It's an attorney-client communication." 12 12 lecturing the witness. A. Oh. Okay. 13 Would you like the question read back? 13 14 O. Understand? 14 THE DEPONENT: Would I what? 15 15 A. Yeah. MS. CENAR: Would you like his Q. So that we don't have to have question read back? 16 16 THE DEPONENT: Oh. Yeah. Can you say 17 objections. 17 18 If I asked you a question like, "Why 18 it again, please? 19 did you attend the meeting?" -- okay -- if the reason 19 BY MR. GOULD: why you attended a meeting is your lawyer told you, 20 20 Q. You don't remember the question? you won't answer the question. 21 A. I want to hear your question again. 21 A. Okay. 22 MS. CENAR: Would you please read the 22 23 23 question back for the witness. Q. Other than that -- other than that, 24 you will just separate out attorney-client THE DEPONENT: I have a hard time 24 25 communications and we'll be done with that. 25 hearing sometimes, sir. Page 19 DEPOSITION OFFICER: Hang on a second. 1 You're going to hear objections, most 1 notably of form. Those are lawyer things that 2 BY MR. GOULD: 2 3 lawyers do; okay? 3 Q. Do you have hearing problems? (THE RECORD WAS READ AS FOLLOWS: A. Yeah, she -- she brought me up to 4 4 5 5 Q. Did vou --) speed on that. Q. She does that, not you. Yeah, but I'm THE DEPONENT: Yes, I do. 6 6 7 7 BY MR. GOULD: telling you. 8 You're going to hear objections. 8 Q. Okay. Those are not codes to answer in a particular way. 9 9 A. Can we -- can we --She'll object, hold the question, and 10 10 MS. CENAR: Hold on one minute. She then just answer the question; okay? 11 11 is going to read the guestion back. If you -- the more times you say THE DEPONENT: All right. 12 12 "repeat the question," the longer we go. 13 MS. CENAR: And you are to just answer 13 14 A. Yeah. All right. 14 his questions. 15 Q. Good. 15 (THE RECORD WAS READ AS FOLLOWS: All right. Where did you go -- did 16 Q. Did you have any musical 16 training in high school? you go to college? 17 17 THE DEPONENT: I took a music class A. For about two months. 18 18 19 19 and I was in glee club, if you call that training. Q. All right. Where was that? 20 A. L.A. Trade Tech. 20 BY MR. GOULD: Q. All right. And where did you go to 21 21 Q. Uh-huh. high school? 22 22 A. And I took -- I played the trumpet in 23 23 10th -- no -- 11th grade. A. Pacific Palisades. 24 Q. And when did you graduate? 24 And I was -- I was enthused and 25 A. 1993. 25 excited about music all throughout my years and got a

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1	Page 22	1	Page 24
1	record deal in the 11th grade.	1	compound?
2	So that was about it.	2	MS. CENAR: Yes. BY MR. GOULD:
3	Q. Okay. Do you have any formal music	3 4	
4	training?		Q. Answer the question, please, sir.
5	A. That's all semantics.	5	A. There's a bunch of them, so Tribal Nation, Atban Klann
6	Q. Formal, like in the classroom.	6 7	
7	A. I just said I took a class in	1 -	Q. All right. Stop. Start it
8 9	school.	8 9	chronologically, if you can.
	Q. Other than what you just said, any		MS. CENAR: Objection to the form of
10 11	other formal training	10	the question. BY MR. GOULD:
12	A. Yeah. Yeah.Q in the classroom?	11 12	
		13	Q. Start it chronologicallyA. Listen. If you are going to ask me
13	A. Then I went to SMC. And after that	14	
14	a month at L.A. Trade Tech in 1994. In 1995, I		questions, you're going to have to let me answer them how I answer them.
15	attended S SM Santa Monica Community College	15 16	
16	and took piano.	17	Q. I'm trying to, but your counsel keeps
17	Q. All right. What instruments do you		on interrupting.
18 19	play?	18 19	A. No. You interrupted me
20	Do you play the trumpet? A. No. I sucked at it.	20	Q. Okay. A okay?
21	Q. All right. Do you play the piano?	21	Q. Listen to the question.
22	A. Enough to write music.	22	A. I'm going to answer the question the
23	Q. Okay. Any other instruments?	23	way I'm going to answer them.
24	A. Drums, enough to to make a song.	24	Q. Good. I like that.
25	Q. Okay.	25	A. Right?
23	Q. Okdy.	23	7t. Right.
	Page 23		Page 25
1	Page 23 A. I can't solo or anything.	1	Page 25 Q. I like that. Thanks.
1 2	A. I can't solo or anything.	1 2	Q. I like that. Thanks.
1 2 3	A. I can't solo or anything.Q. Right.		Q. I like that. Thanks.
2	A. I can't solo or anything.	2	Q. I like that. Thanks.A. Okay. Good.Q. Good. Answer it.
2	A. I can't solo or anything.Q. Right.Give me the your your history in	2	Q. I like that. Thanks. A. Okay. Good.
2 3 4	 A. I can't solo or anything. Q. Right. Give me the your your history in terms of musical groups that you've been with since 	2 3 4	Q. I like that. Thanks.A. Okay. Good.Q. Good. Answer it.MS. CENAR: Do you want to have the
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Page 26 Page 28 1 O. Uh-huh. group. And then -- that was in 1995, turning to 1 2 A. Atban Klann. 2 '96. 3 Then we started touring. We got a 3 Q. "Atban Klann"? Can you spell it? 4 band and it was Black Eyed Peas. 4 A. A-t-b-a-n K-l-a-n-n. 5 Then we started touring colleges 5 Q. Okav. because we wanted to play live, you know, collaborate 6 A. That's an acronym for "A tribe beyond 6 a nation." 7 with musicians. 7 8 We had a bass player named 8 Q. Okay. Great. 9 9 A. Right? Mike Fratantuno. Q. Go on. 10 10 Q. Uh-huh. A. And then I was kind of in a crew A. We had a keyboardist by the name 11 11 of Carlos. A guitarist by the name of Jay Curtis. 12 called Grass Roots. Both of those groups are in a 12 And our drummer was Terry Graves. And then Kevin Fan bigger crew called Grass Roots. 13 13 Q. Okay. 14 14 was another quitarist. A. Then I would collaborate with other 15 We kept growing and growing and 15 people in our crew that would be Town Drunks, Pablo. growing as a group. 16 16 So it's a real complex question. 17 Then we got signed in 1997 because 17 It's -- I've been in a bunch of crews and groups. 18 we had a big following in Los Angeles, all the 18 colleges from -- our theory was "Let's play Berkeley 19 And then Atban Klann got a record deal 19 to San Diego and own California." 20 20 with Ruthless --21 So we played Northridge, Berkeley, 21 Q. Okay. San Francisco University, USC, UCLA, North --22 A. -- in 1992. 22 Northridge. We played Dominguez Hills, San Diego 23 Then I graduated high school in 1993. 23 24 We recorded in 1994, '5. And then 24 State. We just owned California. 25 Eazy-E passed away with AIDS, and we started Black 25 We just played and played and played Page 27 Page 29 Eye Pea. 1 1 and played and played. 2 Then we -- then we changed it to 2 Then we got a deal in 1997 because we Black Eyed Peas by adding the "D." When we added the 3 3 were real musicians, you know, people that played "D," we changed members. instruments and stuff. 4 5 5 So first it was me, Apl, and Dante. And then we wrote songs. And we -- we And then there was -were that -- that group, that real underground edgy 6 6 7 Q. Can you hold on one second? I want to 7 group that --8 take that down. 8 Q. Uh-huh. 9 9 A. She's writing it down. A. -- played live -- you know, live 10 So then --10 music. Q. But I want to take it down. 11 11 Q. Uh-huh. 12 (SPEAKING SIMULTANEOUSLY.) A. And then that's what got us our record 12 13 THE DEPONENT: So it was me --13 deal. The first record came out in 1998, and then BY MR. GOULD: 14 14 the second record came out in 2000. 15 Q. But I want to take it down. 15 And then that college fan base that we had -- Napster came out, and then they got our record 16 A. So it was me, Apl, and Dante. 16 Q. Hold on. Hold on. 17 for free. 17 A. And then Me, Apl, and Dante --18 And then we learned from that because 18 19 MS. CENAR: Please don't interrupt the 19 we didn't sell that many records but we were selling 20 witness. 20 out venues. 21 Then Dante, the dude that was 21 BY MR. GOULD: 22 Q. Okay. We'll do it --22 originally in The Black Eyed Peas, introduced us to 23 A. Then after it was me, Apl, and Dante, 23 Fergie in 2002. 24 then Dante left the group and we put a "D" on it. 24 Then we changed the name Black Eyed 25 And it was Black Eyed Pea when Taboo joined the 25 Peas to "The Black Eyed Peas" because we had a new

	Page 30		Page 32
1	member.	1	THE DEPONENT: All right.
2	So each time we had a new member, we	2	MR. GOULD: Are you instructing him
3	added a letter or a word.	3	not to answer the question?
			•
4	Then I'm in another group called	4	MS. CENAR: I'm not instructing the
5	Zuber Blahq. Then I'm in another group called	5	witness not to answer the question. The witness has
6	Black Einstein Project. Then I'm in another group	6	given you his response.
7	called Ghetto Blasters.	7	BY MR. GOULD:
8	So I'm in a bunch of groups. I love	8	Q. All right. Why won't you give me
9	groups. I love collaboration.	9	A. Because I'm in a group
10	Q. Uh-huh.	10	Q an answer to the question?
11	A. There.	11	A and in that group, we have things
12	Q. Okay. Great.	12	that are private towards the group; and I cannot
13	There was some press recently with	13	betray my group Fergie, Ap, and Taboo by
14	respect to The Black Eyed Peas either being on a	14	disclosing information that we want to keep within
15	hiatus, no longer performing, or breaking up.	15	ourselves.
		16	
16	Can you tell me what the circumstances		Q. Okay. You realize that you're in a
17	were are with respect to the current status of	17	lawsuit; correct? That's why you're here?
18	The Black Eyed Peas?	18	A. Yeah.
19	A. No.	19	Q. Okay. And you realize that
20	MS. CENAR: Objection to the form, and	20	A. I don't know you, though.
21	move to strike the colloquy of counsel	21	Q. Yeah, I understand that.
22	THE DEPONENT: I can't tell you	22	 A. And I'm not going to tell you what our
23	that.	23	group is
24	MS. CENAR: before the question.	24	Q. If I tell you
25	///	25	MS. CENAR: Just answer the
	Page 31		Page 33
	Page 31 BY MR GOULD:	1	Page 33
1	BY MR. GOULD:	1 2	question.
1 2	BY MR. GOULD: Q. Pardon me?	2	question. BY MR. GOULD:
1 2 3	BY MR. GOULD: Q. Pardon me? A. I can't tell you that.	2	question. BY MR. GOULD: Q. If I tell you, as your lawyer said
1 2 3 4	BY MR. GOULD: Q. Pardon me? A. I can't tell you that. Q. Well, I'm asking you tell me.	2 3 4	question. BY MR. GOULD: Q. If I tell you, as your lawyer said to you, that this is your answer is highly
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1 2 3 4 5 6	BY MR. GOULD: Q. Pardon me? A. I can't tell you that. Q. Well, I'm asking you tell me. A. And I can't. MR. GOULD: Are you instructing him	2 3 4 5 6	question. BY MR. GOULD: Q. If I tell you, as your lawyer said to you, that this is your answer is highly confidential, it won't be disclosed to any third parties
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1	Page 34	1	Page 36
1	Q. I'm just I'm just a lawyer.	1	know I have a
2	A. You are asking me paparazzi questions and stuff.	2	A. I see it.
3		3	Q. Okay. Listen to me; okay?
4	Q. I'm just a lawyer.	4	Read back the question for the witness
5	MS. CENAR: All right. There's a	5	and Kara can tell me what's wrong with the form of it
6	question.	6	so that I can rephrase it.
7	THE DEPONENT: You sound like a	7	Read back the question to Ms Cenar.
8	paparazzi.	8	MS. CENAR: Counsel, I've given my
9	MS. CENAR: pending: "Are you a	9	objection.
10	songwriter?"	10	MR. GOULD: I am I
11	THE DEPONENT: Yes, I'm a	11	MS. CENAR: You don't need to read the
12	songwriter.	12	question back for my benefit.
13	BY MR. GOULD:	13	(SPEAKING SIMULTANEOUSLY.)
14	Q. Okay. Good.	14	MR. GOULD: I'm entitled
15	All right. Define for me what a	15	MS. CENAR: And the witness
16	songwriter does.	16	MR. GOULD: to an answer.
17	A. I write songs.	17	MS. CENAR: knows what the question
18	MS. CENAR: Objection to the form.	18	is.
19	BY MR. GOULD:	19	MR. GOULD: But you can't
20	Q. Writes songs; correct?	20	MS. CENAR: Would you like an answer
21	A. Yes.	21	from the witness or are you going to waste the time
22	Q. Okay. When did you start writing	22	of this witness?
23	songs?	23	MR. GOULD: You can't
24	A. When I was 9.	24	MS. CENAR: If you are, we're going to
25	Q. Okay. And through today, you still	25	terminate the deposition.
	Page 35		Page 37
1	write songs?	1	MR. GOULD: If you want to terminate
2	A. I wrote a song last night.	2	it, terminate it.
3	Q. Okay. And did you write "I Gotta	3	You can't just make objections
4	Feeling"?	4	MS. CENAR: I gave you my
5	· ·		
	Δ I ha lyrical nortion yas		
1 6	A. The lyrical portion, yes.	5	MR. GOULD: without any basis
6	Q. The entire lyrical portion?	5 6	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even
7	Q. The entire lyrical portion?A. Up and down.	5 6 7	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the
7 8	Q. The entire lyrical portion?A. Up and down.Q. "Up and down" means yes, the entire	5 6 7 8	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the objection.
7 8 9	Q. The entire lyrical portion? A. Up and down. Q. "Up and down" means yes, the entire portion?	5 6 7 8 9	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the objection. The reason you don't want to answer is
7 8 9 10	Q. The entire lyrical portion? A. Up and down. Q. "Up and down" means yes, the entire portion? A. Yes, up and down.	5 6 7 8 9	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the objection. The reason you don't want to answer is because there's no basis for it whatsoever, there's
7 8 9 10 11	Q. The entire lyrical portion? A. Up and down. Q. "Up and down" means yes, the entire portion? A. Yes, up and down. Q. Did any one of the other members of	5 6 7 8 9 10 11	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the objection. The reason you don't want to answer is because there's no basis for it whatsoever, there's no form problem whatsoever, and you just persist and
7 8 9 10 11 12	Q. The entire lyrical portion? A. Up and down. Q. "Up and down" means yes, the entire portion? A. Yes, up and down. Q. Did any one of the other members of The Black Eyed Peas participate in your writing of	5 6 7 8 9 10 11 12	MR. GOULD: without any basis whatsoever, like the one you just gave, and not even tell the questioning attorney the basis of the objection. The reason you don't want to answer is because there's no basis for it whatsoever, there's no form problem whatsoever, and you just persist and want to make objections for whatever reason you want
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	2		2 42
1 1	Page 38 Q. I didn't say it like that, but	1	A. Okay.
2	that's right.	2	Q. That's all.
3	A. Yes, I know.	3	So I asked you if you had any training
4	Q. That's the question.	4	with respect to songwriting.
5	A. We have our once again, that's an	5	A. Okay. Next question.
6	internal group. I have to protect my group.	6	Q. If the answer is no
7	Q. You're not answering the question as	7	A. Next question.
8	to who wrote The Black Eyed Peas song?	8	Q then you just say no.
9	A. I told you I wrote it.	9	A. Next question.
10	Q. Okay. And I'm asking you: Did any	10	Q. Is the answer "No"?
11	other member of The Black Eyed Peas	11	A. I've never heard of it, but no.
12	A. Then you should	12	Q. Okay. Got it.
13	Q participate in the writing?	13	Now, in addition to being a so you
14	No, I don't need to speak to someone	14	consider yourself a professional songwriter
15	else.	15	A. No.
16	A. You should talk to	16	Q is that correct?
17	Q. You have a duty to answer the	17	A. I didn't say that.
18	question, and I'm asking you to answer the simple	18	Q. Well, are you a professional
19	question that's clearly relevant for the reason you	19	songwriter?
20	are already here.	20	A. Well, that's my profession. I write
21	There's nothing confidential about	21	songs.
22	that. Please answer the question.	22	Q. So you're a professional songwriter
23	A. No. No. ho, they didn't.	23	A. Yeah.
24	Q. Okay. Good.	24	Q correct?
25	Did you write any music with respect	25	A. It's all semantics, too.
			7t. 1t's an somanties, too.
	Page 39		Page 41
1	to "I Gotta Feeling"?	1	Q. And you get paid for writing songs;
2	A. I just wrote the lyrical portion, like	2	correct?
3	I said.	3	A. I get paid for a lot of things.
4	Q. Were you ever trained as a	4	Q. You get paid but I didn't ask you
5	songwriter?		
6		5	about the other things. It's really easy.
	A. What does that mean?	6	A. Yes.
7	Q. Did you have any formal training on	6 7	A. Yes.Q. Just listen to the questions.
7 8	Q. Did you have any formal training on how to write a song?	6 7 8	A. Yes.Q. Just listen to the questions.A. Yes.
7 8 9	Q. Did you have any formal training on how to write a song?A. No one trained me to walk.	6 7 8 9	A. Yes.Q. Just listen to the questions.A. Yes.Q. You get paid for writing songs?
7 8 9 10	Q. Did you have any formal training on how to write a song?A. No one trained me to walk.Q. The answer is no?	6 7 8 9 10	A. Yes.Q. Just listen to the questions.A. Yes.Q. You get paid for writing songs?A. Sometimes.
7 8 9 10 11	 Q. Did you have any formal training on how to write a song? A. No one trained me to walk. Q. The answer is no? A. I don't even know anybody that had 	6 7 8 9 10 11	A. Yes.Q. Just listen to the questions.A. Yes.Q. You get paid for writing songs?A. Sometimes.Q. "Sometimes"?
7 8 9 10 11 12	 Q. Did you have any formal training on how to write a song? A. No one trained me to walk. Q. The answer is no? A. I don't even know anybody that had trained songwriting training. 	6 7 8 9 10 11 12	 A. Yes. Q. Just listen to the questions. A. Yes. Q. You get paid for writing songs? A. Sometimes. Q. "Sometimes"? A. Sometimes I write songs and I don't
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7 8 9 10 11 12 13 14 15	Q. Did you have any formal training on how to write a song? A. No one trained me to walk. Q. The answer is no? A. I don't even know anybody that had trained songwriting training. Q. Okay. So you don't get songwriting training? A. Who does?	6 7 8 9 10 11 12 13 14 15	 A. Yes. Q. Just listen to the questions. A. Yes. Q. You get paid for writing songs? A. Sometimes. Q. "Sometimes"? A. Sometimes I write songs and I don't get paid. Q. Fine. And for "I Gotta Feeling," you got
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	Page 42		Page 44
1	A write it.	1	THE DEPONENT: There's no dance.
2	Q. No.	2	He's
3	A. I got paid	3	MS. CENAR: Sshh.
4	Q. Did you get	4	THE DEPONENT: There's no dance
5	A when the song	5	choreography in "I Gotta Feeling," homeboy.
_	Q. Why did they why did they give you	6	MS. CENAR: Wait, Wait, wait, wait.
6			
7	money? You received money for "I Gotta Feeling"; is	7	Wait.
8	that right?	8	THE DEPONENT: There's no dance
9	A. After the song	9	choreography.
10	Q. After the song was	10	BY MR. GOULD:
11	A was put out.	11	Q. Mr. Will.i.am, with all due respect,
12	Q put out, obviously.	12	I'm not your homeboy; okay?
13	A. Yes. Well, you have to address that	13	A. Okay. There's no
14	question, because you're asking if I got paid to	14	Q. I'd like to be, but I'm not.
15	write the song. I didn't get paid to write it. I	15	MS. CENAR: Please stop.
16	got paid when the song was sold.	16	THE DEPONENT: There's no dance
17	Q. Good.	17	choreography in "I Gotta Feeling."
18	And the money that you received had	18	BY MR. GOULD:
19	to do with your contribution to the song, which was	19	Q. Then tell me that. I'm not a
20	writing the song; correct?	20	musician, musical guy.
21	MS. CENAR: Objection to the form of	21	MS. CENAR: Counsel, this deposition
22	the question.	22	is related to the Pringle case
23	THE DEPONENT: Yeah.	23	MR. GOULD: Correct.
24	BY MR. GOULD:	24	MS. CENAR: right? And you're
25	Q. Correct.	25	asking questions that are not related to the Pringle
23	Q. Correct.	23	asking questions that are not related to the mingle
	Page 42		Dogo 4E
1	Page 43	1	Page 45
1	A. Yeah, there we go.	1	case.
2	A. Yeah, there we go.Q. They're not hard questions; right?	2	case. MR. GOULD: It is related to the
2 3	A. Yeah, there we go.Q. They're not hard questions; right?A. They're just odd.	2	case. MR. GOULD: It is related to the Pringle case.
2 3 4	A. Yeah, there we go.Q. They're not hard questions; right?A. They're just odd.Q. They're just odd questions to you.	2 3 4	case. MR. GOULD: It is related to the Pringle case. MS. CENAR: Okay.
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	Dans 4/		Page 40
1	Page 46	1	Page 48
1	and how the songs I've written, how they've	1 2	your singing ability?
2	succeeded, yes.		A. If I wrote the song for me to sing,
3	Q. Okay. Are you a vocalist or are you a	3	yes.
4	singer, professional singer?	4	Q. Okay. You are not a professional
5	MS. CENAR: Objection to form.	5	musician; am I correct?
6	THE DEPONENT: I just	6	(NO AUDIBLE RESPONSE BY THE DEPONENT.)
7	BY MR. GOULD:	7	BY MR. GOULD:
8	Q. You don't know if you're a singer?	8	Q. In other words, you know how to play
9	A. I I sing songs.	9	the piano. You said you play the drums. But are
10	Q. So that means you're a singer.	10	do consider yourself to be a professional musician?
11	 A. Well, if I compare myself to 	11	MS. CENAR: Objection to form.
12	Aretha Franklin, no.	12	THE DEPONENT: I consider myself to be
13	MR. HERTZ: Counsel Counsel, can I	13	a fan of music.
14	interrupt? I apologize. Can I have one moment with	14	That. I'm a fan.
15	the client?	15	BY MR. GOULD:
16	MR. GOULD: Yeah.	16	Q. Do you play drums or a piano on stage
17	MR. HERTZ: I know it will take time.	17	and tours?
18	MR. GOULD: Just tell him he's a	18	A. Yes.
19	singer; okay?	19	Q. Can you read sheet music?
20	MR. HERTZ: Yeah, I excuse me.	20	A. No.
21	Excuse me.	21	Q. Are you a music producer?
22	I'll I'll tell my witness	22	A. Yes.
23	MR. GOULD: Well, this is the	23	Q. All right. Tell me what you do as a
24	problem.	24	music producer.
25	MS. CENAR: We're taking a break.	25	A. I produce.
23	IVIS. CEIVAIX. We're taking a break.	23	A. I produce.
	Page 47		Page 49
1	Page 47 MR. HERTZ: Let's just take a break.	1	Page 49 Q. What does that mean?
1 2	MR. HERTZ: Let's just take a break.	1 2	Q. What does that mean?
2	MR. HERTZ: Let's just take a break. MR. GOULD: Okay.	2	Q. What does that mean?A. Meaning I bring ideas into reality.
2 3	MR. HERTZ: Let's just take a break. MR. GOULD: Okay. THE VIDEOGRAPHER: The time is	2	Q. What does that mean? A. Meaning I bring ideas into reality. Things are in my head. Things are in people's
2 3 4	MR. HERTZ: Let's just take a break. MR. GOULD: Okay. THE VIDEOGRAPHER: The time is 11:37 a.m.	2 3 4	Q. What does that mean? A. Meaning I bring ideas into reality. Things are in my head. Things are in people's other artists that I produce heads. Write songs
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	Page 50		Page 52
1	BY MR. GOULD:	1	have a production company. I have a label. I don't
2	Q. What else does a music producer do?	2	know if I have a production company. I have a
3	A. In what genre?	3	publishing company.
4	Q. In any genre?	4	I don't know if I have a production
5	A. They differ.	5	company.
6	Q. What you do in the genre of music you	6	Do I have a production company?
7	are producing?	7	MR. HERTZ: It's okay to say "I don't
8	A. Well, I'm unique	8	know."
9	MS. CENAR: Objection to form.	9	THE DEPONENT: I don't know.
10	THE DEPONENT: because I can	10	MR. HERTZ: You should direct your
11	produce in all general genres.	11	answers to him.
12	There's some producers who just	12	BY MR. GOULD:
13	sample, but to rock and roll, that's a programmer.	13	Q. Give me the name of the companies that
14	BY MR. GOULD:	14	you are affiliated with in the music world, whether
15	Q. When you use the word "sample," what	15	you own them or do work for them.
16	does sample mean?	16	MS. CENAR: Objection to the form.
17	A. So	17	BY MR. GOULD:
18	MS. CENAR: Objection; form.	18	Q. You can answer.
19	THE DEPONENT: Let me answer the	19	
		20	A. Interscope Q. Hold on.
20	question, the first question.	21	Go on.
21	Different genres BY MR. GOULD:		
22		22	A and Universal Music Group by way of
23	Q. Yes.	23	Interscope.
24	A. In hip-hop, a person who sets up mics	24	Q. Do you own any stock in Interscope?
25	is an engineer.	25	A. No.
	D 54		
1	Page 51	1	Page 53
1	Q. Okay.	1	Q. Do you own any stock in Universal?
2	Q. Okay.A. In rock, a person who make beats on a	2	Q. Do you own any stock in Universal?A. Do I own stock in no.
2	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other	2	Q. Do you own any stock in Universal?A. Do I own stock in no.Q. Do you own any stock in any other
2 3 4	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other people's music, that is a programmer.	2 3 4	 Q. Do you own any stock in Universal? A. Do I own stock in no. Q. Do you own any stock in any other music entity, whether it be a label, a publishing
2 3 4 5	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other people's music, that is a programmer. In in classical	2 3 4 5	 Q. Do you own any stock in Universal? A. Do I own stock in no. Q. Do you own any stock in any other music entity, whether it be a label, a publishing company, a music production company?
2 3 4 5 6	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other people's music, that is a programmer. In in classical Q. Uh-huh.	2 3 4 5 6	 Q. Do you own any stock in Universal? A. Do I own stock in no. Q. Do you own any stock in any other music entity, whether it be a label, a publishing company, a music production company? MS. CENAR: Objection to form.
2 3 4 5 6 7	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other people's music, that is a programmer. In in classical Q. Uh-huh. A a conductor is a producer. But to	2 3 4 5 6 7	Q. Do you own any stock in Universal? A. Do I own stock in no. Q. Do you own any stock in any other music entity, whether it be a label, a publishing company, a music production company? MS. CENAR: Objection to form. THE DEPONENT: Stock?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. A. In rock, a person who make beats on a drum machine or samples loops or portions of other people's music, that is a programmer. In in classical Q. Uh-huh. A a conductor is a producer. But to pop music he's a string arranger. So it all it it to every genre of music, the producer it's a loose term. Q. I appreciate that. Do you have a production company? A. Yes. Q. What's the name of the company? THE DEPONENT: Do I have a production company? MR. HERTZ: He's asking you the question. MS. CENAR: If you don't you're here, answer the question (SPEAKING SIMULTANEOUSLY.) THE DEPONENT: No, I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Do you own any stock in Universal? A. Do I own stock in no. Q. Do you own any stock in any other music entity, whether it be a label, a publishing company, a music production company? MS. CENAR: Objection to form. THE DEPONENT: Stock? BY MR. GOULD: Q. Stock. Do you own A. I don't I don't know Q a company A how to answer that. Q. You don't know if you own a company? MS. CENAR: Objection to the form. THE DEPONENT: I own a company, but I don't know if that relates to stock. That's part of my ignorance. BY MR. GOULD: Q. That's okay. What's the that's not ignorant at all. What's the name of that company that
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	Page 54	_	Page 56
1	A. That's my the label.		A. Nigro.
2	Q. And what do you what does the	2	Q. Okay. Who else who works the business
3	company do?	3	side in terms of revenue for songs that are done by
4	A. I sign artists.	4	artists that your Will.i.am Music Group has?
5	Q. Do you do you produce their	5	A. I don't I don't understand the
6	music?	6	question.
7	A. I try not to produce music of people I	7	MS. CENAR: Okay.
8	sign; I try to sign people that produce themselves.	8	BY MR. GOULD:
9	The only artist that I work with that	9	Q. What are the other people like Nigro
10	doesn't produce "themself" is Fergie.	10	that are involved in the in the financial end of
11	Q. Are you	11	your business?
12	MS. CENAR: Just answer his	12	MS. CENAR: Objection to the form
13	questions.	13	BY MR. GOULD:
14	THE DEPONENT: Sorry.	14	Q. You can answer.
15	BY MR. GOULD:	15	MS. CENAR: of the question.
16	Q. Are you involved in any business	16	THE DEPONENT: That's Nigro,
17	aspects of the music industry in terms of revenue	17	N-i-g-r-o.
18	that you get from your from your songs, anything	18	BY MR. GOULD:
19	involving the business aspect of the business?	19	Q. Right.
20	MS. CENAR: Objection to the form of	20	A. "Who are the other people that are
21	the question.	21	involved in financialof your businesses?"
22	THE DEPONENT: That's yes.	22	There is no other people. There's
23	BY MR. GOULD:	23	that business management.
24	Q. Okay. Tell me why you answered yes.	24	Q. Is it your business manager?
25	Explain that to me.	25	A. That's the company, yeah.
_	Page 55		Page 57
1	MS. CENAR: Objection	1	Q. Is that Nigro?
2	MS. CENAR: Objection THE DEPONENT: If I have a record	2	Q. Is that Nigro? A. Yes.
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	Page 58		Page 60
1	firm?	1	A. No.
2	MS. CENAR: Objection to form.	2	MR. GOULD: Do you know her last name?
3	MR. GOULD: Would you inquiring	3	MR. HERTZ: I do.
4	minds would like to know what's wrong with the form.	4	MR. GOULD: What's her name?
5	"The name of your accounting firm," what is the form	5	MR. HERTZ: Childress,
6	problem with that?	6	C-h-i-l-d-r-e-s-s.
7	MS. CENAR: Vague.	7	BY MR. GOULD:
8	MR. GOULD: That's vague?	8	Q. Does she work in Los Angeles?
9	MR. HERTZ: Counselor, you mean I	9	A. Yeah.
10	believe	10	Q. Would she know what accounting firm
11	MR. GOULD: Would you please tell her	11	Will.i.am Music Group uses?
12	that that's a good question?	12	MS. CENAR: Objection; foundation.
13	MR. HERTZ: Forgive me. Forgive me.	13	THE DEPONENT: I don't know if I have
14	I don't need to tell her anything. Let me just	14	an accounting firm. I have a business management.
15	let me just help you.	15	BY MR. GOULD:
16	MR. GOULD: Well, what you can do is	16	Q. What do you do for Interscope?
17	just tell me who you are for the record. Who are	17	A. I'm signed as an artist there.
18	you?	18	Q. Did you ever hear the term "A&R"?
19	MR. HERTZ: I'm sorry. As I told you	19	A. Yes. I don't like them.
20	earlier	20	MS. CENAR: Just answer his
21	MR. GOULD: Yeah, but not on the	21	questions.
22	record.	22	THE DEPONENT: Sorry.
23	Who are you?	23	BY MR. GOULD:
24	MR. HERTZ: I apologize.	24	Q. What does an A&R stand what does
25	My name is Ken Hertz. I represent The	25	A&R stand for?
-			
	Page 59		Page 61
1	Page 59 Black Eyed Peas.	1	Page 61 A. A&R stands for, "A," get out of my
1 2	-	1 2	_
	Black Eyed Peas.		A. A&R stands for, "A," get out of my
2	Black Eyed Peas. MR. GOULD: Okay. Have you filed an	2	A. A&R stands for, "A," get out of my recording session. I don't I don't like A&Rs in
2 3	Black Eyed Peas. MR. GOULD: Okay. Have you filed an appearance in this case?	2	A. A&R stands for, "A," get out of my recording session. I don't I don't like A&Rs in the studio.
2 3 4	Black Eyed Peas. MR. GOULD: Okay. Have you filed an appearance in this case? MR. HERTZ: No, I have not.	2 3 4	A. A&R stands for, "A," get out of my recording session. I don't I don't like A&Rs in the studio. Q. Okay. I didn't ask you that,
2 3 4 5	Black Eyed Peas. MR. GOULD: Okay. Have you filed an appearance in this case? MR. HERTZ: No, I have not. So I was just trying to help you with	2 3 4 5	A. A&R stands for, "A," get out of my recording session. I don't I don't like A&Rs in the studio. Q. Okay. I didn't ask you that, unfortunately. A. I don't know what it stands for.
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The past of the
2 BY MR. GOULD: 3 Q. Do you have an office at Interscope? 4 A. No. 5 Q. Do you have an e-mail through 5 Interscope? 6 Interscope? 7 A. No. 8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 11 A. As an artist, yes. And overhead for 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 17 MS. CENAR: Sometimes. 20 please. 21 please. 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive an e-mail from Jimmy lovine? 12 Jimmy lovine? 13 A. No. 14 Q. Okay. When would you have received an e-mail from Jimmy lovine? 15 A. A long time ago. I don't remember. A. I don't remember. A. I don't remember. A. I don't remember. A. I don't member. A. I don't member. A. I don't member. A. I don't member. A. I do uclidit. A. I couldn't. A. I couldn't. A. I couldn't. A. I couldn't. A. I do business on that computer? A. I do business on ithat computer? A. I do business on ithat computer? A. I do business on ithat computer? A. I do business on that computer? A. I do business on ithat computer? A. I do business on ithat computer? A. I do business on ithat computer? A. I do business on that computer? A. I do business on that computer? A. I dow busin
Q. Do you have an office at Interscope? 4 A. No. 6 Interscope? 7 A. No. 8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 11 Q. For any reason whatsoever? 12 A. As an artist, yes. 11 Q. Is that the only basis on which you 12 A. As an artist, yes. 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past if's been up for a year for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 Ithat you can tell me about how often you go to 27 Interscope's offices? 38 A. When I when I finish an album. 49 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy lovine 13 manuel and a half. 14 Q ever? 15 A. I couldn't. 16 Q. Okay. Do you have a computer? 17 A. I do business on it. 18 How long have you had that computer? 18 A. They switch. I go through a computer every year and a half. 20 All right. How many computers do you access? 21 MS. CENAR: Objection to form. 22 Jimmy lovine 23 A. When I when I finish an album. 24 Q. Okay. So is it infrequently or 25 On. 26 Q. Okay. How many computers are there? 27 A. I have about 20 computers. 28 And do you work with Jimmy lovine in 29 Connection with your association with Interscope? 30 A. No. 31 A. No. 32 A. When I when I finish an album. 33 A. No. 44 Q. Okay. Do you receive e-mails from 35 A. No. 45 Are any of those computers located at Interscope? 46 A. No, no, no, no. 47 A. No, no, no. 48 A. No. 49 A. Every computer I have I do business on the division of the particular interscope? 49 A. No, no, no, no. 40 A. When I when I finish an album. 40 Q. Okay. Do you receive e-mail
4 Jimmy lovine? 5 A. A long time ago. I don't remember. 6 Interscope? 7 A. No. 8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 11 A. As an artist, yes. And overhead for 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past It's been up for a year for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Ust answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 A. Sparse. 27 Q. Sparse. 38 A. A long time ago. I don't remember. 49 Q. So you couldn't tell me whether it's 40 10, 20, 30, 5? 41 A. I couldn't. 40 Q. Is It a personal computer? 41 A. I do business on that computer? 41 How long have you had that computer? 42 Hay many to a beginning to a point of a year for a year and a half. 41 Q. How often do you is there a way 41 A. When I when I finish an album. 42 Q. Okay. So is it infrequently or 43 A. Sometimes. 44 Q. Okay. So is it infrequently or 45 A. I do business on that computer? 46 A. Sparse. 47 Q. How many personal computers do you have? 48 A. I don't remember. 49 Q. So you couldn't tell me whether it's 40 A. Loudidn't. 40 Q. Is It a personal computer? 41 A. I do business on that computer? 41 A. I do business on that computer? 42 A. They switch. I go through a computer every year and a half. 41 Q. How often do you is there a way 41 Q. All right. How many computers do you have? 42 Q. How many personal computers do you have? 43 A. Every computer I have I don't
5 Q. Do you have an e-mail through 6 Interscope? 7 A. No. 8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's - 17 MS. CENAR: Objection to form. 17 THE DEPONENT: And that's stopped for 18 the past - It's been up for a year - for a year and 20 a half. I haven't renewed my label. 21 please. 22 THE DEPONENT: Sorry. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 W. M. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 A. Mo, o. 10 Q. About how many e-mails have you received from him over the last couple of years? A. I don't remember. 10 Q. About how many e-mails have you received from him over the last couple of years? A. I don't remember. 9 Do, you couldn't tell me whether it's 10 10, 20, 30, 5? 11 A. I couldn't. Q. Okay. Do you have a computer? A. Yes. Q. You do business on that computer. Q. You do business on that computer? How long have you had that computer? A. They switch. I go through a computer every year and a half. Q. All right. How many computers do you access? MS. CENAR: Objection to form. THE DEPONENT: I don't I don't understand the question. 1 that you can tell me about how often you go to 2 Interscope's offices? A. How many computers do you have? A. Every computer I have I do business on. Q. Okay. So is it infrequently or A. No, no, no, no. Q. Okay. Do you receive e-mails from 11 Q. Okay. Do you receive e-mails from 12 Jimmy lovine - 13 MS. CENAR: Objection to form. 14 Q ever? 15 A. Yes. Q. Okay. How many computers are there? A. Every computer I have I do business on. Q. All right. How many computers on you have a computer on you access? A. Every computer I have I don't I don't understand the question. 15 A. No. Q. Okay. Do you receive e-mails from 16 A. No, no, no, no. Q. Okay. And when did you do that? A. Yes. Q. Okay. And when did you do th
6 Interscope? 7 A. No. 8 Q. Do you ever receive any money from 9 Interscope? 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 12 A. As an artist, yes. And overhead for 12 Q. So you couldn't tell me whether it's 10, 20, 30, 5? 11 Q. Tor any reason whatsoever? 12 A. As an artist, yes. And overhead for 12 Q. Okay. Do you have a computer? 13 A. Yes. 14 Q. Is that the only basis on which you 15 A. I couldn't. 15 receive money? 16 A. And that's 16 Q. Vau do business on that computer? 17 MS. CENAR: Objection to form. 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 20 MS. CENAR: Just answer the question, 21 please. 21 MS. CENAR: Just answer the question, 22 please. 22 MS. CENAR: Objection to form. 23 THE DEPONENT: Sorry. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 25 MS. CENAR: Objection to form. 25 MS MS. Q. Are any of those computers do you have a computer? 18 A. They switch. 19 opt nough a computer? 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 20 MS. CENAR: Objection to form. 21 MS. CENAR: Objection to form. 21 MS. CENAR: Objection to form. 22 MS. CENAR: Objection to form. 24 MS. CENAR: Objection to form. 25 MS. CENAR: Objection to form. 26 MS. CENAR: Objection to form. 27 MS. CENAR: Objection to form. 27 MS. CENAR: Objection to form. 28 MS. CENAR: Objection to form. 29 MS. CENAR: Objection to form. 29 MS. CENAR: Objection to form. 20 MS. CENAR: Objection to form. 21 MS. CENAR: Objection to form. 21 MS. CENAR: Objection to form. 21 MS. CENAR: Objection to form.
7 received from him over the last couple of years? 8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sonsetimes. 11 Q. Okay. Do you ever receive an every wear. 12 Q. Okay. How many computers do you have? 13 have? 14 A. Every computer I have I do business 15 on. 2 Okay. How many computers on you have? 2 A. Every computer I have I do business 2 O. Okay. How many computers on you have? 3 A. Whon I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 8 And do you work with Jimmy Iovine in connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 11 Jimmy Iovine 12 Q. Okay. And when did you do that? 13 MS. CENAR: Objection to form. 14 Q ever? 15 A. I don't remember. 16 D. Okay. And when did you do that? 17 C. Sit a personal computer? 18 A. I do business on it. 18 A. I do business on that computer? 18 A. I do business on that computer? 18 A. I do business on it. 19 Q. Viou do business on that computer? 18 A. I do business on the toouldry? 18 A. They switch. I go through a computer? 18 A. I how long have you had that computer? 19 Q. All right. How many computers of you
8 Q. Do you ever receive any money from 9 Interscope? 10 A. As an artist, yes. 10 10, 20, 30, 5? 11 Q. For any reason whatsoever? 11 Q. Okay. Do you have a computer? 13 my label. 13 A. Yes. 14 Go business on that computer? 14 Q. Is that the only basis on which you 15 receive money? 15 A. I do business on it at computer. 16 Q. You do business on it at computer. 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past It's been up for a year for a year and 2 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 22 Jease. 23 THE DEPONENT: Sorry. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 25 MS. CENAR: Objection to form. 26 Ms. General that you can tell me about how often you go to 20 Interscope's offices? 20 Q. New Justice of the past of the pas
9 Interscope? 10 A. As an artist, yes. 11 Q. For any reason whatsoever? 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 27 Men I when I finish an album. 4 Q. Okay. So is it infrequentity or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. As an artist, yes. 11 A. I couldn't. 12 Q. Okay. Do you have a computer? 14 Q. Is it a personal computer? 15 A. I do business on it and computer. 16 Q. You do business on it. 17 How long have you had that computer? 18 A. They switch. I go through a computer every year and a half. 20 Q. All right. How many computers do you do you access? 21 understand the question. 22 Understand the question. 23 THE DEPONENT: I don't I
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11 Q. For any reason whatsoever? 12 A. As an artist, yes. And overhead for 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way Page 65 1 that you can tell me about how often you go to 1 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 11 Q ever? 12 MS. CENAR: Objection to form. 13 M. No. 14 Q ever? 15 A. I do business on that computer? 16 A. I do business on it. 17 How long have you had that computer? 18 A. They switch. I go through a computer of every year and a half. 20 Q. All right. How many computers do you do you access? 21 MS. CENAR: Objection to form. 22 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in connection with your association with Interscope? 10 A. Sometimes. 11 Q ever? 12 Jimmy lovine 13 A. No. 14 A. I couldn't. 15 A. I do business on it. 16 Q. Okay. Bo you ad that computer? 18 A. They switch. I go through a computer? 19 every year and a half. 20 Q. How many computers do 21 understand the question. 22 Jumps devices? 23 BY MR. GOULD: 24 D. How many personal computers do 25 Q. Okay. How many computers are there? 26 A. Sparse. 7 Q. Okay. Bo you work with Jimmy lovine in connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. The DEPONENT: Last time I saw her. 12 Q. Okay. And when did you do that? 13 A. Yes. 14 A. Yes. 15 Q. Okay. And when did you do t
12 A. As an artist, yes. And overhead for my label. 13 my label. 14 Q. Is that the only basis on which you 15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 21 please. 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 1 mmy Iovine 18 A. Yes. 19 A. Yes. 10 A. It do business on that computer? 10 A. It do business on that computer? 11 How long have you had that computer? 12 vevry year and a half. 14 A. They switch. I go through a computer every year and a half. 15 A. They switch. I go through a computer do you do you access? 16 Q. All right. How many computers do you do you access? 17 You do you access? 18 A. They switch. I go through a computer overy year and a half. 19 vevry year and a half. 19 vevry year and a half. 20 Q. All right. How many computers do you do you access? 21 you do you access? 22 MS. CENAR: Objection to form. 23 THE DEPONENT: I don't I
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15 receive money? 16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 20 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy lovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an e-mail from Jimmy lovine? 18 A. I do business on that computer? 16 Q. You do business on it. 17 How long have you had that computer? 18 A. I have doubusiness on it. 18 A. I have doubusiness on it. 19 C. You do business on it. 10 Q. All right. Did you search any of these computers do you have received an e-mail from Jimmy lovine? 18 A. I do business on it. 19 How long have you had that computer? 20 Q. All right. Did you have received an e-mail from Jimmy lovine? 21 D. You do business on it. 22 Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? 21 A. I have about 20 computers. 22 Q. Okay. And when did you do that? 23 A. I have about 20 computers for any e-mails with respect to this matter, this case? 24 D. Okay. And when did you do that? 25 MS. CENAR: I fyou remember when, you can tell me about how often you access? 26 MS. CENAR: I fyou remember when, you can tell me about how often you access? 27 Q. Okay. And when did you do that? 28 MS. CENAR: Objection to form. 29 Computers and a half. 20 Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? 30 Q. Okay. And when did you do that? 31 MS. CENAR: I fyou remember when, you can tell me
16 A. And that's 17 MS. CENAR: Objection to form. 18 THE DEPONENT: And that's stopped for 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 19 devery year and a half. 20 Q. All right. How many computers do you do you access? 22 you do you access? 24 word do you access? 25 MS. CENAR: Objection to form. 26 THE DEPONENT: Sorry. 27 A. They switch. I go through a computer overy year and a half. 28 A. They switch. I go through a computer overy year and a half. 29 Q. All right. How many computers do you 29 John of the question. 20 A. They switch. I go through a computer overy year and a half. 20 Q. All right. How many computers do you 29 John of the question. 20 Q. How many personal computers do you have? 21 A. Every computer I have I do business on it. 29 Q. Okay. How many personal computers do you have? 30 A. Ves. 31 A. No, no, no, no. 32 Devery year and a half. 32 Q. All right. How many computers do you 33 A. When I I don't
17 MS. CENAR: Objection to form. 18 MF. CENAR: Objection to form. 19 the past it's been up for a year for a year and 20 a half. I haven't renewed my label. 20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy lovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy lovine 13 A. No. 12 Q ever? 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 1 e-mail from Jimmy lovine? 18 MS. CENAR: Objection to form. 18 A. They switch. I go through a computer every year and a half. Q. All right. How many computers do you access? 19 ww. CENAR: Objection to form. 19 WMS. CENAR: Objection to form. 10 A. No, no, no, no, no. 11 Q. Okay. How many computers do you have received an 1 form Jimmy lovine? 19 every year and a half. Q. All right. How many computers do you do you access? 11 MS. CENAR: Objection to form. 11 BY MR. GOULD: Q. How many personal computers do you have? 10 A. Every computer I have I do business on. 11 O. Okay. How many computers are there? A. I have about 20 computers. Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? A. Yes. Q. Okay. And when did you do that? MS. CENAR: Objection to form. 18 MS. CENAR: Objection to form. 19 every year and a half. Q. All right. How many computers do you do you access? 19 MS. CENAR: Objection to form. 10 A. No, no, no, no, on. Q. Okay. All right. How many computers do you do you access? 11 BY MR. GOULD: Q. How many personal computers do you do you access? 11 BY MR. GOULD: Q. Okay. How many computers do you have? Q. Okay. How many computers are there? A
THE DEPONENT: And that's stopped for the past - it's been up for a year for a year and 20 a half. I haven't renewed my label. I MS. CENAR: Just answer the question, 21 MS. CENAR: Just answer the question, 22 please. THE DEPONENT: Sorry. BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? A. When I when I finish an album. Q. Okay. So is it infrequently or 5 frequently? A. Sparse. A. A. Sparse. A. A. Sparse. And do you work with Jimmy Iovine in 9 connection with your association with Interscope? A. Sometimes. A. No. Jimmy Iovine 20 Okay. When would you have received an 17 e-mail from Jimmy Iovine? MS. CENAR: Objection to form. 18 A. They switch. I go through a computer every year and a half. Q. All right. How many computers do you devery ear and a half. Q. All right. How many computers do you devery ear and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. How many computers and a half. Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? A. No. A.
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20 a half. I haven't renewed my label. 21 MS. CENAR: Just answer the question, 22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 26 that you can tell me about how often you go to 27 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 20 Q. All right. How many computers do you access? 21 you do you access? 22 MS. CENAR: Objection to form. 23 THE DEPONENT: I don't I don't understand the question. 24 Understand the question. 25 WMR. GOULD: 26 Q. How many personal computers do you have? 4 A. Every computer I have I do business on. 6 Q. Okay. How many computers or on. 7 A. I have about 20 computers. 8 Q. Are any of those computers located at Interscope? 9 A. No, no, no, no. 9 Q. All right. How many computers or you access? 14 A. Every computer I have I do business on. 9 Q. Okay. How many computers are there? 16 A. Sparse. 17 A. No, no, no, no. 18 Q. Okay. How day ou search any of these computers for any e-mails with respect to this matter, this case? 19 A. Yes. 10 Q. Okay. And when did you do that? 10 Q. Okay. And when did you do that? 11 MS. CENAR: Objection to form. 12 Jimmy Iovine? 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an e-mail from Jimmy Iovine? 17 THE DEPONENT: I don't I don't understand the question. 18 MS. CENAR: Objection to form. 19 Occasional the question. 20 All right. How many computers of you anderstand the question. 21 How many computers do you access? 22 MS. CENAR: Objection to form. 24 D. Okay. How many computers on. 25 Q. Okay. How many computers on. 26 Q. Okay. How many computers on. 27 A. I have about 20 computers. 38 Q. Ok
21 MS. CENAR: Just answer the question, 22 please. 22 MS. CENAR: Objection to form. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way 25 /// Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 5 on. 6 Q. Okay. How many personal computers do you 3 have? 4 A. Every computer I have I do business on. 6 Q. Okay. How many computers are there? 7 Q. Sparse. 4 I have about 20 computers. 8 Q. Are any of those computers located at 1 Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy lovine 13 A. No. 13 A. No. 14 Q ever? 15 A. Yes. 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy lovine? 18 MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? MS. CENAR: Objection to form. 21 you do you access? THE DEPONENT: Last time I saw her.
22 please. 23 THE DEPONENT: Sorry. 24 BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 22 MS. CENAR: Objection to form. 23 THE DEPONENT: I don't I don't 24 understand the question. 24 Understand the question. 25 /// 26 Q. How many personal computers do you have? 4 A. Every computer I have I do business 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 8 Q. Are any of those computers located at Interscope? 9 Interscope? 10 A. No, no, no, no. 11 Q. Okay. Do you receive e-mails from 11 Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you can identify when. 17 can identify when. 18 THE DEPONENT: Last time I saw her.
THE DEPONENT: Sorry. 23 THE DEPONENT: I don't I don't 24 understand the question. 24 Understand the question. Page 65 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 10 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 20 Okay. How pound you have received an 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 23 THE DEPONENT: I don't I
24 BY MR. GOULD: 25 Q. How often do you is there a way Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 24 understand the question. 24 Understand the question. 25 /// BY MR. GOULD: 2 Q. How many personal computers do you 3 have? 4 A. Every computer I have I do business 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
24 understand the question. 25
Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. Page 65 1 BY MR. GOULD: 2 Q. How many personal computers do you 3 have? 4 A. Every computer I have I do business 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 9 Interscope? 10 A. Sometimes. 11 Q. All right. Did you search any of these computers for any e-mails with respect to this matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you ran identify when. 17 Can identify when. 18 THE DEPONENT: Last time I saw her.
Page 63 1 that you can tell me about how often you go to 2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. Page 65 1 BY MR. GOULD: Q. How many personal computers do you A. Every computer I have I do business on. 6 Q. Okay. How many computers are there? A. I have about 20 computers. Q. Are any of those computers located at Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
1 that you can tell me about how often you go to 2 Interscope's offices? 3
2 Interscope's offices? 3 A. When I when I finish an album. 4 Q. Okay. So is it infrequently or 5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 2 Jinterscope's on. 2 Q. How many personal computers do you 3 have? 4 A. Every computer I have I do business 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 8 Q. Are any of those computers located at 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
A. When I when I finish an album. Q. Okay. So is it infrequently or frequently? A. Sparse. O. Sparse. And do you work with Jimmy Iovine in connection with your association with Interscope? A. Sometimes. Q. Okay. Do you receive e-mails from Jimmy Iovine A. No. A. No. A. No. A. No. A. No. C ever? A. Yes. O. Okay. When would you have received an remail from Jimmy Iovine? MS. CENAR: Objection to form. 3 have? 4 A. Every computer I have I do business 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 8 Q. Are any of those computers located at 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
4 A. Every computer I have I do business 5 frequently? 5 on. 6 A. Sparse. 6 Q. Okay. How many computers are there? 7 Q. Sparse. 7 A. I have about 20 computers. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 10 A. No, no, no, no. 11 Q. Okay. Do you receive e-mails from 11 Q. All right. Did you search any of 12 Immy Iovine 13 A. No. 13 matter, this case? 14 Q ever? 14 A. Yes. 15 A. Yes. 15 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 18 THE DEPONENT: Last time I saw her.
5 frequently? 6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 5 on. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 8 Q. Are any of those computers located at 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
6 A. Sparse. 7 Q. Sparse. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 M. CENAR: Objection to form. 6 Q. Okay. How many computers are there? 7 A. I have about 20 computers. 8 Q. Are any of those computers located at 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
7 A. I have about 20 computers. 8 And do you work with Jimmy Iovine in 9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 18 And do you work with Jimmy Iovine in 8 Q. Are any of those computers located at 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
And do you work with Jimmy Iovine in connection with your association with Interscope? A. Sometimes. O. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. A. No. O. Okay. When would you have received an 15 e-mail from Jimmy Iovine? M. And do you work with Jimmy Iovine in 9 connection with your association with Interscope? Interscope? A. No, no, no, no. O. All right. Did you search any of those computers located at 9 Interscope? Interscope? A. No, no, no, no. Interscope? A. No, no, no, no. Interscope? A. No, no, no, no. Interscope? Interscope.
9 connection with your association with Interscope? 10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 9 Interscope? 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
10 A. Sometimes. 11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 10 A. No, no, no, no. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
11 Q. Okay. Do you receive e-mails from 12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 11 Q. All right. Did you search any of 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
12 Jimmy Iovine 13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 12 these computers for any e-mails with respect to this 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
13 A. No. 14 Q ever? 15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 13 matter, this case? 14 A. Yes. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
14Q ever?14A. Yes.15A. Yes.15Q. Okay. And when did you do that?16Q. Okay. When would you have received an 17He-mail from Jimmy Iovine?MS. CENAR: If you remember when, you 1718MS. CENAR: Objection to form.THE DEPONENT: Last time I saw her.
15 A. Yes. 16 Q. Okay. When would you have received an 17 e-mail from Jimmy Iovine? 18 MS. CENAR: Objection to form. 15 Q. Okay. And when did you do that? 16 MS. CENAR: If you remember when, you 17 can identify when. 18 THE DEPONENT: Last time I saw her.
16 Q. Okay. When would you have received an 16 MS. ČENAR: If you remember when, you 17 e-mail from Jimmy Iovine? 17 can identify when. 18 MS. CENAR: Objection to form. 18 THE DEPONENT: Last time I saw her.
16 Q. Okay. When would you have received an 16 MS. CENAR: If you remember when, you 17 e-mail from Jimmy Iovine? 17 can identify when. 18 MS. CENAR: Objection to form. 18 THE DEPONENT: Last time I saw her.
17 e-mail from Jimmy Iovine? 17 can identify when. 18 MS. CENAR: Objection to form. 18 THE DEPONENT: Last time I saw her.
18 MS. CENAR: Objection to form. 18 THE DEPONENT: Last time I saw her.
20 BY MR. GOULD: 20 Q. Just give me a date.
21 Q. When would you have received 21 A. I don't remember.
22 A. A long time ago. 22 Q. About when? Last year? Two years
Counsel, do you have a problem? Do 23 ago? Six months ago?
24 you want me to rephrase the question? 24 A. A couple of days ago.

	Page 66		Page 68
1	Is that the first time that you	1	A. It depends. If you asked me to look
2	searched your computers for documents with respect to	2	for e-mails, it's a cloud. So there's no it
3	this case?	3	doesn't live on a computer. It lives in a cloud.
4	A. No.	4	Q. What are you referring to when you say
5	Q. What was the first time?	5	"the cloud"?
6	A. A couple of days ago.	6	A. The cloud is what every business is
7	Q. Okay.	7	run off of now. There's no it's all in a cloud.
8	A. A week ago.	8	Servers it doesn't live on a computer. It lives
9	Q. All right. Any other times that you	9	on servers.
10	searched your computer for documents with respect to	10	Q. When is the first time that you gave
11	this case?	11	to Ms. Cenar I don't want to know what was said.
		12	
12	A. No.		When's the first time you gave
13	Q. If you were asked to do that, I take	13	documents that you retrieved from any source relating
14	it you would go to all of those different 20	14	to this case?
15	computers	15	A. A couple of days ago.
16	A. No.	16	Q. And can you tell me now about how
17	Q. Well, what would you do if you were	17	many think. Think again. I know I asked you
18	asked and required to produce documents relating to	18	this, kind of.
19	The Black Eyed Peas?	19	
	•		How many do you have any
20	MS. CENAR: Objection; form,	20	recollection of how many e-mails that you may have
21	formation.	21	received from Jimmy Iovine over the past two years?
22	THE DEPONENT: I don't understand the	22	A. Not many.
23	question.	23	Q. What would "not many" be?
24	Can you repeat it?	24	A. I don't know.
25	///	25	Q. So it could be 10, 15, 20, 5? You
23		23	2. 30 it codia be 10, 13, 20, 3. 10a
	D 47		D (0
	Page 67	4	Page 69
1	BY MR. GOULD:	1	just don't know?
1 2	BY MR. GOULD: Q. What would you do if you were	2	just don't know? A. Yeah.
	BY MR. GOULD:		just don't know?
2	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure	2	just don't know? A. Yeah. Q. All right. If you if I asked you
2 3 4	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the	2 3 4	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that
2 3 4 5	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas?	2 3 4 5	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine
2 3 4	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form.	2 3 4	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go,
2 3 4 5 6 7	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black	2 3 4 5 6 7	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you?
2 3 4 5 6 7 8	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas?	2 3 4 5 6 7 8	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection
2 3 4 5 6 7 8 9	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD:	2 3 4 5 6 7 8 9	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud.
2 3 4 5 6 7 8	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD: Q. Any business.	2 3 4 5 6 7 8	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud. MS. CENAR: Objection; form.
2 3 4 5 6 7 8 9	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD:	2 3 4 5 6 7 8 9	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud.
2 3 4 5 6 7 8 9 10	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD: Q. Any business.	2 3 4 5 6 7 8 9	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud. MS. CENAR: Objection; form. BY MR. GOULD:
2 3 4 5 6 7 8 9 10 11 12	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD: Q. Any business. A. Well, that's not I can't it's a very loose question.	2 3 4 5 6 7 8 9 10 11 12	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud. MS. CENAR: Objection; form. BY MR. GOULD: Q. You would go to the cloud?
2 3 4 5 6 7 8 9 10 11 12 13	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD: Q. Any business. A. Well, that's not I can't it's a very loose question. Q. It was intended to be a very broad	2 3 4 5 6 7 8 9 10 11 12 13	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud. MS. CENAR: Objection; form. BY MR. GOULD: Q. You would go to the cloud? A. Yeah.
2 3 4 5 6 7 8 9 10 11 12 13 14	BY MR. GOULD: Q. What would you do if you were requested or instructed by someone to secure documents on any of your computers relating to the business of The Black Eyed Peas? MS. CENAR: Objection to the form. THE DEPONENT: Business of The Black Eyed Peas? BY MR. GOULD: Q. Any business. A. Well, that's not I can't it's a very loose question. Q. It was intended to be a very broad question.	2 3 4 5 6 7 8 9 10 11 12 13 14	just don't know? A. Yeah. Q. All right. If you if I asked you to go search your computers for any e-mails that you've sent to or you have received from Jimmy Iovine in the last three years, you would know where to go, wouldn't you? MS. CENAR: Objection THE DEPONENT: The cloud. MS. CENAR: Objection; form. BY MR. GOULD: Q. You would go to the cloud? A. Yeah. Q. And then you would search out what
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		I	
	Page 70		Page 72
1	MR. GOULD: Counsel, how do you	1	MS. CENAR: Objection to form.
2	pronounce the name?	2	THE DEPONENT: I don't know how. I
3	MS. CENAR: Riesterer.	3	wasn't there.
4	MR. HERTZ: Riesterer.	4	MR. GOULD: Could you read back the
5	MR. GOULD: Riesterer?	5	question.
6	THE DEPONENT: I met him a couple	6	BY MR. GOULD:
7	times.	7	Q. And try to answer the question "yes"
8	BY MR. GOULD:	8	or "no," not whether you were there. I'm not asking
9	Q. Okay. And who is	9	you that.
10	MS. CENAR: Just listen to his	10	THE DEPONENT: Okay.
11	question.	11	MS. CENAR: Your answer is there
12	BY MR. GOULD:	12	(indicating).
13	Q. Okay. Who is Fred Riesterer?	13	THE DEPONENT: I wasn't there.
14	A. David Guetta's friend.	14	BY MR. GOULD:
15	Q. His friend?	15	Q. I didn't ask you that.
16	A. Uh-huh.	16	Read back the question audibly.
17	Q. Did he you have to answer audibly.	17	(THE RECORD WAS READ AS FOLLOWS:
18	"Yes"?	18	Q. Did he have any involvement
19	(NO AUDIBLE RESPONSE BY THE DEPONENT.)	19	in the making of "I Gotta Feeling"?
20	BY MR. GOULD:	20	A. I believe so.
21	Q. You have to say words.	21	Q. And what do you believe that
22	MS. CENAR: You have to say "yes" or	22	connection was?)
23	"no" orally instead of "uh-huh."	23	BY MR. GOULD:
24	BY MR. GOULD:	24	Q. I'm asking about Fred Riesterer. What
25	Q. The court reporter doesn't take down	25	do you believe his connection was?
			-
	Page 71	1	Page 73
1	your	1	A. I don't know.
2	your MR. HERTZ: He understands you,	2	A. I don't know.Q. You just don't know.
2	your MR. HERTZ: He understands you, Counsel.	2	A. I don't know.Q. You just don't know.How about David Guetta, did he have
2 3 4	your MR. HERTZ: He understands you, Counsel. DEPOSITION OFFICER: I couldn't hear	2 3 4	A. I don't know.Q. You just don't know.How about David Guetta, did he have any connection with the making of "I Gotta Feeling"?
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Page 74 Page 76 Q. All right. And did you ever produce 1 1 So if they presented a track or a 2 song and they say that "This is the universe and the 2 that e-mail to your counsel? 3 A. Yep. 3 gravity around it," that's what it is. It's none of my business on how they 4 Q. All right. 4 configure it up or divvied it up or, you know, their 5 5 MS. CENAR: And it was produced to understanding as songwriters. It's none of my you, Counsel. And the actual disk with the musical 6 6 7 business. 7 piece was handed to you this morning and marked as an 8 exhibit in this deposition. 8 All I know is that they have an 9 understanding. 9 BY MR. GOULD: 10 10 BY MR. GOULD: Q. All right. You received a disk from O. What did David Guetta do? 11 David Guetta? 11 12 A. I don't know. 12 A. Nope. Q. So as of right now, you don't know 13 Q. You received an e-mail? 13 A. E-mail. 14 whether he wrote a beat for "I Gotta Feeling"? 14 A. I have no idea. 15 Q. What was on the e-mail? What was --15 Q. You have no idea whether Fred what was sent to you via the e-mail? 16 16 Reisterer wrote a beat for "I Gotta Feeling"? 17 MR. DICKSTEIN: Objection; form. 17 DEPOSITION OFFICER: Who was that? 18 A. I wasn't there, no. 18 19 Q. Did you write a beat? 19 MS. CENAR: That was Tal. A. Nope. Sure didn't. 20 DEPOSITION OFFICER: Okay. Hang on. 20 Q. Did you have anything to do with the 21 21 THE DEPONENT: That's it 22 music? 22 (indicating). 23 MR. GOULD: Could you read back the 23 A. I had nothing to do with the music, just the lyrical portion. 24 question. 24 25 Q. Just the lyrical portion? 25 THE DEPONENT: What was --Page 75 Page 77 MS. CENAR: Let the record reflect A. Just the lyrical portion. That's 1 1 that the witness was pointing to a disk that's in 2 it. 3 Q. Okay. Can you tell me why Ira Gould's hand which we marked at the beginning of David Guetta received royalties for "I Gotta Feeling" this deposition. 4 4 if you don't know what his relationship to the song 5 5 And I don't recall what number the court reporter assigned to that disk. 6 6 7 A. Because he presented that as something 7 Could you read it off the disk? Ira, 8 that he composed. And whether or not -- that's 8 you have it in hand. Could you turn it -what he said, "I composed this." And he -- and MR. GOULD: I'm going to identify it 9 9 10 whatever -- however he did it, whoever he had in the 10 shortly. 11 room, I wasn't there. Would you ask the witness what the 11 question -- tell the witness what the question was. 12 12 Q. Right. So you don't know whether he composed it? 13 (THE RECORD WAS READ AS FOLLOWS: 13 When you say "he composed it," you are 14 Q. What was on the e-mail? What 14 15 talking about the music? 15 was -- what was sent to you via Where did the music come from? 16 the e-mail?) 16 BY MR. GOULD: (SPEAKING SIMULTANEOUSLY.) 17 17 18 18 MR. HERTZ: Counsel, ask one Q. Is what was sent to you in the e-mail what I have in my hand right now? 19 19 question. 20 MS. CENAR: Objection; form. 20 A. Sure is. MR. GOULD: Would you identify --21 BY MR. GOULD: 21 would you mark this, please, as the next deposition 22 Q. Where did the music come from for 22 23 "I Gotta Feeling"? 23 exhibit in the case. 24 24 A. It came from David Guetta. He DEPOSITION OFFICER: Okay. It's 25 e-mailed it to me. 25 already been assigned Exhibit 1A.

	Page 78		Page 80
1	MR. GOULD: Okay.	1	MS. CENAR: Objection to form.
2	DEPOSITION OFFICER: I can either mark	2	THE DEPONENT: amazing.
3	it or	3	BY MR. GOULD:
4	MS. CENAR: You can mark it as the	4	Q. "Amazing"?
5	next exhibit in the case.	5	A. Yes.
6	DEPOSITION OFFICER: The next exhibit	6	Q. What was amazing about the song?
7	is 8.	7	A. The chord progression.
8	(WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER	8	Q. And what was amazing about the chord
9	8 WAS MARKED FOR IDENTIFICATION BY	9	progression?
10	THE DEPOSITION OFFICER.)	10	A. The emotion it invoked inside of my
11	MS. CENAR: May I see the disk for a	11	my mind.
12	moment, please.	12	DEPOSITION OFFICER: "The emotion"?
13	For the record, this is marked as	13	THE DEPONENT: The emotion.
14	"Feeling, David Pop" written on the front of the	14	BY MR. GOULD:
15	disk, and it's marked BEP-PR 1A and designated as	15	Q. And the chord progression you're
16	"highly confidential."	16	referring to, you would call as part of the hook of
17	BY MR. GOULD:	17	the song; correct?
18	Q. All right. Is what you received in	18	A. No, no, no.
19	this e-mail?	19	MR. DICKSTEIN: Objection to
20	A. Not the disk, just the file itself.	20	MS. CENAR: Objection to the form.
21	Q. All right. And did you listen to it	21	BY MR. GOULD:
22	when you received it?	22	Q. What does "hook" mean to you, the hook
23	A. Yes.	23	of the song?
24	Q. And what did you think of it in terms	24	A. The hook could be anything.
25	of the quality of what you were listening to?	25	Q. How would you define the word
			·
	Page 79		Page 81
1	Page 79 A. So right when I heard it, I sung the	1	"hook"?
2	A. So right when I heard it, I sung the top line over it.	1 2	"hook"? A. It can be a guitar riff. It can be a
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. So right when I heard it, I sung the top line over it. DEPOSITION OFFICER: "Sung"? THE DEPONENT: Yeah. BY MR. GOULD: Q. When you say the top line of that, what does that mean? A. That's the vocal. Q. The "I Gotta Feeling" part of the vocal? A. Yep, 30 minutes. Q. All right. Did you like the music? MS. CENAR: Objection to the form. THE DEPONENT: I already answered that question. No. BY MR. GOULD: Q. I'm asking now: Did you like the music that you listened to? A. Oh. Did I like the music?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	"hook"? A. It can be a guitar riff. It can be a vocal line. A hook can be a horn: "nah, nah, nah, nah, nah, nah, nah, nah,
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. So right when I heard it, I sung the top line over it. DEPOSITION OFFICER: "Sung"? THE DEPONENT: Yeah. BY MR. GOULD: Q. When you say the top line of that, what does that mean? A. That's the vocal. Q. The "I Gotta Feeling" part of the vocal? A. Yep, 30 minutes. Q. All right. Did you like the music? MS. CENAR: Objection to the form. THE DEPONENT: I already answered that question. No. BY MR. GOULD: Q. I'm asking now: Did you like the music that you listened to? A. Oh. Did I like the music? Q. Yes. A. Yeah, yeah, yeah, I loved it.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	"hook"? A. It can be a guitar riff. It can be a vocal line. A hook can be a horn: "nah, nah, nah, nah, nah, nah, nah, nah,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. So right when I heard it, I sung the top line over it. DEPOSITION OFFICER: "Sung"? THE DEPONENT: Yeah. BY MR. GOULD: Q. When you say the top line of that, what does that mean? A. That's the vocal. Q. The "I Gotta Feeling" part of the vocal? A. Yep, 30 minutes. Q. All right. Did you like the music? MS. CENAR: Objection to the form. THE DEPONENT: I already answered that question. No. BY MR. GOULD: Q. I'm asking now: Did you like the music that you listened to? A. Oh. Did I like the music? Q. Yes. A. Yeah, yeah, yeah, I loved it. Q. Of course you did. You thought it was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	"hook"? A. It can be a guitar riff. It can be a vocal line. A hook can be a horn: "nah, nah, nah, nah, nah, nah, nah, nah,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. So right when I heard it, I sung the top line over it. DEPOSITION OFFICER: "Sung"? THE DEPONENT: Yeah. BY MR. GOULD: Q. When you say the top line of that, what does that mean? A. That's the vocal. Q. The "I Gotta Feeling" part of the vocal? A. Yep, 30 minutes. Q. All right. Did you like the music? MS. CENAR: Objection to the form. THE DEPONENT: I already answered that question. No. BY MR. GOULD: Q. I'm asking now: Did you like the music that you listened to? A. Oh. Did I like the music? Q. Yes. A. Yeah, yeah, yeah, I loved it.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	"hook"? A. It can be a guitar riff. It can be a vocal line. A hook can be a horn: "nah, nah, nah, nah, nah, nah, nah, nah,

	Dogo 02		Page 94
1	Page 82 A. That's the hook.	1	Page 84 A. That's it.
2	Q. Okay. And you liked that hook when	2	Q. How about "Boom Boom Pow"?
3	you listened to the music?	3	MS. CENAR: Objection to form.
4	A. No, no, no. I wrote that hook.	4	THE DEPONENT: No.
5	Q. Yeah. When you listened to the music	5	MS. CENAR: How about it?
6	that now accompanies your that now accompanies	6	THE DEPONENT: No.
7	your vocal, you thought that music was amazing;	7	BY MR. GOULD:
8	correct?	8	Q. Would "Boom Boom Pow" be considered by
9	A. The chord progression, yes.	9	you to be a very successful song?
10	Q. All right. Now, you don't know at all	10	A. Not as successful as the ones I
11	how that music was made; am I correct?	11	mentioned.
12	A. Nope.	12	Q. Not as successful as "I Gotta
13	Q. Did Fred Riesterer or David Guetta	13	Feeling"?
14	ever tell you how they created the song, the music?	14	MS. CENAR: Objection to form.
15	A. Producers don't give secrets. No.	15	THE DEPONENT: No.
16	Q. So the answer is no?	16	BY MR. GOULD:
17	A. Yeah.	17	Q. Who did the videography for "I Gotta
18	Q. Is that right?	18	Feeling"?
19	A. Yep.	19	A. What do you mean by "videography"?
20	Q. All right. About how many songs have	20	Q. The video. When I see the video on
21	you written?	21	YouTube, who did that?
22	A. In my life?	22	A. The director.
23	Q. Yes.	23	MS. CENAR: Objection to form.
24	A. A whole lot.	24	BY MR. GOULD:
25	Q. Just give me an idea of a number.	25	Q. The director. Who was the director?
	Page 83		Page 85
1	Page 83	1	Page 85 A Motion Theory
1 2	A. A million.	1 2	A. Motion Theory.
2	A. A million.Q. Great. So it's a huge number?	2	A. Motion Theory.Q. Did you have anything to do with any
	A. A million.Q. Great. So it's a huge number?A. Yeah.	2	A. Motion Theory.Q. Did you have anything to do with any dance move?
2	A. A million.Q. Great. So it's a huge number?A. Yeah.Q. All right. Of all the songs that	2	A. Motion Theory.Q. Did you have anything to do with any
2 3 4	 A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" 	2 3 4	A. Motion Theory.Q. Did you have anything to do with any dance move?A. I don't like choreography.
2 3 4 5	A. A million.Q. Great. So it's a huge number?A. Yeah.Q. All right. Of all the songs that	2 3 4 5	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No."
2 3 4 5	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success?	2 3 4 5	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No.
2 3 4 5 6 7	 A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and 	2 3 4 5 6 7	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all?
2 3 4 5 6 7 8	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation.	2 3 4 5 6 7 8	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no.
2 3 4 5 6 7 8	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD	2 3 4 5 6 7 8 9	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you
2 3 4 5 6 7 8 9	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer.	2 3 4 5 6 7 8 9 10	 A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer
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2 3 4 5 6 7 8 9 10 11 12	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer. A. No. Q. All right. What other songs would you consider to be more successful than "I Gotta Feeling" from a financial standpoint?	2 3 4 5 6 7 8 9 10 11 12 13 14	A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer MS. CENAR: Objection BY MR. GOULD: Q and the most knowledgeable with respect to choreography?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer. A. No. Q. All right. What other songs would you consider to be more successful than "I Gotta Feeling" from a financial standpoint? MS. CENAR: Objection to form and foundation. THE DEPONENT: "Where Is The Love." BY MR. GOULD: Q. Pardon me? "Where Is Love"? A. "Where Is The Love." Q. Okay. Any other song?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer MS. CENAR: Objection BY MR. GOULD: Q and the most knowledgeable with respect to choreography? A. None. MS. CENAR: Objection to form. BY MR. GOULD: Q. Nobody? A. No. We don't like choreography. Q. All right. Who did the choreography for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer. A. No. Q. All right. What other songs would you consider to be more successful than "I Gotta Feeling" from a financial standpoint? MS. CENAR: Objection to form and foundation. THE DEPONENT: "Where Is The Love." BY MR. GOULD: Q. Pardon me? "Where Is Love"? A. "Where Is The Love." Q. Okay. Any other song? MS. CENAR: Same objections.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer MS. CENAR: Objection BY MR. GOULD: Q and the most knowledgeable with respect to choreography? A. None. MS. CENAR: Objection to form. BY MR. GOULD: Q. Nobody? A. No. We don't like choreography. Q. All right. Who did the choreography for A. Fatima Robinson.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer. A. No. Q. All right. What other songs would you consider to be more successful than "I Gotta Feeling" from a financial standpoint? MS. CENAR: Objection to form and foundation. THE DEPONENT: "Where Is The Love." BY MR. GOULD: Q. Pardon me? "Where Is Love"? A. "Where Is The Love." Q. Okay. Any other song? MS. CENAR: Same objections. THE DEPONENT: "Oh My Gosh."	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer MS. CENAR: Objection BY MR. GOULD: Q and the most knowledgeable with respect to choreography? A. None. MS. CENAR: Objection to form. BY MR. GOULD: Q. Nobody? A. No. We don't like choreography. Q. All right. Who did the choreography for A. Fatima Robinson. Q. Pardon me?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. A million. Q. Great. So it's a huge number? A. Yeah. Q. All right. Of all the songs that you've written, would you consider "I Gotta Feeling" to be at the top of the list in terms of success? MS. CENAR: Objection to the form and foundation. BY MR. GOULD Q. You can answer. A. No. Q. All right. What other songs would you consider to be more successful than "I Gotta Feeling" from a financial standpoint? MS. CENAR: Objection to form and foundation. THE DEPONENT: "Where Is The Love." BY MR. GOULD: Q. Pardon me? "Where Is Love"? A. "Where Is The Love." Q. Okay. Any other song? MS. CENAR: Same objections.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Motion Theory. Q. Did you have anything to do with any dance move? A. I don't like choreography. No. Q. "No." Are you a choreographer at all? A. I don't like choreography, no. Q. All right. Who in the group would you consider to be the best dancer MS. CENAR: Objection BY MR. GOULD: Q and the most knowledgeable with respect to choreography? A. None. MS. CENAR: Objection to form. BY MR. GOULD: Q. Nobody? A. No. We don't like choreography. Q. All right. Who did the choreography for A. Fatima Robinson.

1	Page 86	1	Page 88 BY MR. GOULD:
1 2	The Love"?	1 2	
3	A. There's no choreography in "Where Is The Love."	3	Q. Well, did she have anything to do with the dancing?
4	Q. How about "Oh My Gosh"?	4	A. Every single person that dances, a
5	A. You got to ask Usher's people. I don't	5	move that a choreographer does, has their say in how
6	know.	6	they want to do that.
7	Q. All right. How about "Boom Boom Pow"?	7	So they didn't come up with the
8	Who did the choreography for that?	8	choreography, but they've added their two cents into
9	A. I just told you that.	9	it so they feel comfortable doing it.
10	Fatima Robinson.	10	Q. All right. Did you add your two cents
11	Q. Fatima Robinson?	11	with respect to "I Gotta Feeling"?
12	A. I just said that, yeah.	12	MS. CENAR: Objection
13	Q. And who that's the name of a	13	THE DEPONENT: "I Gotta Feeling"
14	company?	14	didn't have
15	A. That's a person.	15	MS. CENAR: to the form.
16	Q. Okay. And where does she live, what	16	THE DEPONENT: Choreography.
17	city?	17	BY MR. GOULD:
18	A. Los Angeles.	18	Q. Did you add your two cents in terms of
19	Q. Do you consider yourself to be a	19	the dancing in "Boom Boom Pow"?
20	professional dancer?	20	A. Yes.
21	A. No.	21	Q. All right. And did Fergie also put in
22	Q. Do you consider Fergie to be a	22	her two cents?
23	professional dancer?	23	A. My two cents was adding, "I'm not
24	MS. CENAR: Objection to form.	24	going to do choreography."
25	THE DEPONENT: I don't know.	25	MS. CENAR: Okay. Answer his
	Page 87		Page 89
1	Page 87 BY MR. GOULD:	1	Page 89 questions.
1 2	=	1 2	Page 89 questions. THE DEPONENT: Well, I don't know.
	BY MR. GOULD:		questions.
2	BY MR. GOULD: Q. You don't know?	2	questions. THE DEPONENT: Well, I don't know.
2	BY MR. GOULD: Q. You don't know? (NO AUDIBLE RESPONSE BY THE DEPONENT.) BY MR. GOULD: Q. Are any of The Black Eyed Peas	2	questions. THE DEPONENT: Well, I don't know. BY MR. GOULD:
2 3 4 5 6	BY MR. GOULD: Q. You don't know? (NO AUDIBLE RESPONSE BY THE DEPONENT.) BY MR. GOULD: Q. Are any of The Black Eyed Peas professional dancers?	2 3 4 5 6	questions. THE DEPONENT: Well, I don't know. BY MR. GOULD: Q. Did Fergie have anything to do the
2 3 4 5 6 7	BY MR. GOULD: Q. You don't know? (NO AUDIBLE RESPONSE BY THE DEPONENT.) BY MR. GOULD: Q. Are any of The Black Eyed Peas professional dancers? MS. CENAR: Objection; form.	2 3 4 5 6 7	questions. THE DEPONENT: Well, I don't know. BY MR. GOULD: Q. Did Fergie have anything to do the dancing? MS. CENAR: Objection to form. THE DEPONENT: She's dancing.
2 3 4 5 6 7 8	BY MR. GOULD: Q. You don't know? (NO AUDIBLE RESPONSE BY THE DEPONENT.) BY MR. GOULD: Q. Are any of The Black Eyed Peas professional dancers? MS. CENAR: Objection; form. THE DEPONENT: No.	2 3 4 5 6 7 8	questions. THE DEPONENT: Well, I don't know. BY MR. GOULD: Q. Did Fergie have anything to do the dancing? MS. CENAR: Objection to form. THE DEPONENT: She's dancing. BY MR. GOULD:
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Page 90
                                                                                                            Page 92
                                                               Some people could say that it's retro futuristic.
 1
    BY MR. GOULD:
                                                           1
                                                           2
                                                               Some people could say that's dance. Some people
 2
           Q. All right. Was Fatima Robinson
                                                           3
                                                              could say that is Afro Gallactic Calypso. Some
 3
    involved in any way, shape, or form with "I Gotta
                                                               people could say it's gumball corny music.
 4
    Feeling"?
                                                           4
 5
                                                           5
                                                                     Q. How about if I ask you what you think,
           A. No. When we tour, yes. When we tour,
                                                              not what other people think.
 6
    yes. Not the video.
                                                           6
 7
           Q. Have you ever -- what does the word
                                                           7
                                                                         What genre of music is "I Gotta
 8
     "sampling" mean to you in the music industry?
                                                           8
                                                               Feelina"?
9
               MS. CENAR: Objection to form.
                                                          9
                                                                     A. Electro -- hip-hop electro.
               THE DEPONENT: "Sample" means --
10
                                                          10
                                                                     Q. And if I asked you what genre is "Boom
               MR. GOULD: What possibly is wrong
                                                               Boom Pow," what would you say?
11
                                                          11
    with the form of that question, "What does the word
                                                                     A. Electro hip-hop, same thing.
                                                          12
12
    'sampling' mean to you?"
                                                                     Q. Has anybody ever stolen music that you
13
                                                          13
14
              MS. CENAR: Counsel, my objection is
                                                          14
                                                              wrote?
15
                                                          15
    on the record.
                                                                         MS. CENAR: Objection to form.
                                                              BY MR. GOULD:
16
               MR. GOULD: What is the basis of it so
                                                          16
                                                          17
    I can rephrase it?
                                                                     Q. You can answer.
17
                                                          18
                                                                     A. They have used music that I wrote.
18
              MS. CENAR: Vague.
19
               MR. GOULD: Vague? Help me understand
                                                          19
                                                                     Q. Without clearing it with you first?
    vagueness, because I ---
                                                                     A. It's called the Internet.
20
                                                          20
                                                                     Q. Has anybody stolen, in your view,
21
              THE DEPONENT: I'll answer the
                                                          21
                                                              music from you without asking you first?
22
    question.
                                                          22
                                                                         MS. CENAR: Objection: form --
23
                                                          23
               MR. GOULD: I'm talking to your
                                                                         THE DEPONENT: I don't know.
24
                                                          24
    counsel.
25
                                                          25
                                                                         MS. CENAR: -- foundation.
              MS. CENAR: No.
                                                  Page 91
                                                                                                            Page 93
           (SPEAKING SIMULTANEOUSLY.)
                                                           1
                                                                         THE DEPONENT: I don't know.
 1
                                                               BY MR. GOULD:
 2
               MR. GOULD: I'll rephrase the
                                                           2
 3
                                                           3
                                                                     Q. Okay. Has anybody taken music and
    question.
                                                              used music that you wrote or participated or were
 4
              MS. CENAR: Counsel, if you're going
                                                           4
 5
                                                           5
                                                              involved in in terms of a song you did and used it as
    to debate --
                                                               part of their own song without your approval?
 6
               MR. GOULD: No, no, no. I want to
                                                           6
 7
    understand so I --
                                                           7
                                                                         MS. CENAR: Objection to form --
 8
              MS. CENAR: -- this is the end.
                                                           8
                                                                         THE DEPONENT: Every day in every
 9
                                                          9
               MR. GOULD: -- can correct it.
                                                              nightclub.
10
              MS. CENAR: My -- my objection is for
                                                          10
                                                                         MS. CENAR: -- foundation.
11
                                                          11
                                                                         THE DEPONENT: Every day in every
    the record. Move on.
12
    BY MR. GOULD:
                                                          12
                                                              nightclub.
13
                                                          13
                                                              BY MR. GOULD:
           Q. Answer the question, sir.
14
           A. "Sampling," it differs. It all --
                                                          14
                                                                     Q. Okay. So it's happened often to
15
    like I said, in every genre of music it -- it's a
                                                          15
                                                              you?
    different definition.
16
                                                          16
                                                                     A. It happens every night.
                                                                     Q. Under what circumstances do you
17
           Q. What genre of music is "I Gotta
                                                          17
                                                              consider that to be wrong and a bad practice, to take
18
    Feeling"?
                                                          18
                                                              someone else's music that they wrote and they
19
           A. "I Gotta Feeling," some people could
                                                          19
20
    say it's rap. Some people could say it's country.
                                                          20
                                                              copywrote?
    Some people could say it's pop. Some people could
21
                                                          21
                                                                         MS. CENAR: Objection to form,
    say it's hip-hop. Some people could say it's
22
                                                          22
                                                              foundation.
23
                                                          23
    dance.
                                                                         THE DEPONENT: That's bad.
                                                          24
24
           Q. What genre is "Boom Boom Pow"?
                                                              BY MR. GOULD:
25
           A. Some people could say it's hip-hop.
                                                          25
                                                                     Q. All right. And explain to us why it's
```

	D 04		D 04
1	Page 94 bad.	1	Page 96 happened before.
2	MS. CENAR: Same objections.	2	BY MR. GOULD:
3	THE DEPONENT: Well, if a DJ is	3	Q. And why didn't you get clearance
4	deejaying a song in a club and that DJ is getting	4	3 3 3
5	paid lots of money to DJ and they play my music and	5	first? MS. CENAR: Objection; form,
6	they manipulate it, that's not bad.	6	foundation.
7	BY MR. GOULD:	7	Do you have a specific instance in
8	Q. Okay.	8	mind that you're questioning
9	A. There's nothing wrong with that.	9	MR. GOULD: No.
10	Q. Uh-huh.	10	MS. CENAR: the witness in?
11	A. For for a for a kid to see a	11	
12	video or a song on YouTube and then do their version	12	MR. GOULD: I'm talking generally. MS. CENAR: You can't answer
13	of it, turn it around and make a spoof out of it, and	13	
	·		MR. GOULD: He said
14	it gets 400 million views on the Internet and they	14	MS. CENAR: that generally.
15	make money because YouTube sends them their money, I don't know if that's bad.	15	THE DEPONENT: You said what?
16		16	MR. GOULD: What are you telling him?
17	I don't know if that's bad or if it's	17	MS. CENAR: If you have a specific
18	not. Right? It is what it is. It's a new world.	18	instance you'd like him to address
19	(SPEAKING SIMULTANEOUSLY.) THE DEPONENT: If someone takes	19	MR. GOULD: I said "generally," was
20		20	the question. He said he's done it.
21	BY MR. GOULD:	21	MS. CENAR: I object to the form.
22	Q. Would you consider that to be stealing	22	It's vague. It's ambiguous.
23	music that you did if somebody does that?	23	MR. GOULD: No. You're saying that.
24	MS. CENAR: Objection; form.	24	It isn't any of those things.
25	THE DEPONENT: If a kid does that with	25	///
	Page 95		Page 97
1	Page 95 me, I don't know	1	Page 97 BY MR. GOULD:
1 2	-	1 2	_
	me, I don't know		BY MR. GOULD:
2	me, I don't know BY MR. GOULD:	2	BY MR. GOULD: Q. You understand the question.
2 3	me, I don't know BY MR. GOULD: Q. And makes 400 million dollars doing	2	BY MR. GOULD: Q. You understand the question. Repeat the question for the witness.
2 3 4	me, I don't know BY MR. GOULD: Q. And makes 400 million dollars doing it.	2 3 4	BY MR. GOULD: Q. You understand the question. Repeat the question for the witness. (THE RECORD WAS READ AS FOLLOWS:
2 3 4 5	me, I don't know BY MR. GOULD: Q. And makes 400 million dollars doing it. A. No, I didn't say 400 million	2 3 4 5	BY MR. GOULD: Q. You understand the question. Repeat the question for the witness. (THE RECORD WAS READ AS FOLLOWS: Q. And why didn't you get
2 3 4 5 6	me, I don't know BY MR. GOULD: Q. And makes 400 million dollars doing it. A. No, I didn't say 400 million dollars.	2 3 4 5 6	BY MR. GOULD: Q. You understand the question. Repeat the question for the witness. (THE RECORD WAS READ AS FOLLOWS: Q. And why didn't you get clearance first?)
2 3 4 5 6 7	me, I don't know BY MR. GOULD: Q. And makes 400 million dollars doing it. A. No, I didn't say 400 million dollars. MS. CENAR: Objection; form,	2 3 4 5 6 7	BY MR. GOULD: Q. You understand the question. Repeat the question for the witness. (THE RECORD WAS READ AS FOLLOWS: Q. And why didn't you get clearance first?) THE DEPONENT: I
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                                                                                                            Page 100
                                                                      the last few years, hasn't it?)
 1
           Q. Finish your answer.
                                                           1
           A. So when we were signed with Ruthless
                                                           2
                                                                         MR. GOULD: Repeat the next
 2
    Records in 1992, we had a samples -- samplers.
                                                           3
 3
                                                               question --
    That's how we made our music back then.
 4
                                                           4
                                                                      (THE RECORD WAS READ AS FOLLOWS:
                                                           5
 5
              And hip-hop -- the Turtles hadn't --
                                                                      Q. But the fact...)
    the Turtles just sued De La Soul, and that suit it
 6
                                                           6
                                                                         MR. GOULD: -- or the question before
 7
    wasn't -- you know, that, you know, practice
                                                           7
                                                               that.
    wasn't -- wasn't normalized as far as clearing --
 8
                                                           8
                                                                      (THE RECORD WAS READ AS FOLLOWS:
9
    clearance and stuff like that.
                                                           9
                                                                      Q. But you sample music
                                                                      without -- not as a high school
10
                                                          10
    BY MR. GOULD:
11
           Q. It's been normalized for the last few
                                                          11
                                                                      kid.
    years, hasn't it?
                                                          12
                                                                      A. You asked me the question.
12
                                                          13
                                                                      Q. Now I'm asking you a
13
           A. No, you asked me -- you asked me a
14
    question, when did I sample and not clear it, and I
                                                          14
                                                                      different question.
    told you that was in 1992 when we were on Ruthless.
                                                                      A. But I didn't --
15
                                                          15
           Q. But the fact of matter is you have
                                                                         MS. CENAR: He hasn't finished
16
                                                          16
    taken other people's music and not gotten it cleared
                                                          17
17
                                                                      his answer.)
    within the last three or four years --
18
                                                          18
                                                                         MR. GOULD: All right. Forget the
19
              MS. CENAR: Objection --
                                                          19
                                                              whole thing.
20
    BY MR. GOULD:
                                                          20
                                                               BY MR. GOULD:
           Q. -- isn't that true?
                                                                      Q. You -- it's a fact, isn't it, sir,
21
                                                          21
22
              MS. CENAR: -- form, foundation.
                                                          22
                                                              that you as a professional artist have sampled music,
                                                               used it in your own music, without getting it cleared
23
               You can answer that question to the
                                                          23
    extent that you don't reveal communications you've
                                                               within the last three years?
24
                                                          24
25
    had --
                                                          25
                                                                         MS. CENAR: Objection --
                                                   Page 99
                                                                                                            Page 101
                                                               BY MR. GOULD:
               MR. GOULD: We -- we covered that --
                                                           1
 1
               MS. CENAR: -- with your counsel.
                                                           2
 2
                                                                     Q. You have done that?
 3
              MR. GOULD: -- in the instructions.
                                                           3
                                                                         MS. CENAR: Objection to form,
               MS. CENAR: To the extent you can
                                                           4
 4
                                                               foundation.
 5
    answer that question without revealing conversations
                                                           5
                                                                         And you can answer the question to the
    you've had with your lawyer, you may do so.
                                                               extent you can without revealing communications with
 6
                                                           6
               If you have to reveal communications
 7
                                                           7
                                                               your lawyer.
 8
    with your counsel in order to answer that question,
                                                           8
                                                                         MR. GOULD: That's like a code not to
    then I instruct you not to answer.
 9
                                                           9
                                                              answer the question.
10
               THE DEPONENT: Okay. I'll listen to
                                                          10
                                                                         THE DEPONENT: Yeah.
11
                                                                      (SPEAKING SIMULTANEOUSLY.)
                                                          11
                                                                         MS. CENAR: If you can answer --
12
    BY MR. GOULD:
                                                          12
13
                                                          13
                                                                         MR. GOULD: It's a code.
           Q. What did she say? I wasn't --
14
               MS. CENAR: He's been --
                                                          14
                                                                         MS. CENAR: -- that question --
              MR. GOULD: What did he say?
15
                                                          15
                                                                         MR. GOULD: Counselor, he's telling
              MS. CENAR: -- instructed not to
                                                              you that --
16
                                                          16
                                                                         MS. CENAR: If you can answer that --
17
    answer --
                                                          17
                                                                         MR. GOULD: Listen ---
                                                          18
18
              MR. GOULD: Not to answer that
                                                          19
                                                                         MR. HERTZ: You can admonish me all
19
    question?
20
              MS. CENAR: -- on the grounds of
                                                          20
                                                              you like.
21
    privilege.
                                                          21
                                                                         MR. GOULD: You're here as a guest.
22
              MR. GOULD: All right. Would you
                                                          22
                                                                         MR. HERTZ: That's correct. You can
23
    repeat the question, please.
                                                          23 admonish me all you like. I'm here at --
24
           (THE RECORD WAS READ AS FOLLOWS:
                                                                         MR. GOULD: You are here to drink
                                                          24
                                                               coffee. You did not file an appearances in the case;
25
           Q. It's been normalized for
                                                          25
```

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Page 102
                                                                                                             Page 104
 1
    okay? So just be quiet.
                                                           1
                                                               lawyers.
                                                            2
 2
               MR. HERTZ: I think we should break
                                                                          If you can't answer that question
                                                            3
                                                               without revealing conversations with your lawyers,
 3
     for lunch.
                                                               you're instructed not to answer that question.
 4
               MR. GOULD: No, I want an answer to
                                                            4
 5
                                                            5
                                                               BY MR. GOULD:
     the question.
 6
               MS. CENAR: I'm going to finish --
                                                            6
                                                                      Q. You can't -- can you answer that
 7
               MR. GOULD: Nobody's hungry.
                                                            7
                                                               question?
               MS. CENAR: -- my instruction and then
                                                            8
 8
                                                                      A. I listen to her.
 9
    we'll break for lunch.
                                                           9
                                                                      Q. So you understand her to be telling
                                                               you not to answer the question; is that right?
10
     BY MR. GOULD:
                                                           10
                                                                          MS. CENAR: He's been instructed --
11
           Q. Nobody's hungry.
                                                           11
12
               I want an answer to the question,
                                                           12
                                                                          MR. GOULD: No. No. No. I'm asking
    rather than lawyers telling you not to answer the
                                                               him a question. Stop your speaking objections.
13
                                                           13
14
    question.
                                                           14
                                                                          THE DEPONENT: I'll listen to her.
                                                           15
15
                                                                          MS. CENAR: I've instructed --
           A. I'm not going to answer that.
               MS. CENAR: You are instructed not to
16
                                                           16
                                                                BY MR. GOULD:
     answer the question on the grounds of privilege.
                                                           17
                                                                      Q. You'll listen her and not answer the
17
18
               THE DEPONENT: I'm not going to answer
                                                               question; is that right?
                                                           18
19
                                                           19
                                                                      A. Yes.
     that question.
                                                                      Q. Okay. You have between now and the
20
               MS. CENAR: It's time to break for
                                                           20
                                                               trial to think up a good answer; okay? Some day
21
     lunch.
                                                           21
                                                               you'll answer that question.
22
    BY MR. GOULD:
                                                           22
                                                           23
                                                                          MS. CENAR: On that note --
23
           Q. Isn't it a fact -- sir, isn't it a
    fact that at least on multiple occasions, you have
                                                           24
                                                                          MR. HERTZ: Oh, my God.
24
25
    taken other people's music and used it as your own
                                                           25
                                                                          MS. CENAR: -- we're breaking for
                                                  Page 103
                                                                                                             Page 105
    without getting clearance?
                                                           1
                                                               lunch.
              You've done that intentionally; isn't
                                                            2
 2
                                                                          THE VIDEOGRAPHER: This is the end of
 3
    that a fact?
                                                               Media Number One in the deposition of William Adams
 4
                                                               in the matter of "Bryan Pringle v. William Adams,
              MS. CENAR: Same objection.
                                                            5
 5
              MR. GOULD: You're instructing him not
                                                               Jr., et al."
 6
    to answer that question?
                                                            6
                                                                         We are now going off the record. The
 7
              MS. CENAR: Same instruction.
                                                           7
                                                               time is 12:20 p.m.
 8
              We're breaking for lunch.
                                                            8
                                                                      (WHEREUPON, A LUNCHEON RECESS WAS
 9
    BY MR. GOULD:
                                                           9
                                                                      HELD FROM 12:20 P.M. TO 2:15 P.M.)
                                                           10
10
           Q. And you, in fact, have paid money to
                                                               ///
    people against whom you've done that, knowingly paid
                                                           11
                                                               ///
11
    them money for taking their music.
                                                               ///
12
                                                           12
13
              You've done that repeatedly; isn't
                                                           13
14
                                                           14
    that true?
15
              MS. CENAR: Same objection; same
                                                           15
16
                                                           16
    instruction.
17
                                                           17
    BY MR. GOULD:
                                                           18
18
           Q. You know that the -- the process of
19
    getting other people's music and sampling it without
                                                           19
    getting clearance, wouldn't you agree with me that
20
                                                           20
21
    that is wrong?
                                                           21
22
              MS. CENAR: Objection; form,
                                                           22
23
                                                           23
    foundation.
                                                           24
24
              And you can answer the question to
25
    the extent you don't reveal communications with your
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Page 106 Page 108 BEVERLY HILLS, CALIFORNIA, MONDAY 1 1 A. Okay. 2 2 Q. I'm a really nice guy naturally. JULY 25, 2011 3 3 2:15 p.m. A. Yeah. Q. So for some reason, if you think 4 4 otherwise, there's some reason for it because I am a 5 THE VIDEOGRAPHER: This is the 5 nice guy. One thing I am is a nice guy. 6 beginning of Media Number Two in the deposition of 6 7 William Adams in the matter of "Bryan Pringle v. 7 You're a great singer and artist; I'm William Adams, et al." 8 8 a nice guy. 9 We are now going back on the record. 9 Q. Okay. Let's go. 10 10 A. Okay. Let's go. The time is 2:15 p.m. Q. All right. Would you tell me what 11 MR. GOULD: Before we start, could you 11 give me a readout in terms of how much live time we "sampling" means to you in hip-hop? 12 12 have spent actually at the deposition asking A. Sampling in hip-hop, you have certain 13 13 equipment -- certain pieces of equipment that allow 14 questions and giving answers. 14 DEPOSITION OFFICER: I defer to our you to -- let me -- let me name all of the equipment 15 15 videographer who's keeping time. that are samplers. 16 16 THE VIDEOGRAPHER: The actual run time 17 17 Q. Okay. A. One of the samplers are SP 1200. It's 18 of the video was one hour and ten minutes. 18 19 MR. GOULD: Okay. For the record, 19 a very popular hip-hop sample. under the rules I have up to seven hours. 20 20 Q. Okay. The fact that we have spent an hour A. DJ Premier made it famous; Pete Rock. 21 21 and ten minutes in the deposition certainly wasn't MPC 60, MPC 63,000, MPC 62,000, MPC 61,000 made 22 22 our fault. Not that I'm blaming anybody. It's just popular by a tribe called "Kai Stefan Kakai." 23 23 24 24 De La Soul. a fact. 25 And if we don't finish the deposition, 25 Then there's an Insonic keyboard Page 107 Page 109 then I will ask to finish the deposition at another 1 sampler; all it does is sample. 1 time. But I think I will need seven hours. 2 Q. Right. 2 3 MS. CENAR: We're here until you 3 A. That Insonic samples sounds. It doesn't create original sounds. It only samples 4 finish. 5 5 MR. GOULD: And I'm not necessarily sounds. prepared to spend the evening here. That's six more 6 6 So if a producer uses an Insonic keyboard or ASR 10 or a producer is using an ASR 10 7 hours to go if we go at this pace. I'm not staying 7 8 here until 10:00 o'clock tonight. 8 keyboard to make his beats, that keyboard is a 9 sampler. It has no data whatsoever. It doesn't have 9 THE DEPONENT: Whatever it takes. 10 MR. GOULD: Whatever it takes. 10 any sense -- a virtual sense in it; it's just a MS. CENAR: We're here. We're not 11 sampler. 11 coming back. And we'll address the issue --12 So what sampler means to hip-hop is to 12 13 MR. GOULD: Okay. Fine. 13 take sounds, sample, manipulate, and reconfigure them 14 MS. CENAR: -- of the seven hours, 14 to make songs. 15 which you know is contrary to the rule and the law, 15 Q. When you do that -- when -- when you -- I don't mean you personally. 16 but we'll address that with the Court. 16 But just generally when somebody 17 17 MR. GOULD: We'll ask the court. 18 samples in hip-hop, they typically get a clearance 18 MS. CENAR: Please ask your questions 19 from the -of this witness so that you no longer take up this 19 20 witness's time. 20 A. Nope. 21 21 Sometimes -- sometimes you could Ask your questions. sample a guitarist; sometimes you could sample a 22 THE DEPONENT: Can we be a little --22 bass -- right? -- because you want it to be perfect. try our best to be nice? 23 23 So you don't necessarily -- a sampler 24 24 BY MR. GOULD: isn't just used to sample records. That wasn't what 25 Q. Yeah. Absolutely. 25

	Page 110		Page 112
1	it was intended on using. People used it for that.	1	BY MR. GOULD:
2	But usually a sample was like, "Hey,	2	Q sample the way I've just described
3	let me sample your voice so I can manipulate it."	3	it?
4	"Let me sample just a snare." "Let me sample the	4	MS. CENAR: foundation.
5	kick" (indicating).	5	THE DEPONENT: Every song on the radio
6	"Let me sample the high hats or	6	does that.
7	open" right? "or the ramp or the shaker"	7	BY MR. GOULD:
8	(indicating).	8	Q. You do that, though?
9	Q. How about if somebody samples and	9	A. Every song
10	takes original music from another song	10	MS. CENAR: Objection; form
11	A. That's the that's the that's	11	THE DEPONENT: on the radio is like
12	the	12	that.
13	MS. CENAR: Let him finish his	13	MS. CENAR: foundation.
14	question.	14	BY MR. GOULD:
15	BY MR. GOULD:	15	Q. You do it, correct?
16	Q and takes that music from a from	16	MS. CENAR: Objection.
17	a song that's copyrighted and takes it and puts it in	17	BY MR. GOULD:
18	their own song without getting any clearance?	18	Q. You sample music that appears in other
19	That's wrong, isn't it?	19	people's songs that are copyrighted, and you use that
20	MS. CENAR: Objection; form,	20	in your own music.
21	foundation.	21	You do that?
22	THE DEPONENT: No, that's not wrong.	22	A. Sometimes, yes.
23	BY MR. GOULD:	23	Q. Okay. And how often do you get a
24	Q. Why is it not wrong?	24	clearance?
25	A. It all depends on the on the on	25	What circumstances do is there a
	Page 111		Page 113
1	the other party, if they like James Brown's been	1	situation where you get a clearance from the
2	sampled a whole bunch of times. Michael Jackson,	2	copyright owner or do it without the copyright
3	Prince. Prince hasn't cleared his samples. Earth,	3	owner's knowledge?
4	Wind & Fire, Antonio Carlos Jobim; right?	4	MS. CENAR: Objection; form,
5	Music has been sampled; right? It's	5	foundation.
6	not wrong.	6	And you can answer that question to
7	Q. So as far as you're concerned, it's	7	the extent you can without revealing communications
8	appropriate and proper for an artist to take music	8	with your counsel.
9	from another song	9	MR. GOULD: We did that early on.
10	A. Yes.	10	You say to be nice; okay?
11	Q that's original to that	11	I did that at the beginning of the
12	MS. CENAR: Let him finish.	12	deposition. I don't want attorney-client
13		4.0	information.
14	THE DEPONENT: Okay.	13	inormation.
		13	You want me to say it ten times?
15	THE DEPONENT: Okay.		
15 16	THE DEPONENT: Okay. BY MR. GOULD:	14	You want me to say it ten times?
	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens	14 15	You want me to say it ten times? There's a reason why you're instructing the witness
16	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form.	14 15 16	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things
16 17 18	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes.	14 15 16 17 18 19	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking
16 17	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes. BY MR. GOULD:	14 15 16 17 18 19 20	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things to the witness. It's wrong. Don't do it again, please.
16 17 18 19 20 21	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes. BY MR. GOULD: Q. And, in fact, you do that on a regular	14 15 16 17 18 19 20 21	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things to the witness. It's wrong. Don't do it again, please. MS. CENAR: You heard my instruction.
16 17 18 19 20 21 22	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes. BY MR. GOULD: Q. And, in fact, you do that on a regular basis, isn't that true	14 15 16 17 18 19 20 21 22	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things to the witness. It's wrong. Don't do it again, please.
16 17 18 19 20 21 22 23	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes. BY MR. GOULD: Q. And, in fact, you do that on a regular basis, isn't that true (SPEAKING SIMULTANEOUSLY.)	14 15 16 17 18 19 20 21 22 23	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things to the witness. It's wrong. Don't do it again, please. MS. CENAR: You heard my instruction. MR. GOULD: We'll take that up with the judge.
16 17 18 19 20 21 22	THE DEPONENT: Okay. BY MR. GOULD: Q original to that song that happens to be copyrighted, and take it and place it in his own song? That's proper for you? MS. CENAR: Objection to the form. THE DEPONENT: Yes. BY MR. GOULD: Q. And, in fact, you do that on a regular basis, isn't that true	14 15 16 17 18 19 20 21 22	You want me to say it ten times? There's a reason why you're instructing the witness to answer certain questions. That is wrong. It's a speaking objection. It's wrong. You're telegraphing things to the witness. It's wrong. Don't do it again, please. MS. CENAR: You heard my instruction. MR. GOULD: We'll take that up with

	Page 114		Page 116
1	THE DEPONENT: No.	1	A. That's okay.
2	MS. CENAR: Okay.	2	Q any of these instructions a second
3	BY MR. GOULD:	3	time.
4	Q. All right. Would you answer	4	A. Okay. No problem.
5	Read the question.	5	Q. Okay.
6	I want it read back, please. And	6	(THE RECORD WAS READ AS FOLLOWS:
7	and then I'm going to ask the witness to answer the	7	Q. Okay. And how often do you
8	question.	8	get clearance? Or what circumstances
9	(THE RECORD WAS READ AS FOLLOWS:	9	do is there a situation where
10	Q. Okay. And how often do you	10	you get a clearance from the
11	get clearance? Or what circumstances	11	copyright owner or do it without
12	do is there a situation where	12	the copyright owner's knowledge?)
13	you get a clearance from the	13	MS. CENAR: Same objection; same
14	copyright owner or do it without	14	instruction.
15	the copyright owner's knowledge?)	15	BY MR. GOULD:
16	BY MR. GOULD:	16	Q. Refuse to answer the question?
17	Q. You can answer the question.	17	MS. CENAR: Are you going to follow
18	•	18	your counsel's instruction?
19	MS. CENAR: Same objections. BY MR. GOULD:	19	•
	Q. You can answer the question.		THE DEPONENT: I'm going to follow my counsel's instruction.
20 21	· • • • • • • • • • • • • • • • • • • •	20	BY MR. GOULD:
22	A. Oh. I'm not going to answer that.	21 22	
	Q. She's not instructing you not to		Q. Okay. All right. Have you ever heard
23	answer the question.	23	of the song "Voodoo Doll"?
24	Would you tell him you're not	24	A. Yes.
25	instructing the witness not to answer the question?	25	Q. All right. Did you participate in the
	Page 115		Page 117
1	MS. CENAR: He has my instruction and	1	writing or the musical part of "Voodoo Doll"?
2	he's instructed that	2	A. Not the musical part.
3	MR. GOULD: Okay. Certify this	3	Q. Vocals?
4	MS. CENAR: to the extent that he	4	A. Yes.
5	can answer the question	5	Q. All right. Do you have the ability to
6	MR. GOULD: We'll take this in front	6	write music?
7	of the judge. This particular episode we'll take in	7	A. Yes.
8	front of the judge.	8	Q. All right. Could you have written the
9	I'm saying that it's clearly a code	9	music to "I Gotta Feeling"?
10	and you're telling the witness not to answer a	10	MS. CENAR: Objection; form.
11	question.	11	THE DEPONENT: Yes.
12	This does not call for attorney-client	12	BY MR. GOULD:
13	privilege. He hears that and then he doesn't want to	13	Q. Okay. And could you have written the
14	answer a clear question.	14	music to "Voodoo Dolls"?
15	Repeat the question one more time.	15	A. Yes.
16	THE DEPONENT: I know the question.	16	MS. CENAR: Same objection.
17	BY MR. GOULD:	17	BY MR. GOULD:
18	Q. No, I want it repeated. I have a	18	Q. All right. And is there a reason why
19	reason to do it.	19	you just wrote the lyrics?
20	A. Okay.	20	A. Because that's all I you know, that
21	Q. That's my job.	21	came first.
22	Repeat the question.	22	Q. Who in the group did the music?
23	And if the judge overrules that, the	23	MS. CENAR: Objection to form.
24	witness we will request the witness to come back	24	THE DEPONENT: I don't know.
25	and answer	25	MR. DICKSTEIN: Objection;
ا کا	and anowor		with Dionotein. Objection,

1 foundation. 2 MR. GOULD: Objection to form? MS. CENAR: Yes. What song are you 4 referring to? 4 referring to? 5 MR. GOULD: "Voodoo Doll." 5 Did you have anything to do with the song." 2 O. All right. What role did you have in that song? 1 A. Wrote the song, produced the song. 2 O. Did you have anything to do with the music of the song? 1 A. It was a joint effort. 1 O. By who? 1 O. A. It was a joint effort. 1 O. By who? 1 O. Who were the parties? Name them. 1 O. Who were the parties? Name them. 1 O. Who were the parties? Name them. 1 O. Who were the parties in The Black Eyed 1 Peas who wrote the music: - 1 O. Name them. 1 O. Name them. 1 O. Name them. 1 O. Name them. 1 O. Who are the parties in The Black Eyed 1 Peas who wrote the music: - 1 O. Name them. 1 O. Who wrote the music: - 1 O. Name them. 1 O. Who wrote the music: - 1 O. Who wrote the music of the wrote what portion of the wrote what portion of the wrote what portion of the wrote		Page 118		Page 120
MR. GOULD: Voodoo Doll." MR. GOULD: "Voodoo Doll." MR. COULD: "Voodoo Doll." MR. COULD: "Voodoo Doll." MR. COULD: "Voodoo Doll." MR. GOULD: "Voodoo Dol	1		1	- I
MS. CGNAR: Yes. What song are you frefring to? MR. GOULD: "Voodoo Doll." MR. GOULD: "Ovodoo Doll." MR. GOULD: "Ovodoo Doll." Dearwrite or participated in the musical composition, the musical part of that song? A. It was a joint effort. MR. GOULD: "Ovodoo Doll." A. It was a joint effort. MR. GOULD: "Ovo were the parties? Name them. MR. GOULD: "The DEPONENT: I don't have that by by hook. MR. GOULD: "Ovo were the parties? Name them. MR. GOULD: "The DEPONENT: I don't have that by by hook. MR. GOULD: "Ovo were the parties of the word of the	2		2	
ferfiring to? MR. GOULD: "Voodoo Doll." BY MR. GOULD: "Oodoo Doll." BY MR. GOULD: "Oodoo Doll." Peas wrote or participated in the musical composition, the musical part of that song? A. It was a joint effort. Q. By who? A. I was a joint effort. Q. By who? A. I don't have that information. Q. Name them. Who are the parties in The Black Eyed MR. GOULD: "Ood worde the musical part of that song? Peas who wrote the musical part of that song? Peas who wrote the musical part of that song? THE DEPONENT: I don't have that information. S. SCRAR: Objection: form. BY MR. GOULD: "Ood worde that wash that that parties in the Black Eyed Peas song and The Black Eyed Peas song and The Black Eyed Peas did not pour form that song. Q. Where did the song come? Q. Don't worry about what I know and don't know. GSPEAKING SIMULTANEOUSLY.) THE DEPONENT: I twasn't BY MR. GOULD: Page 119 Peas Song, sir. Q. Where did the song come? A. You should know that I know and don't know. GSPEAKING SIMULTANEOUSLY.) THE DEPONENT: It wasn't BY MR. GOULD: Who are the parties in the Black Eyed Peas song and The Black Eyed Peas did not the form that song. Q don't be concerned. A. That wasn't a Black Eyed Peas song and The Black Eyed Peas did not that I from that song. Q. Okay. And who else participated in the music or Party All The Time? A. No, The Black Eyed Peas did not the perform that song. Q. Ust Fergle? A. Wes, I wrole the top line. Q. All right. Did you have anything to down that music and words: isn't that correct? Page 119 Q. When the did you was yet the ensemble, "who does that refer to? Q. When the did the song come? A. A. Wes, I wrole the top line. Q. Who you say "the ensemble," who does that refer to? Q. When the did you was yet the form. The DEPONENT: I wasn't			3	•
By MR. GOULD: "Voodoo Doll." 6	4	o s	4	A. Wrote the song, produced the song.
6 BY MR. GOULD: 7 Q. Who in the group of The Black Eyed 8 Peas wrote or participated in the musical 9 composition, the musical part of that song? 10 A. It was a joint effort. 11 Q. By who? 12 A. By all parties. 13 Q. Who were the parties? Name them. 14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 17 A. Some of it. 19 Q. Was by the parties? Name them. 18 Who are the parties? Name them. 19 Who are the parties in The Black Eyed 10 A. Yes. 10 Q. Vasy. Was it the having to do with 11 the book of that song? 11 the DEPONENT: I don't have that 19 BY MR. GOULD: 11 Q to the song? 12 A. I don't have that information. 12 Q. Whore did the song come? 13 A. You should know that if you're asking 14 me the question. 15 Q. Where did the song come? 16 A. You should know that if you're asking 17 The DEPONENT: It wasn't 18 The DEPONENT: It wasn't 19 BY MR. GOULD: 10 Q don't be concerned. 11 Q. Okay. Was it the having to do with 12 the book of that song? 13 A. You should know that if you're asking 14 me the question. 15 Q. Where did the song come? 16 don't know. 17 (SPEAKING SIMULTANEOUSLY.) 18 THE DEPONENT: It wasn't 19 Q. I'm not being rude. I'm just telling 17 you 18 Black Eyed Peas 19 Q. I'm not being rude. I'm just telling 17 A. No, The Black Eyed Peas song and 18 perform that song. 19 Q. Just Fergle? 20 A. Just Fergle? 21 A. Yus, I wrote the top line. 22 A. A. I'm rule a sortic in the interior in the	5		5	Q. Did you have anything to do with the
8 Peas wrote or participated in the musical ocomposition, the musical part of that song? 10 A. It was a joint effort. 11 Q. By who? 12 A. By all parties. 13 Q. Who were the parties? Name them. 14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 16 Peas who wrote the music 17 (SPEAKING SIMULTANEOUSLY.) 18 BY MR. GOULD: 29 A. I don't have that information. 20 So you're testifying that did the sellar by hook. 21 Q. Whore did the song come? 22 A. No, because that's not a Black Eyed 23 A. You should know that if you're asking 24 me the question. 25 Q. Where did the song come? 26 A. You should know that if you're asking 27 (SPEAKING SIMULTANEOUSLY.) 28 me the question. 29 Q. I'm not being rude. I'm just telling 20 Q. I'm not being rude. I'm just telling 21 Q don't be concerned. 22 A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and The Black Eyed Peas and the preform it? 20 Q. Just Fergle? 21 Q. Just Fergle? 22 A. Just Fergle? 23 A. Yes, I wrote a portion of it. 24 With the music? 25 A. I don't have that information. 26 Q. Name them. 27 (SPEAKING SIMULTANEOUSLY.) 28 A. The hook is the vocal, the chorus. 29 A. Sometimes. 20 Q. Sometimes. 31 Q don't be concerned. 4 A. Sometimes. 4 A. Sometimes. 5 Q. Sometimes. 6 Q. Jim not being rude. I'm just telling you 18 THE DEPONENT: It wasn't 19 Q. Just Fergle? 20 A. Just Fergle? 21 Q. All right. Did you have anything to dowith that song? 22 Q. All right. Did you have anything to dowith that song? 23 A. Yes, I wrote the top line. 24 Q. All right. Did you have anything to dowith that song? 25 A. Yes, I wrote the top line. 26 Q. All right. Did you have anything to dowith that song? 27 Q. All right. Did you have anything to dowith the music domopsition of "party All The Time"? 28 A.	6	BY MR. GOULD:	6	
9 composition, the musical part of that song? 10 A. It was a joint effort. 11 Q. By who? 12 A. By all parties. 13 Q. Who were the parties? Name them. 14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 17 Peas who wrote the music - 18 (SPEAKING SIMULTANEOUSLY.) 19 THE DEPONENT: I don't have that 19 BY MR. GOULD: 20 Q. So you're testifying that did the 23 Q. Oxay. Do you consider music to be 24 Black Eyed Peas write the music? 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 23 Q. Oxay. Do you consider music to be 24 Black Eyed Peas write the music? 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 don't know. 27 Q. Where did the song come? 28 A. You should know that If you're asking of the question. 29 Q. Don't worry about what I know and 6 don't know. 20 Q. Don't worry about what I know and 6 don't know. 21 Q. I'm not being rude. I'm just telling 19 Q. I'm not being rude. I'm just telling 19 Q. I'm not being rude. I'm just telling 19 Q. Just Fergie? 20 A. Just Fergie? 21 Q. Just Fergie? 22 A. Just Fergie? 23 A. Yes, I wrote the top line. 24 Q. Was, Was it the having to do with the hook of that song? 25 A. You Should with a wash to do with the hook of that song? 26 A. Sometimes. 27 Q. Oxay. Was it the having to do with the hook of that song? 28 WHR. GOULD: 29 Q. So you're demember what portion? 20 Q. So you're demember what portion? 21 Q. Well, what do you mean by hook? 22 A. The hook is the vocal, the chorus. 23 Q. So you're testifying that did the 23 Q. Oxay. Do you consider music to be 24 part of the hook, potentially? 29 A. Sometimes. 20 Q. Where did the song come? 21 Q. When you sou that I'm you're asking 20 Q. Oxay. Do you consider music to be 24 part of the hook potentially? 29 A. Sometimes. 20 Q. Where did the song come? 21 Q. When you sou the development 22 Q. Sometimes. 23 Q. Cosyay. Do you consider music to be 24 part of the hook in "I Gotta Proving the deme	7	Q. Who in the group of The Black Eyed	7	A. Some of it.
A. It was a joint effort. 10 A. It was a joint effort. 11 Q. By who? 12 A. By all parties. Q. Who were the parties? Name them. A. I don't have that information. Q. Name them. 13 Q. Who were the parties? Name them. 14 A. I don't have that information. Q. Name them. 15 Q. Name them. 16 Who are the parties in The Black Eyed 17 Peas who wrote the music (SPEAKING SIMULTANEOUSLY.) 18 THE DEPONENT: I don't have that 19 THE DEPONENT: I don't have that 20 BY MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 BY MR. GOULD: 27 Q. Where did the song come? 28 A. You should know that if you're asking 4 me the question. 4 A You should know that if you're asking 4 me the question. 4 A. You should know that if you're asking 4 me the question. 4 A. You should know that if you're asking 5 Q. Don't worry about what I know and 6 don't know. 7 (SPEAKING SIMULTANEOUSLY.) 8 THE DEPONENT: It wasn't 9 Q. Just Fergle? 10 A. That wasn't a Black Eyed Peas song. 11 The black Eyed Peas 12 Q. When you say "the ensemble, "who does that information of "Party All The Time"? 14 A. The ensemble. I don't know all of that information of "Party All The Time"? 15 The Black Eyed Peas 16 Q. All right. Did you have anything to 17 Q. All right Did you have any	8	Peas wrote or participated in the musical	8	Q. Okay. What did you do in connection
11 Q. By who? A. By all parties. Q. Who were the parties? Name them. A. I don't have that information. Who are the parties in The Black Eyed Peas who wrote the music (SPEAKING SIMULTANEOUSLY.) 18 Government of the beautiful the song come? A. No, because that's not a Black Eyed 19 Peas song, sir. 10 Peas song, sir. 11 Q. Okay. Do you remember what portion? 12 A. Yes. Q. Okay. Was it the having to do with the hook of that song? 13 MS. CENAR: Objection; form. 14 THE DEPONENT: I don't have that 15 Black Eyed Peas write the music? Q. Don't have that information. Q. So you're testifying that did the 23 A. No, because that's not a Black Eyed Page 119 Peas song, sir. Page 121 Peas song, sir. Q. Where did the song come? Q. Where did the song come? Q. Don't worry about what I know and don't know. Q. Don't worry about what I know and don't know. Q. Don't worry about what I know and ton't know. Q. Don't worry about what I know and A. That wasn't a Black Eyed Peas song. Q don't be concerned. A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song. Q. Just Fergie? A. No, The Black Eyed Peas did not profrom that song? Q. Just Fergie? Q. Just Fergie? Q. Just Fergie? Q. All right. Did you have anything to do with the hook of that song to Cokay. Was it the having to do with the hook of that song? A. Yes. CENAR: Objection; form. THE DEPONENT: Depends what you mean by hook? A. The hook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook is the vocal, the chook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook is the vocal, the chook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook is the vocal, the chook is the vocal the chook is the vocal the chook	9	composition, the musical part of that song?	9	with the music?
12 A. By all parties. Q. Who were the parties? Name them. 14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 17 Peas who wrote the music 18 (SPEAKING SIMULTANEOUSLY.) 19 THE DEPONENT: I don't have that 20 By MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas wite the music? 25 A. No, because that's not a Black Eyed 26 By MR. Goullo: 27 Peas song, sir. 28 Peas song, sir. 39 Peas song, sir. 40 Peas who wrote the music? 41 Peas song, sir. 41 Peas song, sir. 42 Q. Where did the song come? 43 A. You should know that if you're asking 4 me the question. 44 The theok point worry about what I know and 4 don't know. 45 Q. Don't worry about what I know and 4 don't know. 46 don't know. 47 (SPEAKING SIMULTANEOUSLY.) 48 THE DEPONENT: I t wasn't 49 By MR. GOULD: 40 Q. I'm not being rude. I'm just telling 1 you 41 A. That wasn't a Black Eyed Peas song and 1 The Black Eyed Peas. 41 A. Sometimes. 42 A. That by MR. GOULD: 43 Q don't be concerned. 44 A. Sometimes. 54 Q. Okay. Day ou consider music to be participated in the music and words; isn't that correct? 55 Q. Don't worry about what I know and 4 me the question. 56 Q. Din't be concerned. 67 Q. I'm not being rude. I'm just telling 1 you 19 Q. Just Fergie. 68 A. Just Fergie. 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 79 Q. All right. Did you have anything to 2 do with that song? 80 Q. All right. Did you have anything to 24 do with that song? 81 A. Yes, Uwote the top line. 82 Q. All right. Did you have anything to 24 do with that song? 83 A. Yes, Uwote the tengic 84 A. Yes, Uwote the tengic 85 A. Bri	10	A. It was a joint effort.	10	A. I wrote a portion of it.
13 Q. Who were the parties? Name them. 14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 16 Peas who wrote the music 17 Peas who wrote the music 18 (SPEAKING SIMULTANEOUSLY.) 19 THE DEPONENT: I don't have that 19 THE DEPONENT: I don't have that 19 BY MR. GOULD: 20 BY MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 A. No, because that's not a Black Eyed 27 A. You should know that if you're asking 28 me the question. 29 Q. Where did the song come? 20 Q. Where did the song come? 21 Q. Where did the song come? 22 A. You should know that I know and 23 Q. Company about what I know and 24 me the question. 25 Q. Don't worry about what I know and 26 don't know. 27 (SPEAKING SIMULTANEOUSLY.) 28 THE DEPONENT: It wasn't 29 BY MR. GOULD: 39 Q don't be concerned. 40 A. That wasn't a Black Eyed Peas song. 41 A. Sometimes. 42 A. Sometimes. 43 Q to 44 A. Sometimes. 44 A. Sometimes. 45 Q. Name what I know and 46 don't know. 46 GOULD: 47 Q. Well, what do you mean by hook? 48 A. Sometimes. 49 Page 119 40 Q. Where did the song come? 41 Q. Where did the song come? 41 A. You should know that I know and 42 Me the question. 43 Q to 40 Q. Sometimes. 44 A. Sometimes. 45 Q. Sometimes. 46 Gon't know. 47 Q. Sometimes. 48 Peeling" is comprised of both music and words; isn't that correct? 49 BY MR. GOULD: 40 Q. Cokay. And who else participated in the unsical composition of "Party All The Time"? 41 The Black Eyed Peas and 14 the musical composition of "Party All The Time"? 42 A. That wasn't a Black Eyed Peas song and 14 the musical composition of "Party All The Time"? 43 A. You, The DEPONENT: Depends what you mean by hook. 44 A. The ensemble, "who does that feel on the correct of the hook, potentially? 45 A. Sometimes. 46 don't know. 47 Q. The musical accompaniment 48 A. Sometimes. 49 Q. Joung in the question. 40 Q. Coka	11	Q. By who?	11	
14 A. I don't have that information. 15 Q. Name them. 16 Who are the parties in The Black Eyed 17 Peas who wrote the music 18 (SPEAKING SIMULTANEOUSLY.) 19 THE DEPONENT: I don't have that 20 BY MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 BA. No, because that's not a Black Eyed 27 A. You should know that if you're asking 28 A. You should know that if you're asking 39 A. You should know that I know and 40 don't know. 40 CSPEAKING SIMULTANEOUSLY.) 41 THE DEPONENT: It wasn't 41 BOULD: 42 BY MR. GOULD: 43 Q. Okay. Do you consider music to be 44 A. Sometimes. 45 Q. Okay. Do you consider music to be 46 part of the hook, potentially? 46 A. Sometimes. 47 Q. The musical accompaniment 48 A. Sometimes. 49 Q to 49 A. Sometimes. 40 C. Name them. 40 C. Don't word about what I know and 40 don't know. 40 C. BY MR. GOULD: 41 Q. Okay. Do you consider music to be 41 Peas song, sir. 41 Q. The musical accompaniment 40 Q. Sometimes. 41 A. Sometimes. 42 Q. And, in fact, the hook in "I Gotta" 43 A. Sometimes. 44 A. Sometimes. 45 Q. And, in fact, the hook in "I Gotta" 46 A. That wasn't a Black Eyed Peas song. 47 Q. I'm not being rude. I'm just telling 48 YMR. GOULD: 49 A. That wasn't a Black Eyed Peas song. 40 Q. I'm not being rude. I'm just telling 49 Q. Just Fergie. 40 Q. Did they perform it? 41 A. No, The Black Eyed Peas did not 41 The Black Eyed Peas 42 A. That wasn't a Black Eyed Peas song. 41 The DEPONENT: Yes, that's correct. 42 A. The ensemble of I don't know all of that information offhand. 43 A. No, The Black Eyed Peas did not 44 A. That wasn't a Black Eyed Peas song. 45 Q. Okay. And who else participated in the musical composition of "Party All The Time"? 46 A. All the parties that that are 47 A. Han the music of the hook in "I don't know all of that information offhand. 48 A. The them being that did the song that a such that are 49 Q. Just Fergie.	12	A. By all parties.	12	If I played the song to you, would you remember what
15 Q. Okay. Was it the having to do with 16 Who are the parties in The Black Eyed 17 Peas who wrote the music 18 (SPEAKING SIMULTANEOUSLY.) 18 THE DEPONENT: I don't have that 20 BY MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 A. No, because that's not a Black Eyed 27 A. You should know that if you're asking 28 me the question. 30 Q. Don't worry about what I know and 40 don't know. 41 CSPEAKING SIMULTANEOUSLY.) 42 BY MR. GOULD: 43 Q. Well, what do you mean by hook? 44 A. Sometimes. 45 Q. Okay. Do you consider music to be 46 don't know. 46 don't know. 47 Q. The musical accompaniment 48 A. Sometimes. 49 Q. Jon't worry about what I know and 40 don't know. 40 Q. I'm not being rude. I'm just telling 41 you 41 Q. I'm not being rude. I'm just telling 41 Q. Jon't be concerned. 41 A. That wasn't a Black Eyed Peas song. 42 Q. Just Fergie. 43 Q. Just Fergie. 44 A. Sometimes. 55 Q. Sometimes. 65 Q. Sometimes. 66 don't know. 67 Q. I'm not being rude. I'm just telling 68 Q. Jim not being rude. I'm just telling 69 Q. Just Fergie. 60 Q. Just Fergie. 61 Q. Just Fergie. 61 Q. Just Fergie. 62 Q. All right. Did you have anything to 63 Q. All right. Did you have anything to 64 Q. All right. Did you have anything to 65 Q. All right. Did you have anything to 66 Q. All right. Did you have anything to 67 Q. All right. Did you have anything to 68 Q. All right. Did you have anything to 69 Q. All right. Did you have anything to 60 Q. All right. Did you have anything to 61 Q. All right. Did you have anything to 62 Q. All right. Did you have anything to 63 Q. All right. Did you have anything to 64 Q. All right. Did you have anything to 65 Q. All right. Did you have anything to 66 Q. All right. Did you have anything to 67 Q. All right. Did you have anything to 68 Q. All right. Did you have anything to 69 Q. All right. Did you have anything to 79 Q. All right. Did you have anything	13	Q. Who were the parties? Name them.	13	portion you wrote?
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20 BY MR. GOULD: 21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 Peas song, sir. 2 Peas song, sir. 2 Q. Where did the song come? 2 A. You should know that if you're asking 4 me the question. 4 A. Sometimes. 2 Q. Don't worry about what I know and 5 Q. Sometimes? 4 A. Sometimes. 7 (SPEAKING SIMULTANEOUSLY.) 8 THE DEPONENT: It wasn't 9 BY MR. GOULD: 9 BY MR. GOULD: 10 Q. I'm not being rude. I'm just telling 11 you 12 A. That wasn't a Black Eyed Peas song. 13 Q don't be concerned. 14 A. That wasn't a Black Eyed Peas song and 15 The Black Eyed Peas 16 Q. Did they perform it? 17 A. No, The Black Eyed Peas did not 18 perform that song. 19 Q. Just Fergie. 20 All right. Did you have anything to 20 MS. CENAR: Objection; form. 21 G. When you say "the ensemble," who does 22 participated in writing the music to "Party All The 23 A. Yes, I wrote the top line. 24 Black Eyed Peas did not perform that song? 25 A. The hook is the vocal, the chorus. 26 Q. Okay. Do you consider music to be 27 part of the hook, potentially? 28 A. Sometimes. 29 Q. Okay. Do you consider music to be 29 part of the hook, potentially? 20 A. Sometimes. 20 Okay. Do you consider music to be 21 participated in the music accompaniment 2 A. Sometimes. 20 Q. Okay. Do you consider music to be 21 Q. Okay. And who else participated in the music and words; isn't that correct? 29 A. All the parties that that are 29 A. Just Fergie? 20 Lall right. Did you have anything to 20 When you say "the ensemble," who does 21 participated in writing the music to "Party All The 22 participated in writing the music to "Party All The 23 Time"? 24 MS. CENAR: Objection; form.				, , , , , , , , , , , , , , , , , , , ,
21 Q to the song? 22 A. I don't have that information. 23 Q. So you're testifying that did the 24 Black Eyed Peas write the music? 25 A. No, because that's not a Black Eyed 26 A. No, because that's not a Black Eyed 27 A. Sometimes. Page 119 1 Peas song, sir. 2 Q. Where did the song come? 3 A. You should know that if you're asking 4 me the question. 4 A. Sometimes. Don't worry about what I know and 5 Q. Don't worry about what I know and 6 don't know. 7 (SPEAKING SIMULTANEOUSLY.) 8 THE DEPONENT: It wasn't 9 BY MR. GOULD: 9 BY MR. GOULD: 10 Q. I'm not being rude. I'm just telling 11 you 12 A. That wasn't a Black Eyed Peas song and 11 The Black Eyed Peas 12 Q. Did they perform it? A. That wasn't a Black Eyed Peas song and 17 A. No, The Black Eyed Peas did not 18 perform that song. 18 Q. All right. Did you have anything to 20 All right. Did you have anything to 21 MS. CENAR: Objection; form.				•
A. I don't have that information. C. So you're testifying that did the Black Eyed Peas write the music? A. No, because that's not a Black Eyed Page 119 Peas song, sir. O. Where did the song come? A. You should know that if you're asking me the question. C. Don't worry about what I know and don't know. CSPEAKING SIMULTANEOUSLY.) BY MR. GOULD: O. I'm not being rude. I'm just telling you A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. No, The Black Eyed Peas did not perform that song. A. You should know that I know and don't know. CSPEAKING SIMULTANEOUSLY.) BY MR. GOULD: D. O. I'm not being rude. I'm just telling you The Black Eyed Peas The Black Eyed Peas The Black Eyed Peas The Black Eyed Peas did not perform that song. A. No, The Black Eyed Peas did not perform that song. A. Yes, I wrote the top line. A. Yes, I wrote the top line. Q. All right. Did you have anything to A. Yes, I wrote the top line. A. Yes, I wrote the top line. A. No. CENAR: Objection; form. Page 119 A. The hook is the vocal, the chorus. Q. Okay. Do you consider music to be part of the hook, potentially? A. Sometimes. A. Sometimes. A. Sometimes. Q. And, in fact, the hook in "I Gotta Feeling" is comprised of both music and words; isn't that correct? BY MR. GOULD: MS. CENAR: Objection to the form. THE DEPONENT: Yes, that's correct. BY MR. GOULD: Q. When you say "the ensemble," who does that information offhand. Q. When you say "the ensemble," who does that information offhand. Q. When you say "the ensemble," who does that information offhand. Q. When you say "the ensemble," who does that information offhand. Q. When you say "the ensemble," who does that information offhand. Q. When you say "the ensemble," wh				
Q. So you're testifying that did the Black Eyed Peas write the music? A. No, because that's not a Black Eyed Page 119 Peas song, sir. Q. Where did the song come? A. You should know that if you're asking me the question. Q. Don't worry about what I know and don't know. GeyEAKING SIMULTANEOUSLY.) BY MR. GOULD: Q. I'm not being rude. I'm just telling you Q don't be concerned. A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas did not perform that song. By MR. GOULD: Q. Just Fergie. Q. All right. Did you have anything to		<u> </u>		, , ,
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Page 119 Peas song, sir. Q. Where did the song come? A. You should know that if you're asking me the question. Q. Don't worry about what I know and don't know. (SPEAKING SIMULTANEOUSLY.) BY MR. GOULD: Q. I'm not being rude. I'm just telling you A. That wasn't a Black Eyed Peas song. Q don't be concerned. A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and The Black Eyed Peas D. Did they perform it? A. No, The Black Eyed Peas did not A. No, The Black Eyed Peas did not A. Just Fergie. A. Just Fergie. A. Yes, I wrote the top line. A. Yes, I wrote the top line. Page 127 A. Sometimes. Page 127 A. Sometimes. BY MR. GOULD: A. Sometimes. A. Sometimes. A. Sometimes. A. Sometimes. BY MR. Sometimes. A. Sometimes. BY MR. Sometimes. A. Sometimes. A. Sometimes. BY MR. Sometimes. A. Sometimes. A. Sometimes. BY MR. Sometimes. A. Sometimes. BY MR. Sometimes. BY MR. CENAR: Objection to the form. THE DEPONENT: Yes, that's correct. BY MR. GOULD: A. The ensemble. I don't know all of that information of Party All The Time"? A. All the parties that that are listed in the in the the splits. Q. Who in The Black Eyed Peas A. All the parties that that are listed in the in the the splits. Q. Who in The Black Eyed Peas A. Yes, I wrote the top line. A. Yes, I wrote the top line. A. Yes, I wrote the top line. A. All right. Did you have anything to A. All right. Did you have anything to A. All right. Did you have anything to				
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A. You should know that if you're asking me the question. Q. Don't worry about what I know and don't know. (SPEAKING SIMULTANEOUSLY.) THE DEPONENT: It wasn't BY MR. GOULD: Q. I'm not being rude. I'm just telling you A. That wasn't a Black Eyed Peas song. Q don't be concerned. A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That wasn't a Black Eyed Peas song and A. That being rude. I'm just telling Jo don't be concerned. BY MR. GOULD: BY MR. CENAR: Objection; form.		Page 119		Page 121
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	Page 122		Page 124
1	your The Black Eyes Peas isn't just the four	1	A. So your question is
2	members of the Peas. There's we have guitarists,	2	MS. CENAR: Objection to the form.
3	bass players, you know, keyboards.	3	THE DEPONENT: Your question was "Is
4	BY MR. GOULD:	4	that how it usually works?"
5	Q. I'm talking about the four people	5	BY MR. GOULD:
6	that	6	Q. For you, for The Black Eyed Peas.
7	A. I don't know that offhand.	7	A. I said
8	Sorry.	8	Q. Do you usually write your music?
9	Q. Do you guys typically write your own	9	A sometimes we do the majority of
10	music for your songs?	10	it.
11	MS. CENAR: Objection to the form.	11	Q. And sometimes you don't?
12	MR. DICKSTEIN: Objection; form.	12	A. It all depends on the song, sir.
13	BY MR. GOULD:	13	Q. And sometimes you don't; correct?
14	Q. Do you guys typically generally	14	A. All depends on the song.
 15	speaking, do you write your own music or does	15	Q. All right. And in The Black Eyed
16	somebody else do that?	16	in the "I Gotta Feeling" song, you didn't write the
17	A. No. We we write the majority	17	music; correct?
18	of our material.	18	A. David Guetta did.
19	Q. All right. So "I Gotta Feeling" was	19	Q. David Guetta did?
20	an exception?	20	A. Yes.
21	MS. CENAR: Objection to form.	21	Q. And you don't know whether
22	THE DEPONENT: See, that's why I said	22	Mr. Riesterer did; correct?
23	the majority of the material.	23	A. I don't have any clue on how it was
24	BY MR. GOULD:	24	split up.
25	Q. Right.	25	Q. How do you know that David Guetta
	Page 123		Page 125
1	And I'm asking telling you to	1	wrote the music?
2	say the majority of the opinion you do the musical	2	A. I don't.
3	part.	3	Q. Right. He could have gotten it from
4	You've already said that you didn't do	4	somewhere else? You wouldn't know one way or the
5	the musical part for "I Gotta Feeling"	5	other; correct?
6	MS. CENAR: Let him finish.	6	A. This is true.
7	BY MR. GOULD:	7	Q. All right. He could have sampled it
8	Q and I'm asking you to just	8	from somewhere else and never told anybody; correct?
9	acknowledge that that's an exception to what you	9	MS. CENAR: Objection; form,
10	generally do.	10	foundation
11	MS. CENAR: Objection to the form.	11	(SPEAKING SIMULTANEOUSLY.)
12	THE DEPONENT: Yeah, but it's the	12	THE DEPONENT: Yes and no.
13	way	13	MS. CENAR: assumes facts.
14	MS. CENAR: Move to strike Counsel's	14	DEPOSITION OFFICER: Hang on.
15	colloquy.	15	What we're doing is all talking at the
16	THE DEPONENT: the way you're	16	same time again, and I can't
17			THE DEPONENT: I'm sorry.
18	asking it asking the question and have no	17	•
19	knowledge of how things come about.	18	MS. CENAR: You have to give me an
20	knowledge of how things come about. BY MR. GOULD:	18 19	MS. CENAR: You have to give me an opportunity to lodge my objections.
	knowledge of how things come about. BY MR. GOULD: Q. I'm not asking that.	18 19 20	MS. CENAR: You have to give me an opportunity to lodge my objections. THE DEPONENT: Okay.
21	knowledge of how things come about. BY MR. GOULD: Q. I'm not asking that. A. Yes, you are.	18 19 20 21	MS. CENAR: You have to give me an opportunity to lodge my objections. THE DEPONENT: Okay. MS. CENAR: You have to let him finish
21 22	knowledge of how things come about. BY MR. GOULD: Q. I'm not asking that. A. Yes, you are. So the way you're wording the question	18 19 20 21 22	MS. CENAR: You have to give me an opportunity to lodge my objections. THE DEPONENT: Okay. MS. CENAR: You have to let him finish his question
21 22 23	knowledge of how things come about. BY MR. GOULD: Q. I'm not asking that. A. Yes, you are. So the way you're wording the question is not how the world of music works.	18 19 20 21 22 23	MS. CENAR: You have to give me an opportunity to lodge my objections. THE DEPONENT: Okay. MS. CENAR: You have to let him finish his question THE DEPONENT: Okay.
21 22	knowledge of how things come about. BY MR. GOULD: Q. I'm not asking that. A. Yes, you are. So the way you're wording the question	18 19 20 21 22	MS. CENAR: You have to give me an opportunity to lodge my objections. THE DEPONENT: Okay. MS. CENAR: You have to let him finish his question

	Page 126		Page 128
1	THE DEPONENT: I'm sorry.	1	Q. All right. Let's assume it was
2	MR. DICKSTEIN: And I'm going to join	2	50 percent just as a hypothetical question; okay?
3	those objections.	3	If he didn't actually write the music
4	MR. GOULD: What objections are you	4	but somebody else did, would you agree with me that
5	joining?	5	some and he never got clearance for a sample,
6	MR. DICKSTEIN: The ones that	6	assuming it's a sample you'd agree with me that
7	Ms. Cenar just made.	7	that other person would be entitled to the royalties;
8	MR. GOULD: What were those?	8	correct?
9	MS. CENAR: Form, foundation, and	9	MS. CENAR: Objection; form,
10	assumes facts not in evidence knowingly assumes	10	foundation, assumes facts not in evidence.
11	facts not in evidence	11	BY MR. GOULD:
12	MR. GOULD: That's not correct.	12	Q. It's a hypothetical question.
13	MS. CENAR: and misrepresents the	13	Can you answer the question, please?
14	evidence that you do have knowledge of.	14	MR. MCPHERSON: Calls for a legal
15	MR. GOULD: What is this, a trial? I	15	conclusion.
16	mean, it's a deposition. I'm asking him questions.	16	MS. CENAR: And calls for a legal
17	That's all.	17	conclusion.
18	THE DEPONENT: Okay.	18	BY MR. GOULD:
19	MS. CENAR: The questions have	19	Q. In your opinion.
20	MR. GOULD: The fact finder	20	A. I don't like operating on
21	MS. CENAR: to be proper.	21	hypotheticals.
22	MR. GOULD: will decide what facts	22	Q. Well, unfortunately, I have a right to
23	are in	23	ask you a hypothetical question so you have to answer
24	(TELEPHONIC INTERRUPTION IN PROCEEDINGS.)	24	me.
25	MR. GOULD: and what are not.	25	A. I can give you a hypothetical answer.
	Page 127		Page 129
1	Page 127 BY MR GOULD:	1	Page 129 O No Give me give me your answer to
1 2	BY MR. GOULD:	1 2	Q. No. Give me give me your answer to
2		1 2 3	Q. No. Give me give me your answer to the hypothetical question.
	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that?		Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave.
2	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that? MS. CENAR: I believe that was the	3	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave. I'm asking you a question.
2 3 4	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that?	3 4	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave.
2 3 4 5	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that? MS. CENAR: I believe that was the telephone.	3 4 5	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave. I'm asking you a question. A. I'm behaving
2 3 4 5 6	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that? MS. CENAR: I believe that was the telephone. MR. GOULD: Can you read back the	3 4 5 6	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave. I'm asking you a question. A. I'm behaving Q. I'd like you to answer the question.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that? MS. CENAR: I believe that was the telephone. MR. GOULD: Can you read back the question for the witness. (THE RECORD WAS READ AS FOLLOWS: Q. All right. He could have sampled it from somewhere else and never told anybody; correct?) BY MR. GOULD: Q. Isn't that true, you wouldn't know one way or another? MS. CENAR: Objection; form, foundation, assumes facts not in evidence. BY MR. GOULD: Q. You wouldn't know one way or other? A. Yeah, I wouldn't know. Q. All right. Now, how much did Mr. Guetta get in terms of his percentage of the splits?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave. I'm asking you a question. A. I'm behaving Q. I'd like you to answer the question. Read back the question. MS. CENAR: You can answer the question, if you can. If you can't, tell him you can't answer the question. BY MR. GOULD: Q. If you can't answer it we are going to read it back. If you can't answer the question, then that will be your answer to that question in this video deposition. So would you repeat the question, please. (THE RECORD WAS READ AS FOLLOWS: Q. All right. Let's assume it was 50 percent just as a hypothetical question; okay? If he didn't actually write
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOULD: Q. Okay. Can you answer the question? DEPOSITION OFFICER: What's that? MS. CENAR: I believe that was the telephone. MR. GOULD: Can you read back the question for the witness. (THE RECORD WAS READ AS FOLLOWS: Q. All right. He could have sampled it from somewhere else and never told anybody; correct?) BY MR. GOULD: Q. Isn't that true, you wouldn't know one way or another? MS. CENAR: Objection; form, foundation, assumes facts not in evidence. BY MR. GOULD: Q. You wouldn't know one way or other? A. Yeah, I wouldn't know. Q. All right. Now, how much did Mr. Guetta get in terms of his percentage of the splits?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. No. Give me give me your answer to the hypothetical question. You see? You wanted people to behave. I'm asking you a question. A. I'm behaving Q. I'd like you to answer the question. Read back the question. MS. CENAR: You can answer the question, if you can. If you can't, tell him you can't answer the question. BY MR. GOULD: Q. If you can't answer it we are going to read it back. If you can't answer the question, then that will be your answer to that question in this video deposition. So would you repeat the question, please. (THE RECORD WAS READ AS FOLLOWS: Q. All right. Let's assume it was 50 percent just as a hypothetical question; okay? If he didn't actually write

_	Page 130	_	Page 132
1	sample assuming it's a sample	1	DEPOSITION OFFICER: Counsel, can
2	you would agree with me that that	2	you please
3	other person would be entitled to	3	MR. GOULD: "I Gotta Feeling"
4	the royalties; correct?)	4	THE DEPONENT: I don't I don't. I
5	BY MR. GOULD:	5	don't know how to answer that.
6	Q. You can answer that question, can't	6	BY MR. GOULD:
7	you?	7	 Q. You don't know if Guetta got money for
8	MS. CENAR: Same objections; form,	8	writing the music for "I Gotta Feeling"?
9	foundation.	9	MS. CENAR: Objection; form,
10	THE DEPONENT: I don't it all	10	foundation.
11	depends. I don't know.	11	THE DEPONENT: I really I don't
12	BY MR. GOULD:	12	know. I don't know his business. I don't know.
13	Q. What would it depend on?	13	BY MR. GOULD:
14	Someone else wrote the music. He took	14	Q. That's your answer?
15	it or stole it from someone else. That's the	15	A. I don't know.
16	hypothetical; okay?	16	Q. And if you were going to answer at
17	Wouldn't you agree with me that the	17	trial, your answer would remain the same
18	other person whose music was taken by Mr. Guetta,	18	A. I would say
19	should be entitled to the money that Mr. Guetta	19	Q you don't know?
20	received if he didn't write it?	20	A. I would say, "I don't know." I would
21	MS. CENAR: Objection; form,	21	have to ask David Guetta, because I never talked to
22	foundation, assumes facts not in evidence.	22	him about that.
23	MR. GOULD: That's why they call it a	23	Q. Okay. Now, in terms of the song
24		24	"Shut The Phunk Up," P-h-u-n-k, "Shut the Phunk Up,"
25	hypo MS CENAR: Calls for a logal	25	who wrote that song?
23	MS. CENAR: Calls for a legal	23	who wrote that song:
	Page 121		Dogo 122
1	Page 131	1	Page 133
1	conclusion.	1	A. The Black Eyed Peas performed it. I
2	conclusion. MR. GOULD: That's why they call it a	2	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that
2	conclusion. MR. GOULD: That's why they call it a hypothetical.	2	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up."
2 3 4	conclusion. MR. GOULD: That's why they call it a hypothetical. BY MR. GOULD:	2 3 4	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up." Q. Who wrote the music?
2 3 4 5	conclusion. MR. GOULD: That's why they call it a hypothetical. BY MR. GOULD: Q. Answer the hypothetical question, and	2 3 4 5	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up." Q. Who wrote the music? A. Of "Shut Up" or "Shut
2 3 4 5 6	conclusion. MR. GOULD: That's why they call it a hypothetical. BY MR. GOULD: Q. Answer the hypothetical question, and someday	2 3 4 5 6	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up." Q. Who wrote the music? A. Of "Shut Up" or "Shut Q. Of "Shut The Phunk Up."
2 3 4 5 6 7	conclusion. MR. GOULD: That's why they call it a hypothetical. BY MR. GOULD: Q. Answer the hypothetical question, and someday A. I don't	2 3 4 5 6 7	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up." Q. Who wrote the music? A. Of "Shut Up" or "Shut Q. Of "Shut The Phunk Up." A "The Phunk Up"?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	conclusion. MR. GOULD: That's why they call it a hypothetical. BY MR. GOULD: Q. Answer the hypothetical question, and someday A. I don't Q we'll prove the facts. A. I don't know how to answer that. MS. CENAR: Okay. BY MR. GOULD: Q. You can't answer the hypothetical? A. I don't know how to. Q. Okay. What did Guetta did Guetta get money for writing the music? MR. DICKSTEIN: Objection; form. MS. CENAR: Same objections. MR. GOULD: What's wrong with that form? The money? (SPEAKING SIMULTANEOUSLY.) MR. DICKSTEIN: Compound. MS. CENAR: Calls for speculation.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. The Black Eyed Peas performed it. I wrote it I wrote a portion of it. And that particular song was a remix of our song "Shut Up." Q. Who wrote the music? A. Of "Shut Up" or "Shut Q. Of "Shut The Phunk Up." A "The Phunk Up"? MS. CENAR: Objection; form. THE DEPONENT: George Clinton. BY MR. GOULD: Q. George Clinton wrote the music? A. Uh-huh. Q. All right. Was that a "Yes"? A. Yes. Q. Did you get that cleared from George Clinton? A. The first time, yes. Q. When? A. When we released the re the remix of it. Q. All right. And do you have a piece of paper that reflects the the approval of the

	Page 134		Page 136
1	BY MR. GOULD:	1	anyone else in The Black Eyed Peas to get
2	Q giving you the clearance?	2	clearance?
3	MS. CENAR: form.	3	MS. CENAR: Objection; form,
4	BY MR. GOULD:	4	foundation, calls for a legal conclusion.
5	Q. Do you have a piece of paper	5	You can answer the question to the
6	A. I don't have	6	extent you can without revealing communications with
7	Q that reflects that?	7	your counsel.
8	A that with me. I don't know. I	8	MR. GOULD: Here we go again.
9	don't know where that's at.	9	What's the legal conclusion?
10	Q. Okay. So is it your testimony that	10	MS. CENAR: If your answer is going to
11	you received a clearance from George Clinton for	11	cause you to reveal communications with your lawyers,
		12	· · · · · · · · · · · · · · · · · · ·
12	writing the music for "Shut the Phunk Up"? Is that		you're instructed not to answer.
13	your testimony?	13	MR. GOULD: Yeah. And I'm certifying
14	A. Yes.	14	that question, too. And I'm saying that when you do
15	MS. CENAR: Objection to form,	15	that, you are telegraphing the answer to the witness.
16	foundation.	16	And that's a repeated pattern that
17	BY MR. GOULD:	17	you've used in the depositions and you're doing it
18	Q. You've answered.	18	today and it's perfectly obvious and it's wrong.
19	MR. MCPHERSON: Could I clarify	19	Now, repeat the question, please.
20	something, Counsel? When you say "you" are you	20	It doesn't call for a legal
21	referring to Mr. Adams personally?	21	conclusion, clearly, unless you'd like to elucidate
22	MR. GOULD: Mr. Adams or The Black	22	and tell us what's the legal conclusion that is
23	Eyed Peas.	23	embedded in the question.
24	Thank you.	24	Repeat the question, please.
25	MR. MCPHERSON: Well, he I think	25	///
	Page 135		Page 137
1	that would call for speculation as to the other Peas,	1	(THE RECORD WAS READ AS FOLLOWS:
2	but I'm just asking if you're asking him "he"	2	Q. All right. Why did you get
3	personally.	3	clearance? Why didn't you just
4	MR. GOULD: Well, it might not	4	sample it and not get clearance?
5	call for speculation. If he knows. It doesn't	5	What caused you to get you or
6	automatically call for speculation.	6	anyone else in The Black Eyed
7	MR. MCPHERSON: Counsel, I don't want	7	Peas to get clearance?)
8	to argue with you. What I'm asking you	8	MR. MCPHERSON: Objection; compound
9	MR. GOULD: Well, it doesn't call for	9	and unintelligible.
10	speculation.	10	MS. CENAR: Right. Same objections;
11	MR. MCPHERSON: What I am asking you	11	same instruction.
12	is, when you have ask, "Are you did you get	12	BY MR. GOULD:
13	clearance?" do you mean him personally?	13	Q. You can answer the question if you
14	MR. GOULD: That's a proper point;		can. She's not instructing you not to answer the
		14	
15 17	okay? So let's go back over it.	15	question.
16 17	BY MR. GOULD:	16	MS. CENAR: I have given you my
17	Q. You wrote "Shut The Phunk Up," but the	17	instruction.
18	music you got from George Clinton; correct?	18	To the extent it calls for privileged
19	A. "Shut Up" was the original song that I	19	communications, you may not answer the question. To
20	wrote for The Black Eyed Peas. And then we released	20	the extent you can answer it without revealing
21			privileged communications, you can answer it to the
2	a remix and we sampled George Clinton and got	21	privileged communications, you can answer it to the
22	clearance for that.	22	extent you understand it.
23	clearance for that. Q. All right. Why did you get clearance?	22 23	extent you understand it. BY MR. GOULD:
23 24	clearance for that. Q. All right. Why did you get clearance? Why didn't you just sample it and not get clearance?	22 23 24	extent you understand it. BY MR. GOULD: Q. You can't answer the question?
23	clearance for that. Q. All right. Why did you get clearance?	22 23	extent you understand it. BY MR. GOULD:

	Page 138		Page 140
1	Q. Okay. And I take it that if you were	1	MR. GOULD: We've got you now, too.
2	at trial, you'd give the same answer	2	MR. DICKSTEIN: I'll join.
3	MS. CENAR: And he'd get the same	3	MR. GOULD: You, too?
4	instruction.	4	BY MR. GOULD:
5	BY MR. GOULD:	5	Q. You can answer.
6	Q. Is that right? Correct?	6	A. What she said.
7	A. I'll get the same instruction.	7	Q. She's not instructing you not to
8	Q. Okay. Now, did you get clearance from	8	answer the question.
9	Groundation or "Waterfall" for writing "Voodoo Doll"	9	MS. CENAR: There's an objection to
10	and doing the music of "Voodoo" of "Voodoo	10	form.
11	Doll"?	11	Here's the question: "How many songs
12	MS. CENAR: Objection; form,	12	have The Black Eyed Peas sampled without getting
13	foundation, and	13	clearance in the history of The Black Eyed Peas?"
14	MR. GOULD: Attorney-client privilege?	14	MR. GOULD: Correct.
15	MS. CENAR: you can answer that	15	MS. CENAR: "Give me a number."
16	question to the extent you	16	BY MR. GOULD:
17	MR. GOULD: Legal conclusion?	17	Q. "Give me," correct. No
18	MS. CENAR: don't reveal	18	attorney-client privilege there.
19	communications with your counsel because that's	19	A. I don't I don't I don't know.
20		20	Q. More than ten?
21	privileged.	21	MS. CENAR: Same objection.
	To the extent you can answer the		THE DEPONENT: I don't I don't
22	question without revealing communications with your	22	
23	lawyers, you can answer it.	23	know. I don't know.
24	BY MR. GOULD:	24	BY MR. GOULD:
25	Q. You're not answering?	25	Q. More than 20?
	Page 139		Page 141
1	A. What she said.	1	MS. CENAR: Same objections.
2	Q. You'd like to answer, though, wouldn't	2	THE DEPONENT: I have no idea.
3	you?	3	BY MR. GOULD:
4	A. What she said.	4	Q. Would you be shocked if the number was
5	MS. CENAR: He's been instructed	5	more than 50?
6	MR. GOULD: Not to answer.	6	MS. CENAR: Same objections.
7	MS. CENAR: not to reveal	7	THE DEPONENT: I don't know.
8	privileged communications, Counsel. The instruction	8	BY MR. GOULD:
9	stands.	9	Q. In fact, you have a pattern and
10	BY MR. GOULD:	10	practice of sampling other people's music without
11	Q. Is the reason why you did not get	11	getting clearance.
12	clearance have to do with an instruction from a	12	That's a pattern and a practice; isn't
13		13	that right?
	lawyer to you not to get clearance?		MS. CENAR: Objection to form,
14	MS. CENAR: Objection; form,	14 15	•
15	foundation, and same instruction.		foundation, assumes facts not in evidence.
16	BY MR. GOULD:	16	BY MR. GOULD:
17	Q. You can blame it on the lawyer.	17	Q. You can answer.
18	Answer the question.	18	She's not instructing you. There's no
19	A. I'm following what she says.	19	instruction not to answer.
20	Q. Okay. How many songs have The Black	20	A. No, that's not a pattern.
21	Eyed Peas sampled without getting clearance in the	21	Q. Okay. Pardon me?
22	history of The Black Eyed Peas? Give me a number.	22	A. No, it's not true.
23	MS. CENAR: Objection; form.	23	Q. All right. How many about how many
24	MR. MCPHERSON: Objection;	24	songs have you sampled music and gotten a clearance?
25	foundation.	25	"You" being you or the Black Eyed Peas.

	Page 142		Page 144
1	MR. MCPHERSON: Objection; foundation.	1	How long have you been doing this?
2	MS. CENAR: Objection to form and	2	MR. GOULD: Okay.
3	foundation.	3	· · · · · · · · · · · · · · · · · · ·
			Repeat the question.
4	MR. GOULD: What's wrong with the	4	MS. CENAR: It's a compound
5	foundation?	5	MR. GOULD: Repeat the question.
6	MR. MCPHERSON: Counsel, I don't have	6	MS. CENAR: question.
7	to tell you that.	7	MR. GOULD: It's compound now?
8	MR. GOULD: Yeah, you do. I mean, as	8	MS. CENAR: It's compound.
9	-	9	MR. GOULD: Okay. Repeat the
	a I think as a legal matter		, ·
10	MR. MCPHERSON: Counsel	10	question.
11	MR. GOULD: the purpose of an	11	MS. CENAR: May I finish?
12	objection is to help the questioner rephrase the	12	MR. GOULD: Really, we have heard
13	question properly so we don't go in front of a	13	enough.
14	judge.	14	MS. CENAR: Do you not want to know
15	MS. CENAR: All right.	15	the basis of my objections?
	•		
16	MR. GOULD: That's the reason. You've	16	MR. GOULD: No. Now I don't. Not
17	been practicing long enough. You know that.	17	from you. I do from him, but not from you.
18	MS. CENAR: I'll	18	MS. CENAR: All right.
19	MR. GOULD: So I'm asking you to give	19	MR. GOULD: There's no basis
20	me a basis for your objection. You can't just throw	20	MS. CENAR: My objection
21	out objections that have no basis.	21	MR. GOULD: for any of your
22	I need to know what your basis is so I	22	objections.
			·
23	can rephrase the question.	23	MS. CENAR: My objection stands.
24	MR. MCPHERSON: Counsel, number one,	24	MR. GOULD: Okay. Would you repeat
25	you want to take my deposition, you notice it, you	25	the question.
	Page 143		Page 145
1	Page 143	1	Page 145
1	subpoena me, and then we'll see the judge on it; all	1	THE DEPONENT: Is there a way
2	subpoena me, and then we'll see the judge on it; all right?	2	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question
2 3	subpoena me, and then we'll see the judge on it; all right? Otherwise	2	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question THE DEPONENT: Sorry.
2	subpoena me, and then we'll see the judge on it; all right?	2	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question THE DEPONENT: Sorry. MS. CENAR: Wait. Because she can't
2 3	subpoena me, and then we'll see the judge on it; all right? Otherwise	2	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question THE DEPONENT: Sorry.
2 3 4	subpoena me, and then we'll see the judge on it; all right? Otherwise MR. GOULD: Otherwise what? MR. MCPHERSON: I'll state my	2 3 4 5	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question THE DEPONENT: Sorry. MS. CENAR: Wait. Because she can't type and read at the same time.
2 3 4 5 6	subpoena me, and then we'll see the judge on it; all right? Otherwise MR. GOULD: Otherwise what? MR. MCPHERSON: I'll state my objection	2 3 4 5 6	THE DEPONENT: Is there a way DEPOSITION OFFICER: Question THE DEPONENT: Sorry. MS. CENAR: Wait. Because she can't type and read at the same time. (THE RECORD WAS READ AS FOLLOWS:
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1	face.	1	provide us copies of this exhibit at this deposition?
2	Q. Correct.	2	MR. GOULD: Play "Voodoo Doll."
3	A. And everything that I'm saying, people	3	THE WITNESS: He wants to play "I Need
4	are going to judge me on how I'm behaving.	4	A Freak," the ba da dan nah nah (indicating).
5	Q. That's very correct.	5	MR. GOULD: Yeah, I'm going to play
6	A. No.	6	you a different one; okay?
7	But you're also antagonizing me and	7	"Voodoo Doll."
8	giving me little winks and smirks. That's not fair.	8	MS. CENAR: Same objections.
9	Q. Excuse me? I'm not giving you	9	MR. GOULD: State for the record where
	0 0,		
10	A. There's not a camera aimed at you,	10	it comes from and then we can deal with it in the
11	sir.	11	future.
12	Q winks and smirks.	12	MS. CENAR: Do you have a copy of
13	MS. CENAR: Yes, you are.	13	what exactly the file that is about to be played?
14	MR. GOULD: Oh. I am, Ms. Cenar?	14	MR. GOULD: No.
15	MS. CENAR: Yes, you are. And you're	15	MS. CENAR: Then I move to strike the
16	being	16	testimony.
17	THE DEPONENT: That's not fair.	17	MR. GOULD: That's okay.
18	MS. CENAR: incredibly	18	MS. CENAR: And I move for lack of
19	unprofessional.	19	foundation on the exhibit.
20	MR. GOULD: Your objections are	20	MR. GOULD: That's okay.
21	unprofessional; okay	21	Would you play the song?
22	MS. CENAR: Would you please	22	(BRIEF PAUSE IN PROCEEDINGS
23	MR. GOULD: and we'll deal with	23	WHILE MUSIC IS BEING PLAYED.)
24	that some day.	24	MR. GOULD: All right. Mr. Greely,
25	MS. CENAR: let the witness	25	would you tell us where you got that sound from?
25	WIS. CLIVAN let the withess	25	would you tell us where you got that sound from:
	D 147		D 140
	Page 147	1	Page 149
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2	question the witness, please. MR. GOULD: Yes. Thank you.	2	MS. CENAR: Objection. MR. GOULD: You've already made your
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Page 150
                                                                                                            Page 152
    song called "Waterfall" by Groundation.
                                                                        THE DEPONENT: Excuse me, sir.
 1
 2
              THE DEPONENT: Uh-huh.
                                                              BY MR. GOULD:
 3
           (BRIEF PAUSE IN PROCEEDINGS
                                                           3
                                                                     Q. Do you want me to play the music
 4
           WHILE MUSIC IS BEING PLAYED.)
                                                           4
                                                              again?
 5
              MR. GOULD: Okay. For the record --
                                                           5
                                                                     A. No, you don't have to do that. I just
    for the record, Mr. Greely, would you identify where
 6
                                                           6
                                                              wanted to --
 7
    you got that sound from.
                                                           7
                                                                        Listen. I've never done this before.
8
              MR. GREELY: This is a similar YouTube
                                                           8
                                                              I'm asking her direction.
9
    video, URL address: www.YouTube.com, slash, watch,
                                                          9
                                                                     Q. Okav.
    w-a-t-c-h, question mark, V, equal sign, lower case
                                                          10
                                                                     A. So don't -- you can't fault me for
10
    tw, upper case P, Number 9, lower case w, capital I,
                                                          11
11
                                                              that.
    capital X, lower case c, lower case o, capital I,
12
                                                          12
                                                                     Q. Unless she instructs you, you can
13
    capital A.
                                                          13
                                                              answer the questions.
14
              The video is entitled "Groundation
                                                          14
                                                                     A. You're a pro at this; I'm not. So I'm
                                                              asking her if I'm to answer it or if I'm not to.
15
                                                          15
    Waterfall," uploaded by user name Demon Structie --
    Structie, that's S-t-r-u-c-t-i-e, on February 25th,
16
                                                                     Q. You're a pro as to the music. So I'm
                                                          16
17
    2009.
                                                              asking you to agree with me that the music you heard
                                                          17
    BY MR. GOULD:
                                                              in both songs is very, very similar to your ear.
18
                                                          18
19
           Q. All right. Does that music in both of
                                                          19
                                                                     A. There's similarities.
    those songs -- whatever those songs are. Some day
                                                                        MS. CENAR: Objection.
20
                                                          20
    we'll decide whether we can use this, not use it, or
21
                                                          21
                                                              BY MR. GOULD:
22
    what that music was.
                                                          22
                                                                     Q. Right.
23
                                                          23
              Just take your song that sounded like
                                                                         In fact, it's very, very similar;
24
    your song and the music that you just heard that we
                                                          24
                                                              isn't that true?
25 say is part of "Waterfall Groundation," would you
                                                          25
                                                                        MS. CENAR: Objection --
                                                 Page 151
    agree with me that it sounds virtually identical?
                                                           1
1
                                                                         MR. MCPHERSON: Objection; vague and
 2
               MS. CENAR: Objection.
                                                           2
                                                               ambiguous.
 3
              MR. MCPHERSON: Objection.
                                                           3
                                                                     (SPEAKING SIMULTANEOUSLY.)
              MS. CENAR: -- form, foundation, and
                                                           4
 4
                                                                         MR. DICKSTEIN: Form.
                                                           5
 5
    hearsay with respect to the exhibits.
                                                                         MS. CENAR: Form.
               Objection to form, foundation, assumes
 6
                                                           6
                                                                         MR. GOULD: He's about to answer the
    facts not in evidence, calls for expert analysis.
 7
                                                           7
                                                               question.
 8
    And move -- move to strike.
                                                           8
                                                                      (SPEAKING SIMULTANEOUSLY)
                                                           9
 9
    BY MR. GOULD:
                                                                         MR. MCPHERSON: Yeah. Right. That's
10
           Q. Just use your ears.
                                                          10
                                                              why --
               Doesn't the exhibit sound very, very
11
                                                          11
                                                                         MS. CENAR: Form --
12
    similar to you?
                                                          12
                                                                         MR. MCPHERSON: -- I'm objecting,
13
              MS. CENAR: Same objections.
                                                          13
                                                              Counsel.
14
    BY MR. GOULD:
                                                          14
                                                                         MS. CENAR: Right.
15
           Q. You can answer.
                                                          15
                                                                         MR. MCPHERSON: Vague and ambiguous,
               THE DEPONENT: Am I supposed to
                                                          16
16
                                                              lacks foundation.
17
    answer?
                                                          17
                                                                         MR. GOULD: Vague and ambiguous and
              MS. CENAR: If you can. If you --
                                                          18
18
                                                              lacks foundation.
19
              MR. GOULD: The witness asked -- the
                                                          19
                                                                         MS. CENAR: Form, foundation.
20
    witness asked her --
                                                          20
                                                                         MR. GOULD: Tal, do you want to throw
21
               MS. CENAR: -- you can't -- I mean, he
                                                          21 one in there, too?
22
    played three seconds of two different songs.
                                                          22
                                                                         MR. DICKSTEIN: I -- I objected to the
23
              MR. GOULD: The witness -- the witness
                                                          23
                                                             form already.
    just asked Ms. Cenar if he's allowed to answer.
24
                                                          24
                                                                         MR. GOULD: You did the same thing,
    There's no instruction not to answer.
                                                          25
                                                              too?
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1 BY MR. GOULD: 2 Q. All right. Answer the question, 3 please. 4 A. I did. 5 Q. All right. Very, very similar; 6 correct? 7 A. They're 8 MS. CENAR: Same 11 THE DEPONENT: similar. 10 MS. CENAR: objections. 11 THE DEPONENT: similar. 12 difference of "very, very similar; is but they're 13 smilar. 14 BY MR. GOULD: 15 MR. GOULD: All right. So illuminate me, please, and tell me how that question to the Groundation people for using that music from 16 MR. GOULD: All right. So illuminate me, please, and tell me how that question to the Groundation people for using that music from 17 you or The Black Eyed Peas whether it be a lawyer, an accountant, your business manager, get clearance from to the strend to not one should be an an instruction not to answer that question to the vertice of the dwith your can enswer that question to the extent you can without revealing communications you've had with your coursel, you're instructed not to answer that question to the extent you can without revealing communications you've had with your coursel, your enswer to this question requires you to reveal communications you've had with your coursel, your enswer to this question, please. 2 And then we can certify it if this is an instruction not to answer it on attorney-client privilege, please certify. 3 please. 4 It's a clear order to the witness not to answer a substantive question. 5 Q. All right. Did you get a clearance you or The Black Eyed Peas, whether it's a lawyer, an accountant, your the Black Eyed Peas, whether it's a lawyer, an accountant, your the black is an instruction not to answer? 1 with your lawyers. 1 with your lawyers. 2 yet a please. 3 And then we can certify it if this is an instruction not to answer it on attorney-client privilege. 4 yet a please. 5 And then we can certify it if this is an instruction not on a please. 6 MR. GOULD: All right. Repeat the question. 7 You can answer that question. 8 MR. GOULD: All right. Private and the was a please. 9 MR. GOULD: All right. Private and the private a		Page 154		Page 156
3 Q. You can answer. She's not instructing you not to answer. 4 A. I did. 5 Correct? 7 A. They're 8 MS. CENAR: Same 9 THE DEPONENT: similar. 10 MS. CENAR: objections. 11 THE DEPONENT: I don't know what the difference of "very, very similar" is, but they're similar. 12 difference of "very, very similar" is, but they're similar. 13 similar. 14 BY MR. GOULD: 15 Q. But they are similar. 16 All right. Did you get a clearance 17 you or The Black Eyed Peas whether it be a lawyer, an accountant, your business manager, get clearance from 21 the extent you can without revealing communications you've a had with your counsel, you're ensured and with your counsel, you're instructed not to answer that question. 18 With your lawyers. 19 Waterfall'? 20 MS. CENAR: Objection iform, 20 MS. CENAR: Counsel 21 Waterfall'? 22 MS. CENAR: Objection iform, 21 MS. CENAR: Counsel 23 MS. CENAR: Objection iform, 22 MS. CENAR: Objection iform, 23 Question requires you to reveal communications you've a had with your counsel, you're instructed not to answer at question. 24 And you can answer to this question requires you to reveal communications you've a had with your counsel, you're instructed not to answer at ugestion. 25 MS. CENAR: Objection iform, 22 MS. CENAR: Objection iform, 22 MS. CENAR: Objection iform, 23 Question requires you to reveal communications you've a had with your counsel, you're instructed not to answer at question. 26 MR. GOULD: All right. Pepa the question, 29 MR. GOULD: Pardon me? 29 MR. GOULD: Pardon me? 20 MR. MR. MCPHERSON: You don't really need to do that in California. 21 MR. GOULD: Pardon me? 22 MR. GOULD: Thank you. 32 MR. GOULD: Thank you. 34 MR. GOULD: Thank you. 35 MR. GOULD: Thank you. 36 MR. GOULD: Thank you. 37 MR. MCPHERSON: There's really 37 MR. GOULD: The privilege, 38 Counsel 39 MR. GOULD: Thank you. 38 MR. GOULD: Thank you. 38 MR. GOULD: Thank you. 39 MR.	1	BY MR. GOULD:	1	instruction.
4 A. I did. 5 O. All right. Very, very similar: 6 correct? 7 A. They're -	2	Q. All right. Answer the question,	2	BY MR. GOULD:
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5	4	A. I did.	4	
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THE DEPONENT: I don't know what the difference of "very, very similar" is, but they're similar. MR. GOULD: MS. CENAR: he has been instructed not to answer that question. MR. GOULD: All right. So illuminate me, please, and tell me how that question calls for a disclosure of an attorney-client communication. MR. GOULD: All right. So illuminate me, please, and tell me how that question calls for a disclosure of an attorney-client communication. Help me understand that so I can rephrase the question me disclosure of an attorney-client communication. Help me understand that so I can rephrase the question me disclosure of an attorney-client communication. MR. CENAR: Counsel MR. GOULD: because I don't see it. MR. CENAR: Counsel MR. GOULD: because I don't see it. MR. CENAR: Counsel MR. GOULD: because I don't see it. MR. CENAR: Counsel MR. GOULD: because I don't see it. MR. CENAR: Counsel MR. GOULD: because I don't see it. MR. GOULD: MI right. Delay ou get a clearance from disclosure of an attorney-client privilege. MR. GOULD: MI right. Delay ou get a clearance from the question not to answer to this an instruction or revealing communications you've had with your counsel, you're instructed not to day answer that question. MR. GOULD: All right. So illuminate me, please, and tell me how that question. MR. GOULD: MI right. Because I don't see it. MR. GOULD: MR. GOULD: because I don't see it. MR. GOULD: because I don't see it. MR. GOULD: MR. GOULD: because I don't see it. MR. GOULD: Right music from "Water All instructions onder the attorney-client privilege and instructions u	10	MS. CENAR: objections.	10	. •
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Page 158
                                                                                                            Page 160
    that song. And counsel -- my co-counsel will, for
 1
                                                           1
                                                               not complicated.
    the record, identify where that sound comes from.
                                                           2
 2
                                                                         MS. CENAR: The court reporter has
               MS. CENAR: And I'm going object to
                                                           3
 3
                                                               asked us --
    this line of questioning on the same grounds as
                                                           4
 4
                                                                         MR. GOULD: You are the one that's
    before: form, foundation, and lack of providing a
                                                           5
 5
                                                               causing the problems --
    record of what's being played as part of the official
 6
                                                           6
                                                                         MS. CENAR: The court reporter's --
 7
    record of this deposition, and the inability to
                                                           7
                                                                         MR. GOULD: -- not your witness.
    provide the foundation so that there's an opportunity
 8
                                                                         MS. CENAR: -- asked us not to speak
                                                           8
9
    to address it at the deposition.
                                                           9
                                                               over one another, so if you're finished.
                                                                         MR. GOULD: I'm finished.
10
               MR. GOULD: Okay. Play it, please.
                                                          10
           (BRIEF PAUSE IN PROCEEDINGS
                                                                         MS. CENAR: Okay. Then, I would like
11
                                                          11
                                                               to lodge my objection for the record.
12
           WHILE MUSIC IS BEING PLAYED.)
                                                          12
               MR. GOULD: Can you hear that on your
                                                          13
                                                                         MR. GOULD: Lodge it.
13
14
    video?
                                                          14
                                                                         MS. CENAR: I object on form and
                                                               foundation and on the Rule of Completeness, and I
                                                          15
15
               Make it a little louder.
               MR. GREELY: And that was a YouTube
                                                               move to strike the testimony.
16
                                                          16
    video entitled "Party All The Time." Black Eyed Peas
                                                          17
                                                                         MR. GOULD: Strike his answer?
17
    lyrics. This was uploaded by user name DJ -- or
18
                                                          18
                                                                         MS. CENAR: And the question.
19
    djia@hproductions on June 18, 2009.
                                                          19
                                                                         MR. GOULD: Okay.
               URL address is www.YouTube.com --
20
                                                          20
                                                                         Play the other song, which is "Mancry"
                                                               by Adam Freeland.
21
               DEPOSITION OFFICER: You need to slow
                                                          21
22
                                                          22
                                                                      (BRIEF PAUSE IN PROCEEDINGS
    down, please.
                                                          23
                                                                      WHILE MUSIC IS BEING PLAYED.)
23
               MR. GREELY: I'm sorry.
               -- backslash, watch, w-a-t-c-h,
                                                          24
                                                                         MR. GREELY: This is a YouTube video
24
25
    question mark, V, equal sign, capital N, capital Q,
                                                          25
                                                               entitled "Adam Freeland, Mancry" original uploaded by
                                                  Page 159
                                                                                                            Page 161
    lower case i, capital O, lower case d, capital N,
                                                           1
 1
                                                               user name Maniaacos, it's m-a-n-i-a-a-c-o-s, on
    lower case c, the number 1, lower case z, capital I,
 2
                                                           2
                                                               November 15th, 2009.
 3
    zero.
                                                           3
                                                                         MR. GOULD: All right. Would you play
                                                               the first song again, "Party All The Time."
 4
    BY MR. GOULD:
                                                           4
 5
                                                           5
                                                                         MS. CENAR: Hold on.
           Q. All right. Did that sound -- song
    sound like "Party All The Time" to you?
 6
                                                           6
                                                                         Form, foundation, hearsay with respect
 7
               MS. CENAR: Objection --
                                                           7
                                                               to the exhibit.
 8
               THE DEPONENT: That was "Party All The
                                                           8
                                                                         Objection to the fact that the exhibit
                                                               is not being made a formal part of the record, and
 9
                                                           9
    Time," sir.
                                                               that there's been no foundation laid for the sound
10
    BY MR. GOULD:
                                                          10
                                                               files that are being played at this deposition, and
           Q. That was "Party All The Time"?
11
                                                          11
                                                               objection on the Rule of Completeness that the music
               He just answered the question.
12
                                                          12
               MS. CENAR: Give me an opportunity to
                                                          13
                                                               file is not being played in its entirety.
13
                                                          14
                                                                         MR. GOULD: Would you play "Party All
14
    object.
15
           (SPEAKING SIMULTANEOUSLY.)
                                                          15
                                                               The Time."
               MS. CENAR: I'm going to object on
                                                                      (BRIEF PAUSE IN PROCEEDINGS
16
                                                          16
17
    form --
                                                          17
                                                                      WHILE MUSIC IS BEING PLAYED.)
               MR. GOULD: It would go a lot
                                                          18
18
                                                               BY MR. GOULD:
19
                                                          19
                                                                      Q. Do you hear the background music in
    smoother --
20
               MS. CENAR: -- and foundation --
                                                          20
                                                               both?
21
               MR. GOULD: -- if you let him
                                                          21
                                                                      A. Yeah.
                                                          22
                                                                      Q. Sounds very similar to you?
22
    answer --
                                                          23
                                                                         MS. CENAR: Objection; form,
23
               MS. CENAR: -- the Rule of
                                                          24
24
    Completeness.
                                                               foundation.
25
               MR. GOULD: -- the question. This is
                                                          25
                                                                         THE DEPONENT: There are
```

	2 4/0		2 444
1	Page 162 similarities.	1	Page 164 BY MR. GOULD:
1 2	BY MR. GOULD:	2	Q. Is it your lawyers?
3	Q. Okay. And was that song ever	3	A. No, it's not the lawyers. They
4	cleared?	4	don't
5	MS. CENAR: Objection.	5	Q. Is it your business manager?
6	THE DEPONENT: Yes.	6	MR. MCPHERSON: Same objections.
7	BY MR. GOULD:	7	MS. CENAR: Same objections.
8	Q. The music, was it ever cleared?	8	BY MR. GOULD:
9	A. It was cleared.	9	Q. Who is it?
10	Q. By Adam with Adam Freeland?	10	A. Our construction company.
11	A. Yes.	11	Q. Your construction company?
12	Q. Okay. Is there a document you've ever	12	A. No, that was a joke.
13	seen?	13	Q. Okay.
14	MS. CENAR: Objection; form.	14	Who does it?
15	THE DEPONENT: I don't know where it's	15	A. I don't know.
16	at. I don't know.	16	Q. Is that because you never get a
17	BY MR. GOULD:	17	clearance, you don't know?
18	Q. Okay. Who got the clearance? Who?	18	A. No. Because
19	And I don't want to know who didn't.	19	MS. CENAR: Objection; form,
20	Who got the clearance?	20	foundation, mischaracterization of the witness's
21	MR. MCPHERSON: Objection;	21	testimony.
22	speculation.	22	Counsel, you've asked the same
23	MS. CENAR: Objection to form and	23	question about 15 times.
24	foundation.	24	THE DEPONENT: I don't know.
25	MR. GOULD: "Speculation"?	25	MS. CENAR: He he's told you he
	•		y
	Page 163		Page 165
1	BY MR. GOULD:	1	doesn't know
2	BY MR. GOULD: Q. Who got the clearance?	2	doesn't know BY MR. GOULD:
2 3	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If	2 3	doesn't know BY MR. GOULD: Q. You don't know?
2 3 4	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know.	2 3 4	doesn't know BY MR. GOULD: Q. You don't know? So
2 3 4 5	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know.	2 3 4 5	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one.
2 3 4 5 6	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know.	2 3 4 5 6	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD:
2 3 4 5 6 7	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know. You didn't get it?	2 3 4 5 6 7	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD: Q one more time, the 16th time.
2 3 4 5 6 7 8	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know. You didn't get it? A. I don't go out and do the clearances	2 3 4 5 6 7 8	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD: Q one more time, the 16th time. You don't know who gets clearances
2 3 4 5 6 7 8	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know. You didn't get it? A. I don't go out and do the clearances personally. No, I don't.	2 3 4 5 6 7 8 9	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD: Q one more time, the 16th time. You don't know who gets clearances among The Black Eyed Peas, your business manager, or
2 3 4 5 6 7 8 9	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know. You didn't get it? A. I don't go out and do the clearances personally. No, I don't. Q. Who does?	2 3 4 5 6 7 8 9	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD: Q one more time, the 16th time. You don't know who gets clearances among The Black Eyed Peas, your business manager, or your lawyers; is that your answer?
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2 3 4 5 6 7 8 9 10 11 12	BY MR. GOULD: Q. Who got the clearance? And all of this is if you know. If you don't know, you'll tell me you don't know. A. I don't know. Q. Okay. Well, you don't know. You didn't get it? A. I don't go out and do the clearances personally. No, I don't. Q. Who does? A. I don't know. Q. Who in your organization, in The Black	2 3 4 5 6 7 8 9 10 11	doesn't know BY MR. GOULD: Q. You don't know? So MS. CENAR: to each one. BY MR. GOULD: Q one more time, the 16th time. You don't know who gets clearances among The Black Eyed Peas, your business manager, or your lawyers; is that your answer? A. I don't MS. CENAR: Objection; form,
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	Page 166		Page 168
1	BY MR. GOULD:	1	two cameras so you see how a person can antagonize a
2	Q. Did you ever do that?	2	person to break. And I'm trying trying to be as
3	A. What's what's the question again?	3	nice as I can.
4	MR. GOULD: Repeat the question.	4	MS. CENAR: And
5	(THE RECORD WAS READ AS FOLLOWS:	5	THE DEPONENT: I just had to state
6	Q. If you sample music if	6	that to the camera.
7	you, when you've sampled music	7	MR. GOULD: Repeat repeat the
8	before, if you ever did you	8	question.
9	ever sample someone else's music	9	MS. CENAR: He's the witness has
10	and believe that you needed a	10	asked for his answer to be repeated.
11	clearance?)	11	Can you find the answer?
12	DEPOSITION OFFICER: And may I say,	12	DEPOSITION OFFICER: As soon as
13	please, I need you guys to talk one at a time.	13	everyone is done talking, let me know.
14	MR. GOULD: All right.	14	Are we good?
15	DEPOSITION OFFICER: Okay.	15	MR. GOULD: Yes.
16	BY MR. GOULD:	16	DEPOSITION OFFICER: Okay.
17	Q. Can you answer the question?	17	(THE RECORD WAS READ AS FOLLOWS:
18	A. When I complete a song, if I have a	18	Q. Can you answer the question?
19	sample, I turn in all the information, if there's	19	A. When I complete a song, if
20	samples in it and if there's not, and I provide the	20	I have a sample, I turn in all
21	information for the people who wrote chord	21	the information, if there's samples
22	progressions or who wrote the an ad lib line on a	22	in it and if there's not, and I
23	guitar.	23	provide the information for the
24	I provide all of the information when	24	people who wrote chord progressions
25	I deliver the songs.	25	or who wrote the an ad lib line
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	Page 167		Page 169
1	Page 167 Q. Do you do you go to the writer of	1	Page 169 on a guitar.
1 2		1 2	- I
	Q. Do you do you go to the writer of		on a guitar. I provide all of the information when I deliver the song.
2	Q. Do you do you go to the writer of the music that you sample and get a clearance? Do	2	on a guitar. I provide all of the information
2 3	Q. Do you do you go to the writer of the music that you sample and get a clearance? Do you do that?	2	on a guitar. I provide all of the information when I deliver the song.
2 3 4	Q. Do you do you go to the writer of the music that you sample and get a clearance? Do you do that? A. I answered I answered the question,	2 3 4	on a guitar. I provide all of the information when I deliver the song. Q. Do you do you go to the
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2 3 4 5 6	Q. Do you do you go to the writer of the music that you sample and get a clearance? Do you do that? A. I answered I answered the question, sir. Q. I didn't understand the answer.	2 3 4 5 6	on a guitar. I provide all of the information when I deliver the song. Q. Do you do you go to the writer of the music that you sample and get a clearance? Do you do
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Page 170 Page 172 foundation and move to strike Counsel's colloquy. 1 the sample. 2 Misstates the testimony. 2 Q. Okav. 3 3 If you can answer the question, please A. Let me finish. 4 answer him. 4 I write out what record company that THE DEPONENT: When I turn in music, I 5 sample came from, the publishers on that song. Write 5 as much information as I have from that sample. I deliver it to all parties: record-company folk, 6 6 7 managers, assistants. 7 write it out. 8 8 Those are the people I give it to. And if all the information is not 9 9 BY MR. GOULD: there, to the best of my knowledge, I write it out. 10 Q. Okay. And do you -- have you ever 10 And then I provide that to -- like I said, the asked somebody to get a clearance for music you assistants, record-company folk, and managers. 11 11 sampled? Have you ever done that? 12 And then when -- then the rest is in 12 MS. CENAR: Objection; form, 13 13 their hands. It's not in my hands. I provided all 14 foundation. 14 the information I needed. 15 15 BY MR. GOULD: And if that answer requires you to 16 reveal communications with your lawyers, you're 16 Q. All right. I'm asking through your instructed not to answer. 17 counsel for you to provide all instances over the 17 last three years where you have asked somebody --18 To the extent the question calls for 18 where you wrote out something where you sampled music 19 communications with somebody other than your lawyers, 19 and you've asked somebody to get a clearance. you can answer that question. 20 20 21 (SPEAKING SIMULTANEOUSLY.) 21 BY MR. GOULD: 22 MR. MCPHERSON: Objection; compound. 22 Q. You're not answering that question? THE DEPONENT: No, sir. 23 A. I'm following what she said. 23 24 Q. Then you understand her to be telling 24 MS. CENAR: Objection to form. 25 you not to answer the question; is that true? THE DEPONENT: So I'll say it again. 25 Page 171 Page 173 BY MR. GOULD: 1 MS. CENAR: I've instructed him not to 1 reveal privileged -- attorney-client privileged 2 Q. Okay. 2 A. As soon as you turn in the 3 communications. 3 4 information --4 To the extent the answer calls for something that's not privileged, he can answer it. 5 5 Q. Yes. But if it's only privileged information --6 6 A. -- of a song, you write -- write it 7 MR. GOULD: Okay. Uh-huh. 7 out. 8 MS. CENAR: -- he's instructed not 8 And "sample" means you don't have to ask them to do it. When it says it, it's there. I 9 9 to. 10 don't have to request it. 10 MR. GOULD: Okay. Thank you. 11 Q. I don't understand what you just said. 11 BY MR. GOULD: 12 A. It's not a request. If I give 12 Q. Give me the names of the people in the last few years that you have spoken to -- I don't 13 somebody an empty bottle of water and I know that I'm 13 want to know what was said -- about the matter of going hiking, they know to fill up the bottle of 14 14 15 getting a clearance for music that you sampled. 15 water. 16 A. Can you repeat that or read it back? 16 It's not a request. The thing says "sample," so it's obvious that it has to get 17 17 MS. CENAR: He's asking specifically 18 cleared. 18 for names, not what was said. 19 THE DEPONENT: I don't -- I don't have 19 Q. Okay. Why is it obvious it has to get cleared if you sample music? 20 those type of conversations. Like I said, when I 20 finish a song, I provide -- I'm a very busy person. MS. CENAR: Objection; form, 21 21 BY MR. GOULD: 22 22 foundation --23 23 THE DEPONENT: Because I'm --Q. Uh-huh. 24 A. So when I deliver a record, I write 24 MS. CENAR: -- calls for legal out the writers; I write out if there were samples, 25 conclusion.

	Page 174	_	Page 176
1	THE DEPONENT: signed to a major	1	Mark this as the next deposition
2	record company.	2	exhibit.
3	BY MR. GOULD:	3	MS. CENAR: Do you have copies for us,
4	Q. Pardon me?	4	Counsel?
5	 A. I'm signed to a major record 	5	MR. GOULD: Yes.
6	company.	6	Can you give this to Ms. Cenar?
7	Q. Okay.	7	(WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER
8	 A. So in no way is my record company 	8	9 WAS MARKED FOR IDENTIFICATION BY
9	going to put out music that's going to put them in	9	THE DEPOSITION OFFICER.)
10	harm's way; right?	10	THE DEPONENT: What's that?
11	Q. Exactly.	11	MS. CENAR: That's an exhibit, a
12	 A. So I have to give them all the 	12	document that he's going to put in front of you.
13	information.	13	DEPOSITION OFFICER: Hang on, please,
14	 Q. And one of the reasons why you get a 	14	everybody.
15	clearance for sampled music is that it's morally	15	MR. MCPHERSON: Do you have another
16	wrong, as far as you're concerned; correct?	16	copy, Counsel?
17	MS. CENAR: Objection; form,	17	MR. DICKSTEIN: I'm sorry. We are one
18	foundation.	18	copy short.
19	MR. MCPHERSON: Objection to form.	19	Can we maybe have enough copies made
20	BY MR. GOULD:	20	of whatever documents you plan to mark as exhibits?
21	Q. It's morally wrong? It's just wrong?	21	MR. GOULD: Okay. Can't you just go
22	A. No, that's your opinion.	22	over
23	Q. No. I'm asking I'm asking for your	23	Do you have one?
24	opinion.	24	Can't you just go over there?
25	MS. CENAR: He's answered that	25	MR. DICKSTEIN: Well, are there going
	Page 175		Page 177
1	question.	1	to be a lot of them?
2	question. BY MR. GOULD:	2	to be a lot of them? MR. GOULD: No.
2	question. BY MR. GOULD: Q. If you don't think	2	to be a lot of them? MR. GOULD: No. What deposition exhibit is this?
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Page 178 Page 180 don't have enough copies, could you at least describe would have the documents you're referring to that you what the document is other than just "off the 2 2 physically gave them in instances where you indicated 3 that you had sampled music; correct? 3 Internet"? 4 4 A. Yep. MR. GOULD: Yeah. 5 5 It's a document. At the top of the (SPEAKING SIMULTANEOUSLY.) document it says, "Black Eyed Peas Sample-based 6 6 MS. CENAR: Hold on. 7 Music." Who sampled, the name "Owl City" is at the 7 MR. MCPHERSON: Objection; 8 top. 8 speculation. It's entitled "Tracks Sampled by Black 9 9 MS. CENAR: Objection; form, Eyed Peas." It has a number there, 96. And it says foundation, assumes facts not in evidence. 10 10 "Earliest to Latest." DEPOSITION OFFICER: I couldn't hear 11 11 12 MR. MCPHERSON: Thank you. 12 you, Mr. --13 BY MR. GOULD: 13 MR. GOULD: This is not a trial. 14 Q. Do you have any reason to believe 14 Facts not in evidence? We're not in a trial. The that -- that you sampled, let's say, more than evidence will show what it shows. What kind 15 50 instances of other people's music, whether you got objection is that? 16 16 a clearance or not? 17 The witness has already answered the 17 18 MS. CENAR: Objection; form, 18 guestion anyhow. 19 foundation. 19 BY MR. GOULD: 20 THE DEPONENT: Yeah, there's a song --20 Q. Would you physically put that in an -in an e-mail or on the computer or do you handwrite 21 one of the samples that I'm really proud of --21 22 BY MR. GOULD: 22 23 Q. Yes. 23 MS. CENAR: Objection to form. 24 A. -- is "They Don't Want Music" that we 24 BY MR. GOULD: Q. The information where you would 25 sampled in 2005. I sampled James Brown. And James 25 Page 179 Page 181 Brown was so excited about the use of his material indicate where -- when you -- when you or the Black 1 1 that he performed that song with us. Eyed Peas sampled music --2 2 A. It depends --3 Isn't that amazing, that you could 3 sample someone and then they want to perform it with 4 Q. -- that it was sampled? 4 5 5 A. It depends on the era. vou? And sorry if I cut you off. 6 Q. That's wonderful. 6 7 Did you get a clearance from him? 7 Q. Yeah, please. 8 A. Yes, sure did. He performed it with 8 A. It depends on the era. So if this 9 us and --9 happened in 1998, it was physical. If it happened in 2000, it was physical. 10 Q. All right. And what caused you to get 10 If it happened in our record in 2002, 11 a clearance? 11 "Elephunk," it was still physical. 12 (SPEAKING SIMULTANEOUSLY.) 12 13 MS. CENAR: Objection; form --13 2005, "Monkey Business," it was digital, and so forth. 14 THE DEPONENT: Like I said, when I 14 From 2005 on, digital. 15 turn in music --15 16 MS. CENAR: -- foundation. Q. Okay. All right. So unless 16 17 DEPOSITION OFFICER: Hang on. Interscope threw away -- let me see. 17 THE DEPONENT: When I turn in music, Do you have copies of these 18 18 19 our record company does what they do. documents -- documents in instances where you 19 provided information? It would be on some one of BY MR. GOULD: 20 20 21 Q. And the record company is Interscope, your computers; correct? 21 22 over the last few years? 22 A. No. 23 A. Since 1997. 23 MS. CENAR: Objection; form, 24 Q. Okay. So Interscope would have --24 foundation. unless they've thrown away the documents -- they 25 THE DEPONENT: It's not.

	Page 182		Page 184
1	by MR. GOULD:	1	A. But Nick does not do Nick wasn't my
2	Q. Why would it not be on a computer?	2	assistant when we were making our last record. He's
3	A. Because it's not.	3	current.
4	Q. Okay. Why? Would you have deleted	4	Q. He's current.
5	it?	5	Who was the assistant before Nick?
6	(SPEAKING SIMULTANEOUSLY.)	6	A. She's Lady Lady Gaga's assistant
7	MS. CENAR: Objection	7	now.
8	THE DEPONENT: No.	8	Q. Okay. What's her name?
9	MS. CENAR: form.	9	A. Wendy.
			,
10	MR. MCPHERSON: Objection; foundation.	10	Q. Wendy have a last name?
11	THE DEPONENT: No, we don't	11	A. Morrison.
12	delete that information.	12	Oh, man. I've had a lot of apple
13	BY MR. GOULD:	13	orange juice.
14	Q. When you submit it in computer form,	14	Q. That's okay.
15	how does it get submitted? You said you do it and	15	A. Can I use the restroom real fast?
16	you provided the information	16	Q. Absolutely. Of course.
17	A. Yes, I provide the information.	17	A. I'm so sorry.
18	Q to Interscope. So where would it	18	THE VIDEOGRAPHER: This is the end
19	be in your files?	19	of Media Number Two in the deposition of
20	A. So it's not on my files; right?	20	William Adams.
21	I write the information out physically	21	We are now going off the record. The
22	and then I provide them to manager folks, Interscope	22	time is now 3:13 p.m.
23	Record Company folks, and assistants.	23	(WHEREUPON, A RECESS WAS HELD
24	So I write it out physically.	24	FROM 3:13 P.M. TO 3:31 P.M.)
			THE VIDEOGRAPHER: This is the
25	Q. You don't use a computer?	25	THE VIDEOGRAPHER. THIS IS THE
	Page 183	_	Page 185
1	A. Not when I'm in the studio.	1	beginning of Media Number Three in the deposition of
2	A. Not when I'm in the studio.Q. Okay. So who would you give it to at	2	beginning of Media Number Three in the deposition of William Adams in the matter of "Bryan Pringle v.
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	Page 186		Page 188
1	Q. "The guy who" what? I'm sorry.	1	problem?
2	A. The guy who sits in Jimmy's office.	2	BY MR. GOULD:
3	Q. Okay. Go on.	3	Q. You don't want to answer that question
4	Is there another Ryan?	4	either?
5	A. Yeah. Then there's another Ryan that	5	(SPEAKING SIMULTANEOUSLY.)
6	is downstairs in the promotional department.	6	MS. CENAR: The objection is stated
7	Q. Okay. Do you know if that Ryan, the	7	for the record.
8	one in the promotional department, is involved with	8	MR. MCPHERSON: It's not my
9	promotional work?	9	deposition, Counsel. Again, if you want to stop this
10	MS. CENAR: Objection; form.	10	dep
11	THE DEPONENT: He's in the promotion	11	MR. GOULD: You are making an
12	department, yeah.	12	objection
13	BY MR. GOULD:	13	MR. MCPHERSON: this deposition and
14	Q. Okay. The guy who's in Jimmy Iovine's	14	take my deposition, that's fine.
15	office, is that an assistant to Jimmy Iovine?	15	MR. GOULD: that is not making any
16	A. I don't know.	16	sense.
17	Q. Have you ever had any dealings with	17	I don't want to take your
18	him?	18	deposition.
19	MS. CENAR: Objection; form.	19	Repeat the question.
20	THE DEPONENT: Yes.	20	(THE RECORD WAS READ AS FOLLOWS:
21	BY MR. GOULD:	21	Q. All right. If you wanted
22	Q. All right. Tell me under what	22	to find out you personally
23	circumstances you have dealt with him.	23	find out what the amount total
24	A. "Can you connect me to Jimmy?" or "Can	24	amount of revenues have been for
25	you connect me to Doug Morris?"	25	"I Gotta Feeling," how would you
	Journal me to Doug merrier		r cotta r comig, non would you
	Page 187		Page 189
1	Page 187 DEPOSITION OFFICER: Morrison or	1	Page 189
1 2	DEPOSITION OFFICER: Morrison or	1 2	go about getting that information?)
2	DEPOSITION OFFICER: Morrison or Morris?	2	go about getting that information?) THE DEPONENT: I wouldn't know.
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1	BY MR. GOULD:	1	Q. Okay.
2	Q. Would you go to somebody at Interscope	2	A. If I were trying to
3	and ask them to provide that information?	3	Sorry.
4	A. And then there's certain	4	Q. You don't have to answer. You've
5	MS. CENAR: Wait. He's asked a	5	already answered.
6	specific question.	6	A. It's not even an answer, though,
7	MR. GOULD: Correct.	7	because it's
8	MS. CENAR: He's entitled to a	8	MS. CENAR: Nope.
9	specific answer to that question	9	THE DEPONENT: Okay. I won't provide
10	MR. GOULD: That's right.	10	that information. I'm sorry.
11	MS. CENAR: and only that	11	BY MR. GOULD:
12	question.	12	Q. This time I'll say listen to your
13	BY MR. GOULD:	13	counselor; okay?
14	Q. Would you go to somebody at Interscope	14	Give me the revenue streams that you
15	to give you that information?	15	understand come from the publication and the
16	MR. MCPHERSON: Objection; foundation.	16	distribution of "I Gotta Feeling."
17	MS. CENAR: Same objection.	17	MR. MCPHERSON: Objection; vague and
18	THE DEPONENT: No.	18	ambiguous, lacks foundation.
19	BY MR. GOULD:	19	MS. CENAR: Same objections.
20	Q. Okay. Why not?	20	THE DEPONENT: Am I supposed to answer
21	If they have the revenue information	21	that?
22	and you wrote "I Gotta Feeling," or the vocals, and	22	MS. CENAR: If you can answer that
23	you're entitled to royalties, which you are or	23	question. That is the question (Indicating).
24	splits, why would you not go to Interscope to get	24	THE DEPONENT: I wouldn't know how to
25	that information?	25	answer that question.
	Page 191		Page 193
1	Page 191 MR. MCPHERSON: Objection; compound	1	Page 193 MR. GOULD: Repeat the question,
1 2	•	1 2	· ·
	MR. MCPHERSON: Objection; compound		MR. GOULD: Repeat the question,
2	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical.	2	MR. GOULD: Repeat the question, please.
2	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete	2	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue
2 3 4	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical.	2 3 4	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams"
2 3 4 5	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical. MS. CENAR: Right.	2 3 4 5	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams" BY MR. GOULD:
2 3 4 5	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical. MS. CENAR: Right. Objection to form and foundation,	2 3 4 5	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams" BY MR. GOULD: Q. Well, I'm asking the court reporter to
2 3 4 5 6 7	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical. MS. CENAR: Right. Objection to form and foundation, assumes facts	2 3 4 5 6 7	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams" BY MR. GOULD: Q. Well, I'm asking the court reporter to repeat the question.
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2 3 4 5 6 7 8 9 10	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical. MS. CENAR: Right. Objection to form and foundation, assumes facts BY MR. GOULD: Q. You can try to answer.	2 3 4 5 6 7 8 9 10	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams" BY MR. GOULD: Q. Well, I'm asking the court reporter to repeat the question. MS. CENAR: Can you read his answer, too, please.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. MCPHERSON: Objection; compound MS. CENAR: Objection MR. MCPHERSON: incomplete hypothetical. MS. CENAR: Right. Objection to form and foundation, assumes facts BY MR. GOULD: Q. You can try to answer. It's not a trial. MS. CENAR: not in evidence. THE DEPONENT: Because I would go to an auditor. BY MR. GOULD: Q. And would you go to your business manager? MS. CENAR: Same objections; form, foundation. THE DEPONENT: I would go to an auditor. BY MR. GOULD: Q. Do you have an auditor?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. GOULD: Repeat the question, please. THE DEPONENT: "Give me the revenue streams" BY MR. GOULD: Q. Well, I'm asking the court reporter to repeat the question. MS. CENAR: Can you read his answer, too, please. MR. GOULD: First the question, then the answer. (THE RECORD WAS READ AS FOLLOWS: Q. Give me the revenue streams that you understand come from the publication and the distribution of "I Gotta Feeling." MR. MCPHERSON: Objection; vague and ambiguous, lacks foundation. MS. CENAR: Same objections. THE DEPONENT: Am I supposed to answer that?

	Page 194		Page 196
1	THE DEPONENT: I wouldn't know	1	MS. CENAR: I
2	how to answer that question.)	2	MR. MCPHERSON: 50 times
3	BY MR. GOULD:	3	MR. GOULD: No, asking him three
4	Q. All right. What about the question	4	times.
5	confuses you?	5	MR. MCPHERSON: Counsel, just because
6	MS. CENAR: Objection to form.	6	you're louder and more obnoxious than me
7	THE DEPONENT: I don't understand the	7	MR. GOULD: I'm not loud and
8	question.	8	obnoxious. The record will indicate whether I'm loud
9	BY MR. GOULD:	9	or obnoxious.
10	Q. What about the question don't you	10	This is a simple question and I would
11	understand?	11	like the witness to answer it a third time to see if
12	A. The question.	12	he understands it the third time.
13	Q. What about the question? What word	13	Repeat the question.
14	bothers you? Revenue streams?	14	MR. MCPHERSON: Counsel, with respect
15	(SPEAKING SIMULTANEOUSLY.)	15	to the obnoxious part, would you please not interrupt
16	MR. MCPHERSON: Objection; lacks	16	me and I'll try not to interrupt you.
17	foundation that this witness	17	But you've done it several times, and
18	MS. CENAR: Objection.	18	I would really appreciate it
19	Counsel, he told you he doesn't	19	MR. GOULD: The record speaks for
20	understand the question. Can't you just rephrase it?	20	itself.
21	MR. GOULD: All right. Repeat the	21	MR. MCPHERSON: Counsel
22	question repeat the question again. We'll play	22	MR. GOULD: The record speaks for
23	this some day in front of a jury.	23	itself.
24	I'm asking you to listen to this	24	MR. MCPHERSON: It does, Counsel.
25	question and give me an answer. So listen to it	25	MR. GOULD: It will.
	Page 195		Page 197
1	again. And tell me now, listening to it a third	1	MR. MCPHERSON: And you did it two
2	time, whether you can answer the question.	2	more times.
3	MR. MCPHERSON: He's already said	3	MR. GOULD: It will.
4	"no," so I don't know if repeating is going to make	4	I want to finish this deposition in my
5	it.	5	lifetime and in the witness's lifetime.
6	MR. GOULD: He'll do it a third time.	6	MR. MCPHERSON: Then perhaps we
7	MR. MCPHERSON: No, I don't think	7	shouldn't ask questions five times.
8	that's proper, Counsel. That's asked and answered	8	MR. GOULD: Perhaps we should continue
9	and it's harassing.	9	with the deposition.
10	MR. GOULD: I'd like him to answer the	10	Could you repeat the question, please.
11			
12	question.	11	(THE RECORD WAS READ AS FOLLOWS:
12	question. MR. MCPHERSON: I know you would like	11 12	(THE RECORD WAS READ AS FOLLOWS: Q. Give me the revenue streams
13	•		•
	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.)	12	Q. Give me the revenue streams that you understand come from the publication and the distribution
13	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.) MR. GOULD: You know he knows the	12 13 14 15	Q. Give me the revenue streams that you understand come from the
13 14 15 16	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.) MR. GOULD: You know he knows the answer. And all of these objections are just code	12 13 14 15 16	Q. Give me the revenue streams that you understand come from the publication and the distribution of "I Gotta Feeling.") MS. CENAR: Same objections.
13 14 15 16 17	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.) MR. GOULD: You know he knows the answer. And all of these objections are just code answers questions to a witness not to answer	12 13 14 15 16 17	Q. Give me the revenue streams that you understand come from the publication and the distribution of "I Gotta Feeling.") MS. CENAR: Same objections. BY MR. GOULD:
13 14 15 16 17 18	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.) MR. GOULD: You know he knows the answer. And all of these objections are just code answers questions to a witness not to answer certain questions.	12 13 14 15 16 17 18	Q. Give me the revenue streams that you understand come from the publication and the distribution of "I Gotta Feeling.") MS. CENAR: Same objections. BY MR. GOULD: Q. Same answer?
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13 14 15 16 17 18 19 20 21 22	MR. MCPHERSON: I know you would like him to. (SPEAKING SIMULTANEOUSLY.) MR. GOULD: You know he knows the answer. And all of these objections are just code answers questions to a witness not to answer certain questions. MR. MCPHERSON: You're MR. GOULD: You know that he knows it. Ms. Cenar knows he's knows it. Everybody who listens to the answer will know he knows the answer, and he	12 13 14 15 16 17 18 19 20 21 22	Q. Give me the revenue streams that you understand come from the publication and the distribution of "I Gotta Feeling.") MS. CENAR: Same objections. BY MR. GOULD: Q. Same answer? MS. CENAR: And asked and answered. THE DEPONENT: I really don't know how to answer that question. BY MR. GOULD:

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                                                                                                            Page 200
    distribution and publication of "I Gotta Feeling"?
                                                               performance royalties, but we don't.
                                                           1
 2
               Where does money come from?
                                                           2
                                                                         So there's millions -- hundreds of
                                                               millions of dollars left overseas because America
               MS. CENAR: Objection to form,
                                                           3
 3
 4
                                                           4
                                                              doesn't pay their artists to perform on records.
    foundation.
                                                                         So other -- in other countries, the
 5
              MR. MCPHERSON: Objection; compound.
                                                           5
                                                               only other country that doesn't pay their artists to
 6
    BY MR. GOULD:
                                                           6
 7
           Q. You can answer that question. You
                                                           7
                                                               perform is Iraq and America.
                                                           8
    know. You're in the business. You're an expert with
                                                               BY MR. GOULD:
 8
9
    this stuff.
                                                           9
                                                                     Q. Uh-huh.
                                                          10
10
                                                                     A. So we're trying to fight that because
              MS. CENAR: Objection; move to
                                                               there's money available for people to collect and we
                                                          11
11
    strike --
12
              THE DEPONENT: iTunes.
                                                          12
                                                               can't.
              MS. CENAR: -- Counsel's colloquy.
                                                          13
                                                                         So maybe you could help us fight that,
13
14
    BY MR. GOULD:
                                                          14
                                                              too.
15
           O. Pardon me?
                                                          15
                                                                     Q. When you typically go on tour, do you
           A. iTunes.
                                                              sing "I Gotta Feeling"?
16
                                                          16
                                                                     A. Yes.
17
           Q. Okay. Tell me what revenue comes from
                                                          17
18
                                                          18
    iTunes.
                                                                         MR. MCPHERSON: Objection;
19
           A. Revenue.
                                                          19
                                                              foundation.
           Q. Okay. And then tell me under what
20
                                                          20
                                                                         MS. CENAR: Objection to form.
    circumstances revenue comes from iTunes.
                                                                         THE DEPONENT: Yes, we do.
21
                                                          21
           A. When people buy it.
22
                                                          22
                                                              BY MR. GOULD:
           Q. When people --
                                                          23
23
                                                                     Q. And do you receive money when you go
              MR. MCPHERSON: Objection;
                                                          24
                                                              on tour?
24
25
    foundation.
                                                          25
                                                                      (NO AUDIBLE RESPONSE BY THE DEPONENT.)
                                                  Page 199
                                                                                                            Page 201
                                                              BY MR. GOULD:
              THE DEPONENT: When people purchase
                                                           1
1
                                                           2
                                                                     Q. Do you receive money when you go to a
 2
    it.
 3
    BY MR. GOULD:
                                                           3
                                                              concert in Frankfurt or London or somewhere? You get
                                                              money for that, don't you?
           Q. When people purchase it off iTunes?
                                                           4
 4
                                                           5
                                                                        MS. CENAR: Objection; form,
 5
           A. Yes.
                                                           6
 6
           Q. Does revenue come from the selling of
                                                              foundation.
    music -- the selling of the music, an album?
 7
                                                           7
                                                              BY MR. GOULD:
 8
           A. When people purchase --
                                                           8
                                                                     Q. The Black Eyed Peas get money, some
                                                              money for performing? You don't do this for free?
 9
              MR. MCPHERSON: Objection; vague and
                                                          9
                                                                        MS. CENAR: Objection to form,
10
                                                          10
    ambiguous.
                                                          11
11
               THE DEPONENT: -- from iTunes, that's
                                                              foundation.
                                                          12
                                                              BY MR. GOULD:
12
    where revenue comes in.
13
               I don't want to -- I'm not trying to
                                                          13
                                                                     Q. Correct?
                                                          14
    be difficult at all. I'm giving you an answer to
                                                                     A. Correct.
14
15
    that --
                                                          15
                                                                     Q. All right. The album -- what album is
                                                              "I Gotta Feeling" on?
    BY MR. GOULD:
                                                          16
16
                                                                     A. "The E.N.D."
           Q. No, you're not. It's the lawyers.
                                                          17
17
           A. -- when I can answer, and that's
                                                          18
                                                                     Q. "The E.N.D." album.
18
19
                                                          19
                                                                        And "The E.N.D." album was -- are
    iTunes.
20
           Q. All right. What other revenues comes
                                                          20
                                                              there revenues that came from the sale of the album?
    from "I Gotta Feeling"?
                                                          21
                                                                     A. No one buys albums.
21
22
              MS. CENAR: Objection to the form.
                                                          22
                                                                     Q. So where -- does the revenue come --
23
               THE DEPONENT: We're trying to fight a
                                                          23
                                                              does this make sense to you: Revenue coming from the
    law. This -- we're trying to go to the Supreme Court
24
                                                          24
                                                              sale of albums?
25
    to fight a case where artists should get paid for
                                                          25
                                                                     A. Singles.
```

	Page 202		Page 204
1	Q. Does that make any sense?	1	A. And the other five would split the
2	A. Singles. We are in a singles market,	2	lyric
3	Sir.	3	Q. I got it.
			•
4	Q. Okay. Does revenue come from the sale	4	A five ways.
5	of "I Gotta Feeling"?	5	And that's how it works. Not one
6	A. I said that.	6	person gets 50. It depends on how many people
7	Q. That's the iTunes?	7	compose
8	A. On iTunes.	8	Q. Now, if one person wrote all of the
9	Q. Okay. Is there any other source of	9	music
10	revenue?	10	A. Now, if one person wrote the chord
			·
11		11	progression
12	Q. Okay. And that information would be	12	Q. Yes?
13	at Interscope; correct?	13	A then that person gets the majority
14	MR. MCPHERSON: Objection;	14	of the publishing because they're based everything
15	speculation.	15	around the progression.
16	MS. CENAR: Objection; form and	16	Q. All right. And when you say the
17	foundation.	17	"chord progression," what do you mean by that?
18	THE DEPONENT: Yes.	18	MS. CENAR: Objection; form,
			•
19	BY MR. GOULD:	19	foundation.
20	Q. And I appreciate your answering that.	20	MR. GOULD: He used the word and I'm
21	How are splits for music, what's	21	asking what he meant by it. What's wrong with the
22	the term "split" mean to you?	22	form
23	You do "I Gotta Feeling." There's	23	MS. CENAR: Because
24	what's called "splits"?	24	MR. GOULD: and foundation?
25	A. Uh-huh.	25	MS. CENAR: you're asking it in a
23	A. Off flatt.	23	W.S. GENTAIN. YOU'LE disking it in a
	D 202		D 205
_	Page 203	4	Page 205
1	Q. Songwriter splits?	1	hypothetical and not in context with a specific
2	Q. Songwriter splits?A. Yeah.	2	hypothetical and not in context with a specific situation.
	Q. Songwriter splits?		hypothetical and not in context with a specific
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Page 206 Page 208 Q. Yeah. I'm sorry. I just whispered So then the person who writes -- wrote 1 1 2 something in my associate. I'm sorry if I -the song, the lyrical part -- say, for example, I MS. CENAR: You do know the mics pick just wrote the chorus --3 3 4 up everything, so your whispering is going to be part Q. Uh-huh. 4 5 5 of the record. A. -- and I'm automatically getting 25 percent of it because I wrote the chorus, then all 6 MR. GOULD: That's okay. 6 7 THE DEPONENT: So he asked me a 7 the people that contributed to verses or turnarounds and beat sections participate in the last remaining 8 question. And as I went to answer it, he went to 8 9 9 talk to his person. 25 percent BY MR. GOULD: 10 10 That's pretty much standard amongst all writing camps, that system. 11 Q. Yeah, I apologized. 11 A. No. The person on the camera doesn't 12 Q. Got it. 12 know that, though. It's okay. 13 And the situation where you -- the 13 14 Q. Yeah. 14 song "Party All The Time," there was a lawsuit that was filed by a gentleman named Adam Freeland against A. So --15 15 Q. Continue with your answer. 16 The Black Eyed Peas in connection with The Black Eyed 16 A. A chord progression is like -- you 17 Peas taking of his music. 17 know, there's a one, four, five for a chord 18 You're familiar with that? 18 19 progression. That's like every song on the planet is 19 A. Yes. one, four, five. 20 Q. Okay. And money was paid to 20 Mr. Freeland to settle that matter: is that 21 21 We don't know who wrote that chord 22 22 progression, but every Bob Marley song, every correct? 23 MS. CENAR: I'm going to object, and 23 Stevie Wonder song is centered around a one, four, 24 five progression. 24 instruct the witness. 25 But then there's variations of that 25 To the extent you can answer that Page 207 Page 209 progression; how that progression is manipulated over 1 question without revealing communications with your 2 time or time signature. counsel, you may answer that question. 2 3 And if I wrote a progression, A, no, 3 If you can't without revealing C, C, C, A sharp, D sharp, F sharp -- right? -- then communications with your lawyers, that conversation 4 4 I started the progression. is privileged and you're instructed not to answer. 5 5 Then I started adding -- then I would MR. GOULD: Okay. And I will say for 6 6 add a signature around it or a character -- you know, 7 7 the record -- I know you are not going to answer --8 making it -- bringing a personality around that 8 BY MR. GOULD: 9 9 progression. Q. You won't answer the question; 10 10 Q. Uh-huh. correct? A. And I would have gained the majority 11 11 12 of the musical bed. 12 MR. GOULD: All right. I will say for 13 Then if I have a guitarist, he would 13 the record that that is code -- that is code for add something to it, or a trumpet player would add "don't answer the question." 14 14 something to that, and then we would all participate 15 15 The question does not ask for an 16 in songwriting. 16 attorney-client communication. 17 But if it's 50 percent; say, for BY MR. GOULD: 17 example, I wrote the majority of it and the baseline 18 18 Q. Same question with respect to the song 19 to go with that chord progression --19 "Voodoo Doll." 20 Q. Uh-huh. 20 Groundation sued The Black Eyed Peas

in connection with taking the "Waterfall" music and

using it in "Voodoo Doll"; isn't that true?

Q. Correct? Is that right?

A. Uh-huh.

A. Yes.

21

22

23

24

25

A. -- then I would probably get

will probably get -- and that's standard rule amongst

And then everyone else who added to it

25 percent of that; right?

songwriting.

21 22

23

24

25

_	Page 210	4	Page 212
1	Q. All right. Did you authorize	1	the record talking to myself and to the record and
2	A. Not the Black Eyed Peas. That's not	2	to your counsel.
3	right.	3	THE DEPONENT: Okay.
4	Q. Who was it?	4	MR. GOULD: I'd like the document that
5	 A. That wasn't The Black Eyed Peas. 	5	cleared that song.
6	Q. "Voodoo Doll" was Fergie?	6	BY MR. GOULD:
7	A. Yeah, you guys should get your little	7	Q. There was a jury did you
8	facts right.	8	participate in the trial in connection with that
9	Q. I apologize.	9	case?
		10	A. No.
10	Did you authorize or have any was		
11	anybody never mind. Never mind.	11	Q. Was there a jury verdict in that
12	There's a current lawsuit by a	12	case?
13	plaintiff named Motrin Lynn Toliver against The Black	13	A. I don't know.
14	Eyed Peas in connection with your song The Black	14	Q. Was there a trial in that case?
15	Eyed Peas song "My Humps" and their song "Sexual	15	A. I don't know.
16	Harassment."	16	Q. Was any money paid in that case?
17	Are you familiar with that?	17	A. I don't know.
18	A. No.	18	Q. Do you know anything about the issue
19	Q. The song itself is "I Need A Freak."	19	of of anything beyond that matter other than
20	Did you ever hear of the song "I Need	20	what you've testified?
21	A Freak"?	21	MS. CENAR: Counsel, do you have a
22	A. Yes.	22	case citation for that?
		23	
23	That song was cleared.		MR. GOULD: No.
24	Q. Okay. So there is a document that	24	MS. CENAR: Okay. I'm going to object
25	shows that or do you know that?	25	to this line
_	Page 211		Page 213
1	MR. MCPHERSON: Objection; compound.	1	MR. GOULD: Do you know
2	MR. MCPHERSON: Objection; compound. BY MR. GOULD:	2	MR. GOULD: Do you know MS. CENAR: of questioning as being
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Page 216 Page 214 are parasites or not, have made assertions that you 1 BY MR. GOULD: have taken -- "you," The Black Eyed Peas -- have 2 Q. The caption of that last case is taken the music without authoriztion? 05 -- the last case, the Toliver case is -- it's 3 3 against Will.i.am Music; Cherry River Music; MS. CENAR: Same objections; same 4 4 Will Adams, individually; UMG Records Recording; 5 5 instruction. 6 James Louis McCants. 6 You can answer to the extent you don't 7 The plaintiff is Toliver, doing 7 reveal privileged communication. business as David Patton, and the court file number 8 8 MR. GOULD: And that is code again, telling the witness what to answer; what not to 9 in New York is 05 Civil 10840, for the record. 9 10 How many times has The Black Eyed Peas 10 answer. 11 participated in a -- paid out on a claim that you --11 MS. CENAR: It's an instruction -how many claims are you aware of that were made --12 12 MR. GOULD: It's a code. claims not in a lawsuit, I'm talking about, claims 13 13 MS. CENAR: -- on privilege. 14 where somebody said The Black Eyed Peas took their 14 MR. GOULD: And we'll deal with that music without getting authorization? 15 15 someday. MR. MCPHERSON: Objection; vague and 16 16 BY MR. GOULD: ambiguous, lacks foundation. 17 17 Q. Do you refuse to answer the 18 MS. CENAR: Objection to form, 18 question? 19 foundation. 19 MS. CENAR: Are you going to follow my 20 BY MR. GOULD: 20 instructions? 21 Q. Tell me. Maybe the answer is zero? 21 THE DEPONENT: I'm going to follow her Maybe it's ten? Maybe it's --22 22 instructions. A. I don't know. 23 23 BY MR. GOULD: 24 O. You don't know? 24 Q. Okay. Walk me through the making of 25 (NO AUDIBLE RESPONSE BY THE DEPONENT.) 25 "I Gotta Feeling." Page 215 Page 217 BY MR. GOULD: 1 I know you didn't have anything to do 1 with the music -- At least that's my understanding; 2 Q. Are there instances where you've 2 3 received claims from third parties saying that you 3 correct? have -- "you" being The Black Eyed Peas -- have taken 4 MS. CENAR: Objection to the form. 5 someone else's music without authorization? 5 THE DEPONENT: That's --6 Have there been instances of that? 6 BY MR. GOULD: 7 MS. CENAR: Objection; form, 7 Q. Is it true or not true that you had 8 nothing to do with the music itself? 8 foundation. A. I had nothing do with the music at 9 And you can answer the question to the 9 extent you don't reveal communications with your 10 10 all. Q. Okay. And I think you testified that 11 lawyer. 11 you received the music in the form of a disk? 12 To the extent that this question asks 12 13 you to reveal communications with your counsel, 13 A. No. you're instructed not to reveal privileged 14 14 Q. Excuse me. I'm sorry. communications with your counsel. 15 15 In the form of an attachment to an 16 BY MR. GOULD: e-mail? 16 17 Q. You're not going to answer that A. In the form of an e-mail. 17 Q. Okay. And when you played it, did you 18 question? 18 19 play it to yourself? A. I don't -- I don't know. There's a 19 lot of -- for everybody that's successful, there 20 20 A. Yes. comes a -- there's a bunch of parasites that want to Q. All right. Was anybody with you when 21 21 22 feed off things. 22 you played it? 23 23 A. No. I don't know. Q. All right. And did you think that the 24 24 Q. So is that -- are you in effect saying that there are instances where people, whether they 25 music was excellent?

	Page 218		Page 220
1	A. We did this already, sir.	1	MR. GOULD: 1-A.
2	Q. I know.	2	DEPOSITION OFFICER: Also known as 8.
3	Did you think the music was excellent?	3	MS. CENAR: Deposition Exhibit
4	MS. CENAR: Objection; asked and	4	Number 8?
5	answered.	5	DEPOSITION OFFICER: Correct.
6	THE DEPONENT: We did this. We did	6	MS. CENAR: And it's not 1-A, it's the
7	this already, sir.	7	BEP-PR.
8	BY MR. GOULD:	8	MR. GOULD: See, you are better at
9	Q. Did you think the music was excellent?	9	this.
10	You said it was amazing. Does that	10	MS. CENAR: So this is the disk that
11	mean "excellent" as well?	11	we gave them this morning.
12	MS. CENAR: Objection; asked and	12	Could you turn it up?
13	answered.	13	(WHEREUPON, DEPOSITION EXHIBIT
14	Do you have anything to add to add	14	Number 8, A/K/A Bep-Pr 1A, Was
15	to your last answer?	15	PLAYED FOR THE RECORD.)
16	THE DEPONENT: No.	16	MR. GOULD: Could you stop it right
17	BY MR. GOULD:	17	here.
18	Q. All right. You liked the music?	18	MS. CENAR: No. Keep going. On the
19	A. We did this, sir.	19	Rule of
20	Q. No, you said it was amazing. I'm	20	MR. GOULD: I'm asking the questions.
21	asking if you liked the amazing music.	21	I'm going to get to the whole disk.
22	MS. CENAR: Objection; form.	22	MS. CENAR: on the Rule of
23	THE DEPONENT: We did that.	23	Completeness
24	BY MR. GOULD:	24	MR. GOULD: Thank you.
25	Q. So you don't want to answer the	25	MS. CENAR: I ask that it be
	Page 219		Page 221
1	Page 219 question?	1	Page 221 MR. GOULD: Thank you.
1 2	-	1 2	•
	question? MS. CENAR: Answer it if you can. THE DEPONENT: Yes.		MR. GOULD: Thank you. MS. CENAR: the entire exhibit be played; otherwise, I ask that the question be
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	Page 222		Page 224
1	Q. Well	1	A. Well, you're not hearing the bass,
2	A. It's all relative.	2	because that that those speakers don't transmit
3	Q part	3	the bass.
4	A. It's all relative.	4	Q. Okay. So anything else?
5	(SPEAKING SIMULTANEOUSLY.)	5	A. Next question, please.
6	BY MR. GOULD:	6	Q. Anything else other than adding the
7	Q. Was that part amazing? If it's	7	bass
8	amazing, tell me. That's all.	8	A. Next question.
9	A. The whole thing	9	Q that makes no, no, no. I ask
10	Q. I'm not fighting with you.	10	the questions; you give the answers.
11	A. The whole thing the whole thing is	11	A. And I've finished my answer.
12	amazing.	12	Q. You
13	MR. MCPHERSON: Asked and answered.	13	(SPEAKING SIMULTANEOUSLY.)
14	MS. CENAR: Objection to form, asked	14	THE WITNESS: I've finished my answer.
15	and answered, harassment of the witness.	15	BY MR. GOULD:
16	Counsel, please move on.	16	Q. And we're not we're supposed to be
17	BY MR. GOULD:	17	nice with each other, please; okay?
18	Q. I'm asking you a question: Was what	18	MS. CENAR: If you have nothing to
19	you just heard amazing?	19	add to it, then just say there is nothing
20	A. Everything is amazing.	20	THE DEPONENT: I finished my answer.
21	Q. So you consider that to be amazing?	21	BY MR. GOULD:
22	A. Yes, it is.	22	Q. Okay. Let's continue with the song.
23	Q. Okay. Do you consider what you just	23	MS. CENAR: So we're starting at
24	heard to be excellent?	24	54 seconds on Exhibit Number 8?
25	MS. CENAR: Objection to the form.	25	MR. GOULD: I said, "Let's continue
	·		
	Page 223		Page 225
1	THE DEPONENT: The whole entire thing	1	with the song." Exactly.
2	THE DEPONENT: The whole entire thing is excellent.	2	with the song." Exactly. (WHEREUPON, DEPOSITION EXHIBIT
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	D 20/		D 220
1	Page 226	1	Page 228
1	Q. Was that part of the song	1	MR. MCPHERSON: No, I already said
2	A. It's all relative, sir. It's all	2	that, Counsel.
3	relative.	3	MS. CENAR: Ira, ask your question,
4	Q. I understand. Was that part of the	4	please.
5	song	5	MR. GOULD: I'm going to ask the
6	A. It's all relative.	6	question and let's finish the disk.
7	Don't put your opinion on me, please.	7	MS. CENAR: So what is the question?
8	Q. I do what I gotta	8	MR. GOULD: We're playing the rest of
9	MS. CENAR: All right. Let let him	9	the song.
10	finish his question.	10	(WHEREUPON, DEPOSITION EXHIBIT
11	BY MR. GOULD:	11	NUMBER 8, A/K/A BEP-PR 1A, WAS
12	Q. I'll do what I've gotta do. You do	12	PLAYED FOR THE RECORD.)
13	what you do.	13	MS. CENAR: Where did we stop?
14	MS. CENAR: Let him finish his	14	MR. GREELY: That stopped at 219.
15	question.	15	MS. CENAR: Okay.
16	BY MR. GOULD:	16	BY MR. GOULD:
17	Q. All you have to	17	Q. Was what you heard part of the amazing
18	A. I answered the question.	18	part of the song?
	•	19	•
19	Q do is answer the question honestly.		MS. CENAR: Again
20	A. I did answer it honestly.	20	THE DEPONENT: The whole entire song
21	Q. These are your answers for trial;	21	was amazing, sir.
22	okay? That's all.	22	BY MR. GOULD:
23	MR. MCPHERSON: Can we take a break?	23	Q. Okay.
24	MR. GOULD: No. We're going to finish	24	MS. CENAR: Again, form and
25	the song, the Rule of Completeness.	25	foundation, asked and answered, and the Rule of
	Page 227		Page 229
1	MR. MCPHERSON: Well, Counsel, I	1	Completeness.
1 2	MR. MCPHERSON: Well, Counsel, I MR. GOULD: No, no, no. We're not	1 2	Completeness. BY MR. GOULD:
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		1	
	Page 230		Page 232
1	MR. GREELY: Stop at 334.	1	MS. CENAR: So don't answer his
2	BY MR. GOULD:	2	question.
3	Q. You just referred to what we just shut	3	BY MR. GOULD:
4	down	4	Q. You can't pick it out because I'm not
5	A. No, no.	5	understanding the
6	Q as "crazy." What were you	6	A. That's not the way you ask that
7	A. No. The situation is crazy.	7	question. So I can answer the question.
8	Q. Oh. The situation is crazy.	8	MS. CENAR: So this is the question.
	· · · · · · · · · · · · · · · · · · ·	9	THE DEPONENT: Oh.
9	Continue it. Okay.		
10	(WHEREUPON, DEPOSITION EXHIBIT	10	MS. CENAR: "Can you pick out any
11	NUMBER 8, A/K/A BEP-PR 1A, WAS	11	parts of that chord progression as more significant
12	PLAYED FOR THE RECORD.)	12	or more"
13	BY MR. GOULD:	13	THE DEPONENT: That question doesn't
14	Q. Okay. Have we now just played for you	14	make sense.
15	what was on the disk that you heard when you when	15	MS. CENAR: Okay.
16	you heard the attachment that was sent to you by	16	BY MR. GOULD:
17	Mr. Guetta?	17	Q. Okay. Do you understand what I'm
18	A. Yes.	18	driving at or you don't even understand that?
19	Q. Did we just play it?	19	MS. CENAR: Objection to the form.
20	A. Yes.	20	MR. DICKSTEIN: Objection to form.
21	Q. Did we just play it?	21	THE DEPONENT: That doesn't make
22	A. Yes.	22	sense, sir.
23	Q. All right. Is that whole song that we	23	BY MR. GOULD:
24	just played amazing to you, the music?	24	Q. Okay. What doesn't make sense?
25	A. Yes.	25	 A. You can't pick out a chord you
	Page 231		Page 233
1	Page 231 MR. MCPHERSON: Objection;	1	Page 233 can't pick anything out of a chord progression.
1 2		1 2	can't pick anything out of a chord progression.
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1	Page 234	1	Page 236
1	strings, the orchestra. That's what pulled me.	1	Q. And it's the "dah dah dah dah"
2 3	That's the emotion. That's what gave me the emotion. Q. How about	2	(indicating); right? A. Yes.
4	A. It's how the orchestra followed the	4	Q. Is that was that inspirational to
5	chord progression. That's what it is.	5	you?
6	Don't put your thoughts in my head.	6	(SPEAKING SIMULTANEOUSLY.)
7	Q. How about the guitar?	7	THE DEPONENT: So the phone
8	A. Don't put your thoughts in my head.	8	conversation went as such and
9	Q. No, no. All you have to do is	9	MS. CENAR: He asked you a specific
10	disagree with me.	10	question.
11	(SPEAKING SIMULTANEOUSLY.)	11	BY MR. GOULD:
12	MS. CENAR: He just asked you a second	12	Q. No. No. The question is a specific
13	question.	13	question.
14	BY MR. GOULD:	14	A. This is the answer.
15	Q. It's a different question.	15	Q. Okay.
16	MS. CENAR: He just asked you a second	16	MS. CENAR: Go ahead.
17	question.	17	THE DEPONENT: The answer is this:
18	Objection to form.	18	I'm in Colorado. There's a guy by the name of Brad.
19	MR. GOULD: Okay.	19	Brad owns a company called Beatport.
20	MS. CENAR: How about the guitar?	20	BY MR. GOULD:
21	MR. MCPHERSON: Joined.	21	Q. Uh-huh.
22	MS. CENAR: Is there a context you'd	22	A. Beatport's a DJ website where DJs
23	like to listen	23	download songs. Maybe some of them are members.
24	MR. GOULD: Yes.	24	Some of them steal them. They hack Beatport. Some
25	///	25	of them buy it.
	Page 235		Page 237
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2	BY MR. GOULD: Q. Let's go back to the beginning of the	2	So I paid a visit to Beatport. And I said, "Hey, Brad, do you know the guy who produced
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOULD: Q. Let's go back to the beginning of the song, and I'll tell you exactly what I'm referring to. A. One minute and 20 seconds. DEPOSITION OFFICER: Hang on a second. THE DEPONENT: Go to one minute and 20 seconds in. Thank you. (WHEREUPON, DEPOSITION EXHIBIT NUMBER 8, A/K/A BEP-PR 1A, WAS PLAYED FOR THE RECORD.) BY MR. GOULD: Q. I'm referring to do you hear a guitar sound in that? A. Yes. MR. DICKSTEIN: Objection; form. THE DEPONENT: Go ahead. BY MR. GOULD: Q. What is the guitar what is the guitar do you want me to find it again for you A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	So I paid a visit to Beatport. And I said, "Hey, Brad, do you know the guy who produced 'Now That The Love Is Gone'? I want him to produce a song for The Black Eyed Peas. We're making our new record." Brad said, "I'll put him on the phone right now." I said, "You know that guy?" "Yeah. He's a good friend of mine." "Hello." "Hello." "Hey, it's David Guetta." "Hey, i love your song 'Now That The Love Is Gone.' Can you produce a song for The Black Eyed Peas that's similar to that?" "Oh. You like 'Now That The Love Is Gone'? I like Black Eyed Peas." I'm like, "Okay. You we would really like to collaborate with you." Q. Okay. A. "Here's my e-mail address."

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1	He sent me a beat.	1	A was originally made in October.
2	I said, "I'm flying home. Hopefully	2	Metadata don't lie. It doesn't lie.
3	you have some good beats."	3	Q. Of what year?
4	He sent me beats to my e-mail	4	A. This year, sir.
5	address.	5	Metadata doesn't lie.
6	Q. Yes.	6	Q. Not of this year? Not in 2011?
7	A. I landed; got that track.	7	MS. CENAR: This is what you're
8	That song originally is a "Now That	8	referring to as the metadata.
9	The Love Is Gone" remix. He remixed his own song	9	THE DEPONENT: So this is metadata,
10	that he played in DJ clubs.	10	sir.
11	That is a remix of a David Guetta	11	October 31st, 2008, is when it was
12	song, to my knowledge.	12	originally made, that beat.
13	Q. Is that "Love Is Gone"?	13	BY MR. GOULD:
14	A. Right.	14	Q. Uh-huh.
15	First, that guitar twang was on "Now	15	A. "Now That The Love Is Gone" was a song
16	That The Love Is Gone."	16	that was out early 2008.
17	Q. Is that	17	Q. Correct.
18	A. First.	18	A. So that twang was originally on "Now
19	Q. And	19	That The Love Is Gone." I requested a song like
20	 A. I'm not finished with my answer. 	20	that.
21	Q. I'm sorry. I apologize.	21	Q. What
22	 A. I'm not finished with my answer. 	22	A. It wasn't a popular song. It was an
23	Q. I apologize. I apologize.	23	underground dance song.
24	A. She's doing her best.	24	Q. Uh-huh.
25	Q. Right. So we are all.	25	A. Right? That's the reason why nobody
	D 220		D 041
1	Page 239	1	Page 241
1	A. That guitar twang first was heard on	1	goes after that one.
2	A. That guitar twang first was heard on "Now That The Love Is Gone."	2	goes after that one. Q. Uh-huh.
2 3	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request.	2	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes
2 3 4	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request. "This song works in clubs. I would	2 3 4	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes mega, mega, mega big, here come the leeches.
2 3 4 5	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request. "This song works in clubs. I would like to have a song like this for the new Black Eyed	2 3 4 5	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes mega, mega big, here come the leeches. Q. Right.
2 3 4 5 6	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request. "This song works in clubs. I would like to have a song like this for the new Black Eyed Peas record."	2 3 4 5 6	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes mega, mega, mega big, here come the leeches. Q. Right. A. So the metadata is here.
2 3 4 5 6 7	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request. "This song works in clubs. I would like to have a song like this for the new Black Eyed Peas record." So he then sent me a version of that	2 3 4 5 6 7	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes mega, mega, mega big, here come the leeches. Q. Right. A. So the metadata is here. Q. Okay.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. That guitar twang first was heard on "Now That The Love Is Gone." That was a request. "This song works in clubs. I would like to have a song like this for the new Black Eyed Peas record." So he then sent me a version of that song that no one's heard, that he's played two times. "I played it two times. The club went crazy, Will.i.am." Right? So I then wrote "I gotta feelingooohooo" (indicating) right to that. The hook came first, then the mumble. Q. When you say "The hook came first," what are you referring to? A. "I gotta feeling" (Deponent singing). That's the hook, sir. Q. Uh-huh. Okay. A. And then the verse. Q. Got it.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	goes after that one. Q. Uh-huh. A. So what happens is when a song becomes mega, mega, mega big, here come the leeches. Q. Right. A. So the metadata is here. Q. Okay. A. 2008. Our song was written in November, finished in February. Q. Of what year? A. November of 2008, finished in February of 2009. Q. Okay. A. Metadata don't lie. Q. Okay. I'm not arguing with you. A. That's all the information I have. That's all the information I could I could right? and I've provided. Q. Fine. A. David Guetta, I'm pretty sure, has
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	Page 242		Page 244
1	another thing to be able to recreate things.	1	(THE RECORD WAS READ AS FOLLOWS:
2	Q. What would David Guetta please provide	2	A. So that twang was originally
3	us to show that he created that song?	3	on "Now That The Love Is Gone."
4	(SPEAKING SIMULTANEOUSLY.)	4	I requested a song like that.
5	MS. CENAR: Objection	5	Q. What
	BY MR. GOULD:		
6		6	A. It wasn't a popular song.
7	Q the music	7	It was an underground dance song.
8	MR. MCPHERSON: Objection; form,	8	Q. Uh-huh.
9	foundation.	9	A. Right? That's the reason why
10	MS. CENAR: Objection; form,	10	nobody goes after that one.
11	foundation, calls for speculation	11	Q. Uh-huh.
12	BY MR. GOULD:	12	A. So what happens is when a
13	Q. That's code for you that you've	13	song becomes mega, mega
14	MS. CENAR: and asked and	14	big, here come the leeches.
15	answered.	15	Q. Right.
16	(SPEAKING SIMULTANEOUSLY.)	16	A. So the metadata is here.
17	BY MR. GOULD:	17	Q. Okay.
18	Q already answered	18	A. 2008.
19	A. Nope.	19	Our song was written in
20	Q part of the question.	20	November, finished in February.
21	MR. DICKSTEIN: There's no code here.	21	Q. Of what year?
22	We're just making objections.	22	A. November of 2008, finished
23	THE DEPONENT: No code, sir.	23	in February of 2009.
24	BY MR. GOULD:	24	Q. Okay.
25	Q. It's just a code. That's all it is.	25	A. Metadata don't lie.
	•		
	Page 243		Page 245
1	Page 243 A. Listen	1	Page 245 O. Okav. I'm not arquing
1 2	A. Listen	1 2	Q. Okay. I'm not arguing
2	A. ListenQ. You said that Mr. Guetta could show.	2	Q. Okay. I'm not arguing with you.
2 3	A. ListenQ. You said that Mr. Guetta could show.Repeat back what the	2	Q. Okay. I'm not arguing with you.A. That's all the information
2 3 4	A. ListenQ. You said that Mr. Guetta could show.Repeat back what theA. What can Pringle show?	2 3 4	Q. Okay. I'm not arguing with you.A. That's all the informationI have. That's all the information
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Listen Q. You said that Mr. Guetta could show. Repeat back what the A. What can Pringle show? Q. Please, let's not go there. Let's not go there. Let's not go there. A. All right. MS. CENAR: You're here to answer his questions. THE DEPONENT: I'm just tired. BY MR. GOULD: Q. I understand. A. I'm tired of leeches. Q. I'm sorry. I'm sorry. Read back the witness's answer. (THE RECORD WAS READ AS FOLLOWS: Q. What would David Guetta please provide us) MR. GOULD: He gave an answer earlier in terms of David Guetta could recreate something. Something like that. DEPOSITION OFFICER: Above "here come the leeches"?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. I'm not arguing with you. A. That's all the information I have. That's all the information I could I could right? And I've provided Q. Fine. A. David Guetta, I'm pretty sure, has provided that he can recreate that. Q. Uh-huh. A. There's one there's one thing to lie and say that something came from something. It's another thing to be able to recreate things. Q. What would David Guetta please provide us to show that he created that song?) BY MR. DICKIE: Q. Yeah. What would he provide us with? A. I don't know. Q. You're a musical person. You don't

	Page 24/		Dama 240
1	Page 246	1	Page 248 sound. You want new sound."
1	MR. MCPHERSON: Objection; asked and	2	Q. Was it the guitar twang that's in
3	answered, argumentative. MS. CENAR: Same objections.	3	"Love Is"
4	MR. DICKSTEIN: Same objection.	4	A. You asked me, and I told you what part
5	THE DEPONENT: I don't know, sir.	5	I liked.
6	BY MR. GOULD:	6	Q. Okay. I'm asking you about the
7	Q. Well, how do you know he wrote the	7	guitar.
8	song, the music?	8	A. Don't put thoughts in my head.
9	MR. DICKSTEIN: Objection; form.	9	MS. CENAR: Okay.
10	BY MR. GOULD:	10	BY MR. GOULD:
11	Q. He never told you he did, did he?	11	Q. No, no. Listen.
12	MS. CENAR: Objection; form.	12	I'm asking you, the guitar twang
13	MR. DICKSTEIN: Objection; form.	13	that's
14	BY MR. GOULD:	14	MS. CENAR: Just listen.
15	Q. I thought you answered that question,	15	BY MR. GOULD:
16	he never told you?	16	Q in "Love Is Gone," did you like
17	A. He did.	17	that?
18	Q. He did?	18	MR. MCPHERSON: Objection; vague and
19	How do you know that Guetta wrote it	19	ambiguous, lacks foundation?
20	and Riesterer didn't?	20	THE DEPONENT: "Bambam bam bambam
21	A. Who's Riesterer?	21	bambam bam, bam, bam, ba nah bam bana" (indicating.)
22	MR. DICKSTEIN: Objection; form.	22	That's what I wanted.
23	THE DEPONENT: "Fred"?	23	BY MR. DICKIE:
24	BY MR. GOULD:	24	Q. Okay. If I play "Love Is Gone,"
25	Q. A gentleman named Fred Riesterer.	25	you'll be able to
23	Q. A gentieman named fred Riesterer.	20	you'll be able to
	Page 247		Page 249
1	 A. Well, they collaborate together. 	1	A. "Diga diga diga diga diga diga
2	They they collaborate together. All I know is	2	diga" (indicating).
3	that they collaborate.	3	BY MR. GOULD:
4	Q. Okay. But other than that, you don't	4	Q show me what part of the song
5	know which one actually wrote it, do you?	5	A. (INAUDIBLE).
6	A. Listen, for all I know, David Guetta's	6	Q you liked?
7	mama could have did it. I don't know.	7	A. "Diga diga diga diga diga diga"
8	Q. You still don't.	8	(indicating).
9	A. I don't.	9	MS. CENAR: He asked a question.
10	Q. What about "Love Is Gone" did you	10	MR. GOULD: We'll take a break
11	like, in terms of that music, that caught your	11	THE DEPONENT: That was the part I
12	attention?	12	liked.
13	A. "Diga diga diga diga diga diga	13	BY MR. GOULD:
14	diga diga diga diga diga diga diga diga	14	Q. I'm playing "Love Is Gone" next
15	diga diga diga diga diga dant dant - bam bam bam	15	time for you; okay?
16	bambam bambam ba damp nah bam bana"	16	MS. CENAR: Okay. We're going to take
17	(DEPONENT MAKING MUSICAL SOUNDS.)	17	a break.
18	THE DEPONENT: He asked me.	18	THE DEPONENT: Why do we have to take
19	BY MR. GOULD:	19	a break?
20	Q. I asked you. Absolutely.	20	MS. CENAR: Because Ed needs to go to
21 22	A. "Bam, bam, bam, ba nah bam bana" (indicating).	21 22	the men's room.
23	And I told David Guetta, "I like	23	MR. GOULD: Ed has to go to the men's
24	that."	24	room. He's already THE DEPONENT: I know, but I'm tired.
		25	I want to hurry up.
25	He said, "Will, this sound is old		

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1	MR. GOULD: I know you want to hurry	1	BY MR. GOULD:
2	up. I suspect you do. I want to finish.	2	Q. Pardon me?
3	MS. CENAR: Take your mic off.	3	A. That's not a leech.
4	THE VIDEOGRAPHER: Okay. This is	4	Q. All right. What is that person?
5	the end of Media Number Three in the deposition of	5	A person who samples music of someone
6	William Adams.	6	else's copyrighted song and uses that without
7	We are now going off the record. The	7	clearing it, what is that?
8	time is 4:20 p.m.	8	How would you describe that person?
9	(WHEREUPON, A RECESS WAS HELD	9	MS. CENAR: Objection; form,
	·		foundation.
10	FROM 4:20 P.M. TO 4:54 P.M.)	10	
11	THE VIDEOGRAPHER: This is the	11	THE DEPONENT: It wouldn't be a
12	beginning of Media Number Four in the deposition of	12	leech.
13	William Adams in the matter of "Bryan Pringle v.	13	BY MR. GOULD:
14	William Adams, et al."	14	Q. What would it be?
15	We are now going back on the record.	15	MS. CENAR: Same objections.
16	The time is 4:54 p.m.	16	THE DEPONENT: It's not a leech. I
17	BY MR. GOULD:	17	don't know.
18	Q. Let's go back to the the video.	18	BY MR. GOULD:
19	Not "Love Is Gone" not the video. The sound	19	Q. You can't characterize that person?
20	thing.	20	A. A sampler.
21	MR. MCPHERSON: Mr. Gould, excuse me.	21	Q. A sampler?
22	Do you have any estimate for how long	22	A. Yes.
23	you're going to go?	23	Q. Would you say an unlawful sampler?
24	MR. GOULD: If we move quickly, I'd	24	MS. CENAR: Objection; form,
25	say 45 minutes.	25	foundation.
	Page 251		Page 253
1	Page 251 MR. MCPHERSON: Thank you.	1	Page 253 BY MR. GOULD:
1 2		1 2	
	MR. MCPHERSON: Thank you.	-	BY MR. GOULD:
2	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much	2	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes
2	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much longer he was going to be. He said if we move	2	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes Q. Okay.
2 3 4	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much longer he was going to be. He said if we move quickly, about 45 minutes.	2 3 4	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes Q. Okay. A an unlawful an unlawful sampler
2 3 4 5	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much longer he was going to be. He said if we move quickly, about 45 minutes. THE DEPONENT: Really?	2 3 4 5	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes Q. Okay. A an unlawful an unlawful sampler if they don't clear it.
2 3 4 5 6 7	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much longer he was going to be. He said if we move quickly, about 45 minutes. THE DEPONENT: Really? MS. CENAR: Yeah.	2 3 4 5 6 7	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes Q. Okay. A an unlawful an unlawful sampler if they don't clear it. Q. Have you ever been an unlawful
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. MCPHERSON: Thank you. MR. GOULD: Yeah. MS. CENAR: Ed asked him how much longer he was going to be. He said if we move quickly, about 45 minutes. THE DEPONENT: Really? MS. CENAR: Yeah. THE DEPONENT: Awesome. MR. GOULD: I thought you'd like that. BY MR. GOULD: Q. All right. Let's go back on the record and I'll ask you a couple of questions before I play some more music for you again. You used the word "leech" in one of your answers a couple of different times. Is someone who samples music of someone else without getting a clearance a leech? A. That's not a leech. Q. That's not a leech? What is that person? MS. CENAR: Objection; form. BY MR. GOULD: Q. Why isn't that person a leech?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	BY MR. GOULD: Q. You can answer. A. If they don't clear it, yes Q. Okay. A an unlawful an unlawful sampler if they don't clear it. Q. Have you ever been an unlawful sampler? MS. CENAR: Objection to form. MR. MCPHERSON: Objection; vague and ambiguous, lacks foundation. BY MR. GOULD: Q. I'm trying to get out of here in 45 minutes but, you know, what can I tell you? A. No. Q. Never been? A. Never. MR. GOULD: All right. Start from the beginning. THE DEPONENT: What are we hearing? MR. GREELY: Playing again what looks like it's labeled as Exhibit 1A. MS. CENAR: It's Exhibit 8. Is
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	Page 254		Page 256
1	provided us referenced as Exhibit 8.	1	Q. And what about it makes it dope?
2	MS. CENAR: Can I check with the court	2	A. The dope beats.
3	reporter?	3	Q. The beats?
4	That has been marked in this	4	A. The beats are dope.
5	deposition as Exhibit Number 8?	5	Q. And the chord progression?
6	DEPOSITION OFFICER: It has.	6	A. The chord progression is fresh.
7	MS. CENAR: Thank you.	7	Q. Fresh?
	I'm sorry. Are we starting from the	8	A. Yeah.
8 9	,	9	Q. What does "fresh" mean?
	very beginning?		
10	MR. GREELY: Yes.	10	A. Hot.
11	MS. CENAR: Okay.	11	Q. Okay. All right. And would you agree
12	(WHEREUPON, DEPOSITION EXHIBIT	12	with me that that is the driving force of the song?
13	NUMBER 8, A/K/A BEP-PR 1A, WAS	13	MS. CENAR: Objection; form,
14	PLAYED FOR THE RECORD.)	14	foundation.
15	THE DEPONENT: Why are we hearing it	15	THE DEPONENT: The chord progression?
16	again?	16	BY MR. GOULD:
17	MS. CENAR: Exhibit 8 starting from	17	Q. Yeah, what you just heard.
18	second one.	18	A. The driving force of the song would be
19	MR. GREELY: Now we're starting at one	19	the rhythm section.
20	minute and five seconds into the song.	20	Q. But not what you just heard?
21	THE DEPONENT: Why is he playing it	21	A. That was the that was the that
22	again for?	22	was it's an element.
23	Am I listening for something?	23	Q. It's the element of the driving force
24	///	24	of the song?
25	BY MR. GOULD:	25	MS. CENAR: Objection to the form.
	Page 255		Page 257
1	Page 255 O. What?	1	Page 257 THE DEPONENT: So that particular
1 2	Q. What?	1 2	THE DEPONENT: So that particular
2	Q. What?A. Am I listening for something?	2	THE DEPONENT: So that particular song
2 3	Q. What?A. Am I listening for something?Q. You are just listening to the music.	2	THE DEPONENT: So that particular song BY MR. GOULD:
2 3 4	Q. What? A. Am I listening for something? Q. You are just listening to the music. That's all.	2 3 4	THE DEPONENT: So that particular song BY MR. GOULD: Q. That particular song?
2 3 4 5	Q. What? A. Am I listening for something? Q. You are just listening to the music. That's all. A. Oh. Okay.	2 3 4 5	THE DEPONENT: So that particular song BY MR. GOULD: Q. That particular song? A not "I Gotta Feeling."
2 3 4 5 6	Q. What? A. Am I listening for something? Q. You are just listening to the music. That's all. A. Oh. Okay. Q. Okay. Okay.	2 3 4	THE DEPONENT: So that particular song BY MR. GOULD: Q. That particular song? A not "I Gotta Feeling." Q. Okay. If that particular song you
2 3 4 5 6 7	Q. What? A. Am I listening for something? Q. You are just listening to the music. That's all. A. Oh. Okay. Q. Okay. Okay. MS. CENAR: Where wait. Where	2 3 4 5	THE DEPONENT: So that particular song BY MR. GOULD: Q. That particular song? A not "I Gotta Feeling." Q. Okay. If that particular song you just listened to, what you just heard, would you
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	Page 258		Page 260
1	BY MR. GOULD:	1	THE DEPONENT: The top line is
2	 Q. What you just heard, is there any part 	2	great.
3	of "Love Is Gone" that sounds similar to you to	3	MR. GREELY: This is a YouTube video
4	that?	4	entitled "The Black Eyed Peas- 'I Gotta Feeling,'"
5	A. Yes.	5	uploaded by user named The Black Eyed Peas Vevo on
6	Q. Okay. And did you write is that	6	December 23rd, 2009.
7	what you were referring to, in part, when you told	7	BY MR. GOULD:
8	Guetta that you liked "Love Is Gone"?	8	Q. Okay. We're going to play that whole
9	A. No.	9	song for you; all right?
10	I told David Guetta that I wanted	10	But I'm asking
11	"diga diga diga diga diga diga"	11	Could you just stop for one second?
12	(indicating).	12	But as you listen to the whole song,
13	And he put his two cents in and said,	13	I'm going to ask you to kind of focus your attention
14	"No, that is dated."	14	on the same part of the song that I just played for
15	BY MR. GOULD:	15	you, which was the exhibit, the guitar twang part of
16	Q. Okay.	16	it; okay?
17	A. "You want the new sound." So I	17	A. Can I before you do that
18	trusted his judgement.	18	Q. Yeah.
19	Q. Got it.	19	 A. What you played me, the guitar
20	A. An and that's what it was	20	twang
21	(indicating).	21	Q. Yeah.
22	MS. CENAR: Let the record reflect	22	A I know how I chopped it up by
23	that the witness just pointed to Exhibit Number 8	23	heart.
24	when he says, "That's what it was."	24	Q. Uh-huh.
25	///	25	A. What I mean by "chopped" is
	Dama 250		Dama 2/1
1	Page 259	1	Page 261
1	BY MR. GOULD:	1	rearranging it.
2	BY MR. GOULD: Q. Let's play "I Gotta Feeling," the	2	rearranging it. Q. Uh-huh.
2	BY MR. GOULD: Q. Let's play "I Gotta Feeling," the song the actual song.	2	rearranging it. Q. Uh-huh. A. So what you played me right now
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY MR. GOULD: Q. Let's play "I Gotta Feeling," the song the actual song. A. That is the actual "I Gotta Feeling." Q. Yeah. We'e going to play the one that's been released. A. That's that. We didn't change anything. Q. Okay. That's good. All right. So you didn't change anything from what you just heard? A. Nothing at all. Just reconfigured it. Q. Okay. Now I'm going to play for you the actual song "I Gotta Feeling." I'm going to play a certain part of that. A. Okay. MS. CENAR: Can we have some foundation for what you're about to play, please. THE DEPONENT: "I Gotta Feeling." I'm sorry.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	rearranging it. Q. Uh-huh. A. So what you played me right now Q. Yes? You are talking about not the exhibit? MR. MCPHERSON: Yeah, he is talking about exhibit. THE DEPONENT: Yeah, that section that you played BY MR. GOULD: Q. Yes? A. I'm trying to remember if I keep going. Sorry. Q. No. That's okay. I'm going to play for you what we understand to be the song "I Gotta Feeling" that was released. MS. CENAR: So we're now listening to the YouTube bep vevo? THE DEPONENT: Yeah.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. GOULD: Q. Let's play "I Gotta Feeling," the song the actual song. A. That is the actual "I Gotta Feeling." Q. Yeah. We'e going to play the one that's been released. A. That's that. We didn't change anything. Q. Okay. That's good. All right. So you didn't change anything from what you just heard? A. Nothing at all. Just reconfigured it. Q. Okay. Now I'm going to play for you the actual song "I Gotta Feeling." I'm going to play a certain part of that. A. Okay. MS. CENAR: Can we have some foundation for what you're about to play, please. THE DEPONENT: "I Gotta Feeling." I'm sorry. MS. CENAR: Have you ever heard that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	rearranging it. Q. Uh-huh. A. So what you played me right now Q. Yes? You are talking about not the exhibit? MR. MCPHERSON: Yeah, he is talking about exhibit. THE DEPONENT: Yeah, that section that you played BY MR. GOULD: Q. Yes? A. I'm trying to remember if I keep going. Sorry. Q. No. That's okay. I'm going to play for you what we understand to be the song "I Gotta Feeling" that was released. MS. CENAR: So we're now listening to the YouTube bep vevo? THE DEPONENT: Yeah. MS. CENAR: Do we know who bep vevo
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY MR. GOULD: Q. Let's play "I Gotta Feeling," the song the actual song. A. That is the actual "I Gotta Feeling." Q. Yeah. We'e going to play the one that's been released. A. That's that. We didn't change anything. Q. Okay. That's good. All right. So you didn't change anything from what you just heard? A. Nothing at all. Just reconfigured it. Q. Okay. Now I'm going to play for you the actual song "I Gotta Feeling." I'm going to play a certain part of that. A. Okay. MS. CENAR: Can we have some foundation for what you're about to play, please. THE DEPONENT: "I Gotta Feeling." I'm sorry.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	rearranging it. Q. Uh-huh. A. So what you played me right now Q. Yes? You are talking about not the exhibit? MR. MCPHERSON: Yeah, he is talking about exhibit. THE DEPONENT: Yeah, that section that you played BY MR. GOULD: Q. Yes? A. I'm trying to remember if I keep going. Sorry. Q. No. That's okay. I'm going to play for you what we understand to be the song "I Gotta Feeling" that was released. MS. CENAR: So we're now listening to the YouTube bep vevo? THE DEPONENT: Yeah.

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                                                                                                            Page 264
    uploaded a YouTube video on December 23rd, 2009?
 1
                                                           1
                                                                     Q. Yes.
 2
                                                           2
                                                                      A. -- it hasn't happened yet on the
               THE DEPONENT: It's vevo, v-e-v-o.
 3
                                                           3
                                                              version you just played. All of that music happened
               MR. GREELY: Okay?
 4
               MS. CENAR: Okay.
                                                           4
                                                               at three minutes into that.
 5
           (BRIEF PAUSE IN PROCEEDINGS
                                                           5
                                                                         Do you understand what I'm saying?
           WHILE MUSIC IS BEING PLAYED.)
 6
                                                           6
                                                               Exhibit 8 --
 7
               MR. GOULD: See. Kara can dance. She
                                                           7
                                                                     Q. Yeah?
                                                           8
 8
    has rhythm.
                                                                     A. -- that -- all that -- all those --
 9
               MS. CENAR: Don't talk. You're
                                                           9
                                                               all that -- all that -- all those bits don't happen
                                                          10
                                                               until three minutes into the original thing that he
10
    supposed to listen.
11
               DEPOSITION OFFICER: I can't hear you
                                                          11
                                                               sent me in the e-mail.
                                                          12
                                                                         I moved three minutes into the
12
                                                          13
                                                               beginning. I rearranged it. So what you are
13
               MR. GOULD: That's plenty, where we
14
    are right here.
                                                          14
                                                               pointing out hasn't happened yet --
                                                          15
                                                                     Q. I see.
15
              What's the number?
                                                                     A. -- in the song.
16
               MR. GREELY: 138.
                                                          16
                                                          17
17
              MS. CENAR: So you played from the
                                                                     Q. I see.
    beginning to 138 --
                                                          18
                                                                         What I showed you on that earlier
18
19
              MR. GOULD: To 138.
                                                          19
                                                               exhibit hasn't occurred yet in the song?
                                                                     A. So if this is the song --
20
              MS. CENAR: -- of this YouTube video?
                                                          20
                                                                     Q. Yes?
21
               MR. GOULD: Right.
                                                          21
22
    BY MR. GOULD:
                                                          22
                                                                      A. -- this is the whole thing; right?
                                                          23
                                                                      Q. This is very helpful.
23
           Q. I'm going to play the whole thing for
24
    you, but I'm going to ask you some questions about
                                                          24
                                                                     A. You only played me this part
25
    what you just heard.
                                                          25
                                                               (indicating).
                                                 Page 263
                                                                                                            Page 265
                                                           1
                                                                     Q. Correct.
           A. Okay.
1
           Q. Do you hear the same guitar twang
                                                                     A. But on Black -- on the "I Gotta
 2
                                                           2
 3
    sequence that you heard in the prior exhibit, which
                                                               Feeling," this part I moved way over here. And this
                                                               part is in the beginning (indicating). I changed the
 4
    is Exhibit 8?
                                                           4
 5
                                                           5
              MS. CENAR: Objection; form and
                                                               order around.
 6
                                                           6
                                                                     Q. Got it.
    foundation.
 7
                                                           7
                                                                     A. That's why I said, "Hey, you're
               THE DEPONENT: What you played there?
    BY MR. GOULD:
 8
                                                           8
                                                               playing the wrong part. I know where your mind was
 9
           O. Yes.
                                                           9
                                                               going --
           A. Hasn't happened yet.
10
                                                          10
                                                                     Q. No, no. I --
           Q. What do you mean "hasn't happened
                                                                     A. -- but you played me the wrong
11
                                                          11
12
    yet"?
                                                          12
                                                               section.
           A. What you played right there on
                                                          13
                                                                     Q. I really appreciate that.
13
                                                                         Was the part that you just heard
    Exhibit 8 --
                                                          14
14
                                                               similar to the part that we're going to hear later?
15
           Q. Hasn't happened yet?
                                                          15
                                                                         MS. CENAR: Objection; foundation.
           A. -- hasn't came up in my arrangement
16
                                                          16
17
    that's popular now.
                                                          17
                                                                         MR. DICKSTEIN: Form.
           Q. Where did you get that from?
                                                          18
18
                                                                         MR. MCPHERSON: Form.
           A. I don't think you heard what I just
19
                                                          19
                                                                         THE DEPONENT: It's all part of the
20
    said.
                                                          20
                                                              same --
21
           Q. No, I don't understand it.
                                                          21
                                                                         MS. CENAR: Speculation, form.
22
           A. What you played right now when you
                                                          22
                                                                         THE DEPONENT: It's all part of the
23
    stopped at one minute --
                                                          23 same body of work. I just rearranged the order.
                                                                         But what you pointed out when you
           Q. Yes.
24
                                                          24
                                                               said, "Listen to this," I was like, "Why do you want
25
           A. -- and 20 seconds --
                                                          25
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                                                                                                             Page 268
    me to listen to that when that isn't probably even
                                                           1
                                                                      A. That whole -- that whole file --
 2
    used in the sona?"
                                                           2
                                                                      O. Yes?
               DEPOSITION OFFICER: "Isn't ...?"
                                                           3
 3
                                                                      A. -- that whole file --
               THE DEPONENT: It's not part -- it's
 4
                                                           4
                                                                      Q. Yes?
    not used in the song, the part that you pointed at.
 5
                                                           5
                                                                      A. -- all I did was rearrange the files.
 6
    BY MR. GOULD:
                                                           6
                                                                      Q. Okay.
 7
           Q. Not using what Guetta sent you?
                                                           7
                                                                      A. I used the drums for reinforcement
           A. That section. That --
 8
                                                           8
                                                               because I didn't want to retrace the vibe -- the vibe
9
               MS. CENAR: Objection;
                                                           9
                                                               of the original track.
10
                                                           10
                                                                          But the section that you're telling me
    mischaracterizes --
                                                                "twang" is not the part I used.
           (SPEAKING SIMULTANEOUSLY.)
11
                                                           11
                                                                          I used it three minutes in.
12
               THE DEPONENT: When Guetta sent --
                                                           12
               MS. CENAR: -- the witness's
                                                           13
                                                                          If you go three minutes into the
13
14
                                                           14
                                                               original now, you hear the guitars by themselves.
    testimony.
                                                               And that's what I used, and not the part you pointed
15
    BY MR. GOULD:
                                                           15
           Q. Well, what I'm trying to understand --
                                                               out originally.
16
                                                           16
           A. When Guetta sent me is a six --
                                                           17
                                                                      Q. So if I say to you that the guitar
17
    five-and-a-half minutes -- right? -- how long is that
                                                              twang that I just played for you on "I Gotta Feeling"
                                                           18
18
                                                               sounds to my ear to be virtually identical to what --
19
    file?
                                                           19
                                                               if not identical or virtually identical -- to what I
20
               MR. GREELY: I think it's 543 or
                                                           20
                                                               heard in the first part of Guetta's song, you would
21
    something.
                                                           21
                                                               say my ears are lying to me?
22
               THE DEPONENT: Right. I knew it by
                                                           22
                                                                          MS. CENAR: Wait, wait, wait.
23 heart.
                                                           23
    BY MR. GOULD:
                                                           24
                                                                          THE DEPONENT: Yeah.
24
25
           Q. Good.
                                                           25
                                                                          MS. CENAR: I object to the form of
                                                  Page 267
                                                                                                             Page 269
           A. Because I sat and stared at the
 1
                                                               that question --
                                                           1
    waveform for days upon weeks upon months.
                                                           2
                                                                          THE DEPONENT: Right.
 2
 3
           Q. Good.
                                                           3
                                                                          MR. GOULD: Same objections.
                                                                          MS. CENAR: -- and foundation.
           A. So me looking at the waveform, I know
 4
                                                           4
    exactly what the wave looks like. So what you played
 5
                                                           5
                                                               BY MR. GOULD:
    me, I saw the waveform, and I remembered that that
                                                           6
                                                                      Q. Okay. You can answer.
                                                           7
 7
    waveform is not what we sung over.
                                                                          Just try and educate me. That's all.
 8
               I sing into -- into the waves. I
                                                           8
                                                                      A. Yeah, that --
 9
    don't write on paper.
                                                           9
                                                                          MS. CENAR: Answer -- just answer his
10
           Q. Uh-huh.
                                                           10
                                                               question.
11
           A. I write into Pro Tools.
                                                                          THE DEPONENT: I'll answer his
                                                           11
12
           Q. Uh-huh.
                                                           12
                                                               question.
13
           A. So that section isn't used. The drums
                                                           13
                                                               BY MR. GOULD:
    are used, but the part that you said -- remember he
14
                                                           14
                                                                      Q. Educate me.
    said, "Do you think that's a good part of the song?
15
                                                           15
                                                                      A. The music "I Gotta Feeling" that's
    Is that -- is that good to you?"
16
                                                           16 available for sale on iTunes --
               I was like, "Yes, those drums are
                                                                      O. Yes?
17
                                                           17
                                                           18
                                                                      A. -- the same metadata that made the
18
    really nice."
19
               "You like that part?"
                                                           19
                                                               e-mail that he sent me, it's the same file. I
               "Yes, I like that part."
                                                               didn't -- we didn't change or add anything --
20
                                                           20
               Actually, I used those drums later on.
                                                                      Q. Good. Okay. Good. --
21
                                                           21
22
           Q. Were the drums -- were the drums in
                                                           22
                                                                      A. --- except for the "beesh beesh beesh
23 Guetta's --
                                                           23 beesh" (indicating).
           A. See, that whole section --
                                                                          That's it.
24
                                                           24
25
           Q. Yes?
                                                           25
                                                                      Q. Got it. Got it.
```

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1	Okay. Now, at what point in the	1	A. Right? Three minutes, 15 second's
2	song that's fine at what point in the song	2	when that guitar comes on, and that's why I put it in
3	you said three minutes and so forth?	3	the beginning of the song. My birthday present.
4	A. Into the original e-mail that he sent?	4	Q. That was your birthday present to
5	Q. Yes.	5	you?
6	A. Yes.	6	A. My birthday is March 15th and that
7	MR. GOULD: Okay. Can we get that,	7	guitar, that lick, comes in at 3:15.
8	please.	8	Thank you, Jesus, for giving me a
9	(BRIEF PAUSE IN PROCEEDINGS	9	great birthday present.
	WHILE MUSIC IS BEING PLAYED.)	10	5 .
10	,		Q. Okay. Let's go on with the rest of
11	THE DEPONENT: That that's it.	11	the song; okay?
12	MR. GREELY: That's three minutes.	12	MR. GREELY: Starting from 138 on in
13	THE DEPONENT: That's the three	13	the YouTube video Black Eyed Peas, "I Gotta Feeling."
14	minutes. That's the verse.	14	(BRIEF PAUSE IN PROCEEDINGS
15	MR. GREELY: Would it be later than	15	WHILE MUSIC IS BEING PLAYED.)
16	that?	16	BY MR. GOULD
17	THE DEPONENT: No. No. That's	17	Q. You like the "mazel tov"?
18	used.	18	A. Yeah, I'm Jewish. "Jew-ish," kind
19	MS. CENAR: Ira I mean, Ryan,	19	of Jewish.
20	it's the witness is trying to testify.	20	Q. Are you Jewish?
21	Could you allow the witness to finish	21	A. "Jew-ish."
22	his answers?	22	MR. GOULD: All right. Where are we
23	MR. GOULD: We are. We are trying to	23	right now in the song?
24	understand	24	MR. GREELY: Two minutes, 38 seconds
25		25	
25	THE DEPONENT: "I wanna let it go.	23	into the song.
	D 074		D 070
1	Page 271	1	Page 273
1	Let's go way out spaced out and I'm losing all	1	MR. GOULD: Listen to this for two
2	Let's go way out spaced out and I'm losing all control, chi chi chi." That part.	2	MR. GOULD: Listen to this for two what is the number?
2	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.)	2	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238.
2 3 4	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD:	2 3 4	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this
2	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That?	2	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section.
2 3 4	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD:	2 3 4	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this
2 3 4 5	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That?	2 3 4 5	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section.
2 3 4 5 6	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it.	2 3 4 5	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS
2 3 4 5 6 7	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That?	2 3 4 5 6 7	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right.
2 3 4 5 6 7 8	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now?	2 3 4 5 6 7 8	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan?
2 3 4 5 6 7 8 9	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that	2 3 4 5 6 7 8 9	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four
2 3 4 5 6 7 8 9 10	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front.	2 3 4 5 6 7 8 9 10	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds.
2 3 4 5 6 7 8 9 10 11 12	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"?	2 3 4 5 6 7 8 9 10 11 12	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD:
2 3 4 5 6 7 8 9 10 11 12 13	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"? A. And that's three minutes and what?	2 3 4 5 6 7 8 9 10 11 12 13	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD: Q. All right. What you just heard, the
2 3 4 5 6 7 8 9 10 11 12 13 14	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"? A. And that's three minutes and what? MR. GREELY: 15 seconds.	2 3 4 5 6 7 8 9 10 11 12 13 14	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD: Q. All right. What you just heard, the last segment, would you describe that as the hook?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"? A. And that's three minutes and what? MR. GREELY: 15 seconds. THE DEPONENT: Thank you. My	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD: Q. All right. What you just heard, the last segment, would you describe that as the hook? A. No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"? A. And that's three minutes and what? MR. GREELY: 15 seconds. THE DEPONENT: Thank you. My birthday	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD: Q. All right. What you just heard, the last segment, would you describe that as the hook? A. No. Q. Okay. Where have have you listened
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Let's go way out spaced out and I'm losing all control, chi chi chi." That part. (DEPONENT SINGING.) BY MR. GOULD: Q. That? A. That's it. Q. That? A. That's the part. Q. What we're just hearing right now? A. That that is in the front that is a front. Q. Of "I Gotta Feeling"? A. And that's three minutes and what? MR. GREELY: 15 seconds. THE DEPONENT: Thank you. My birthday BY MR. GOULD:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. GOULD: Listen to this for two what is the number? MR. GREELY: 238. MR. GOULD: 238. Let's listen to this section. (BRIEF PAUSE IN PROCEEDINGS WHILE MUSIC IS BEING PLAYED.) MR. GOULD: Stop it. All right. Where are you stopping it, Ryan? MR. GREELY: Three minutes, four seconds. BY MR. GOULD: Q. All right. What you just heard, the last segment, would you describe that as the hook? A. No. Q. Okay. Where have have you listened to it so far in the song, the hook portion of the
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1	wrote the hook.	1	melody.
2	///	2	What you're calling melody is music.
3	BY MR. GOULD:	3	Q. The musical part of it, the musical
4	Q. Okay. Where let's tell me where	4	accompaniment to the lyric, is that part of the
5	that is in the song.	5	hook?
6	A. Are you crazy? That's the beginning	6	MS. CENAR: Objection to the form.
7	of the song.	7	THE DEPONENT: No.
8	Q. Okay. Let's go back to the beginning.	8	BY MR. GOULD:
9	Is this the beginning?	9	Q. "No"?
10	(BRIEF PAUSE IN PROCEEDINGS	10	A. No. That's the music.
11	WHILE MUSIC IS BEING PLAYED.)	11	Q. You just call it music, you don't call
12	MR. GREELY: Yes, this is 30 seconds	12	it part of the hook?
13	into the song.	13	A. Yes.
14	THE DEPONENT: That's the hook.	14	Q. How many times did you repeat the hook
15	MR. GREELY: Where the hook starts,	15	in the song?
16	it's 30 seconds.	16	A. The vocal hook?
17	(BRIEF PAUSE IN PROCEEDINGS	17	Q. Yes.
18	WHILE MUSIC IS BEING PLAYED.)	18	A. A bunch.
19	BY MR. GOULD:	19	Q. A bunch of times?
20	Q. Tell me when the hook stops.	20	A. Yes.
21	A. When the verse	21	Q. Okay. And why did you repeat it a
22	Q. Tell me to stop the music when the	22	bunch of times in this?
23	hook stops.	23	And the hook that you repeat a bunch
24	 A. When the verse comes in. I'll point 	24	of times, that has the same musical accompaniment
25	it out to you.	25	which you are indicating you don't think is part of
	Page 275		Page 277
1	Q. Okay. Thanks.	1	the hook?
2	A. There (indicating).	2	MR. DICKSTEIN: Objection; form.
3	Q. Stop.	3	THE DEPONENT: No.
4	A. That's the verse.	4	MS. CENAR: Form.
5	Q. Okay.	5	THE DEPONENT: No, that's not true at
6	MS. CENAR: Where does that stop?	6	all.
7	MR. GREELY: 130.	7	BY MR. GOULD:
8	BY MR. GOULD:	8	Q. All right. What's not true?
9	Q. All right. Would you agree with me	9	A. I sing the hook
10	that the hook, that you just defined as the hook, is	10	Q. Yes.
11	the driving force or momentum of the song?	11	A over other parts of the song as
12	MS. CENAR: Objection; form,	12	well
13	foundation.	13	Q. Uh-huh.
14	THE DEPONENT: The driving force of	14	A when the beat is not the guitar
15	the song is the lyric "I gotta feeling."	15	twang. But it's all the same chord progression,
16	BY MR. GOULD:	16	sir.
17	Q. With the melody?	17	Q. I understand.
18	 A. The melody is, "I gotta feeling, 	18	Let's play "Take A Dive."
19	whoohoo."	19	MS. CENAR: Do you want to identify
20	(DEPONENT SINGING.)	20	for the record the foundation
21	THE DEPONENT: That is the driving	21	MR. GOULD: Yeah.
22	force of the song.	22	MS. CENAR: for what you are about
23	BY MR. GOULD:	23	to play?
			, ,
24 25	Q. With the melody behind it? A. The melody is the lyric. That is the	24 25	MR. GOULD: All right. THE DEPONENT: What are we hearing?

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1	MS. CENAR: Mr. Pringle's work	1	you've made a representation on the record that this
2	THE DEPONENT: I can't wait to hear	2	is Mr. Pringle's song.
3	this.	3	And your associate Ryan has made a
4	MS. CENAR: or his alleged work.	4	representation on the record that he doesn't know who
5	MR. GREELY: This is a YouTube video,	5	this is that posted this on it.
6	entitled "Bryan Pringle, Take a Dive," uploaded by	6	And you have told us throughout this
7	user name DRDR313 on November 2nd, 2010.	7	litigation that Mr. Pringle is the only one that has
8	MS. CENAR: Hold on.	8	possessed this song.
9	Do we have the identity of who DRDR313	9	So is the piece that you are about to
	· · · · · · · · · · · · · · · · · · ·	10	
10	is for the record, please?		play Mr. Pringle's song or not, for purposes of the
11	THE DEPONENT: It doesn't matter.	11	foundation for what you are about to play on the
12	It's 2010.	12	record?
13	MS. CENAR: I know.	13	MR. GREELY: Yes, this is his song,
14	Do we have do we have an identity	14	Kara.
15	of who that is?	15	MS. CENAR: Okay. And is DRDR313
16	MR. GREELY: I think	16	Mr. Pringle?
17	MR. GOULD: It's okay.	17	MR. GREELY: I don't know off the top
18	MR. GREELY: I don't know.	18	of my head, Kara.
19	MS. CENAR: You are stating that on	19	(SPEAKING SIMULTANEOUSLY.)
20	the record?	20	MR. GOULD: It's his song is our view.
21	MR. GREELY: It's on the record.	21	You think it's
22	MR. GOULD: It is what it is. That's	22	MS. CENAR: I object; form,
23	all.	23	foundation, and hearsay.
24	MR. GOULD: Okay. Would you play this	24	THE DEPONENT: Let's hear it.
25	for	25	MS. CENAR: And let's go.
	Page 279		Page 281
1	Page 279 MS_CENAR: The day that the lawsuit	1	Page 281
1	MS. CENAR: The day that the lawsuit	1 2	MR. DICKSTEIN: Join in the
2	MS. CENAR: The day that the lawsuit was filed.	2	MR. DICKSTEIN: Join in the objections.
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2 3 4	MS. CENAR: The day that the lawsuit was filed. THE DEPONENT: 2010 is when MR. GOULD: Yeah. I just don't	2 3 4	MR. DICKSTEIN: Join in the objections. MR. GOULD: I'd like to hear it so we can get out of here.
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_	Page 282	_	Page 284
1	record, Ira.	1	MS. CENAR: On DRDR313?
2	Please ask your question.	2	MR. GOULD: Correct.
3	MR. GOULD: Explain it. In legalese,	3	BY MR. GOULD:
4	explain that.	4	Q and the hook in "I Gotta
5	MS. CENAR: Ask your questions.	5	Feeling"?
6	MR. GOULD: The facts will be of	6	A. Well, there's no hook on
7	record at a trial.	7	MS. CENAR: Same objections.
8	MS. CENAR: There is no foundation	8	BY MR. GOULD:
9	that this is Mr. Pringle's work.	9	Q. Explain to me
10	BY MR. GOULD:	10	A. There's no hook on that song.
11	Q. Okay. Did you hear what you heard?	11	Q. Explain to me the difference, as you
12	A. Yeah, I heard it.	12	hear in your ears, between what you just heard in
13	Q. Okay. Sound remarkably similar to	13	that
14	A. Not at all.	14	A. So
15	Q. Not at all similar?	15	Q. Hold on. Let me finish.
16	A. Nope.	16	MS. CENAR: Let him finish his
17		17	
	MR. DICKSTEIN: Objection to form. BY MR. GOULD:	18	question.
18			MR. GOULD: What's the exhibit?
19	Q. So your testimony is that what you	19	MR. GREELY: Oh. 8. 8.
20	just heard does not at all sound similar to any part	20	MR. GOULD: 8. All right.
21	of "I Gotta Feeling"; is that correct?	21	MR. GREELY: Are you talking about the
22	MS. CENAR: Objection to form.	22	YouTube video?
23	THE DEPONENT: Right now, listening to	23	MR. GOULD: The YouTube video.
24	it	24	MS. CENAR: The YouTube video is not
25	BY MR. GOULD:	25	Exhibit 8.
	Page 283		Page 285
1	Q. Correct.	1	MR. GOULD: All right. What's this?
2	Q. Correct. A in those speakers	2	MR. GOULD: All right. What's this? What's this?
	Q. Correct.A in those speakersQ. Correct.	2	MR. GOULD: All right. What's this? What's this? MR. GREELY: This is just the YouTube
2 3 4	Q. Correct.A in those speakersQ. Correct.A I don't hear any similarities.	2 3 4	MR. GOULD: All right. What's this? What's this? MR. GREELY: This is just the YouTube video.
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1	Q between what you just heard in	1	of the guitar with strings and an upstroke of a
2	this in this YouTube video and the music	2	guitar riff on the twos and fours. "Boom boom."
3	accompaniment part of what you defined as the hook in	3	Q. Okay. Just so there's no
4	"I Gotta Feeling."	4	misunderstanding, I want to play you part of what you
5	MR. MCPHERSON: Objection; vague and	5	defined as the hook again for "I Gotta Feeling";
	ambiguous, lacks foundation.	_	
6		6	okay?
7	MS. CENAR: Objection; vague and	7	And then I'm going to ask you a few
8	ambiguous and	8	follow-up questions
9	THE DEPONENT: So	9	A. Okay.
10	MS. CENAR: And you're not providing	10	Q and we'll be done very soon.
11	the witness with an opportunity to do such an	11	Play the hook part of "I Gotta
12	analysis.	12	Feeling" again.
13	THE DEPONENT: So	13	MS. CENAR: Please, for the record,
14	BY MR. GOULD:	14	give some foundation for what you're about to play,
15	Q. We'll do it right now. We're here.	15	please.
16	A. The hook, the music	16	MR. GREELY: Same YouTube video for
17	Q. Yes?	17	The Black Eyed Peas, "I Gotta Feeling," as we
18	A the musical portion of "I Gotta	18	previously played.
19	Feeling"	19	MR. GOULD: What time are you
20	Q. Yes?	20	starting?
21	A does not sound anything like that	21	MR. GREELY: 30 seconds in.
22	song when that signature is telling me it's an	22	MS. CENAR: Same objections to the
23	arpeggiated-synchopated melody in 16 16, "da da da	23	exhibit: form, foundation.
24	da da data da dat dah da" (indicating).	24	THE DEPONENT: Do you want to go from
25	That's the hook. That's the gimmick	25	the last chorus? because I'd be singing the hook over
20	That's the hook. That's the girilliek	23	the last chords. Because I a be singing the hook over
	Page 287		Page 289
1	of that.	1	a different bed of music.
2	And the gimmick for "I Gotta Feeling"	2	MR. GOULD: I want the identical
3	is "berp bermpa bermp bermp bam bum bam bum"	3	hook that he defined as a hook.
4	(indicating).	4	THE DEPONENT: We sing we sing the
5	Q. That's good.	5	hook over two beds of music, sir.
	Give me your answer. That's enough	_	·
6	3	6	MR. DICKIE: The first part that I
7	singing. That's enough singing for now.	0	played for him that he defined as the hook.
8	Play the beginning of "I Gotta	8	(SPEAKING SIMULTANEOUSLY.)
9	Feeling."	9	MR. GREELY: This is 30 seconds.
10	MS. CENAR: Did you finish your	10	MR. GOULD: This is 30 seconds into
11	answer?	11	it.
12	THE DEPONENT: I haven't finished my	12	(BRIEF PAUSE IN PROCEEDINGS
13	answer.	13	WHILE MUSIC IS BEING PLAYED.)
14	MS. CENAR: He hasn't finished.	14	THE DEPONENT: Do you want to stop it?
15	BY MR. GOULD:	15	I know it by heart.
16	Q. Okay. Go on. It's okay. Finish.	16	MR. GOULD: Its okay. I want to play
17	MS. CENAR: Okay.	17	it, hear it.
18	THE DEPONENT: So so the gimmick to	18	Stop it at the same place
19	that song is totally different than the gimmick to	19	DEPOSITION OFFICER: I can't hear you,
20	"I Gotta Feeling."	20	Counsel.
21	That is heavily flushed synths with	21	MR. GOULD: Sorry. I said, play it
22	sweeps "schawooo bumba bumba bumba"	22	until the verse starts.
23	(indicating).	23	THE DEPONENT: Stop.
24		24	MR. GOULD: Stop.
	AHO 1 (3000 FPP0000 18 08		
25	And "I Gotta Feeling" is it's staccato. It's it's pictacato eighth notes, stabs	25	Okay. Now go back

	Page 290		Page 292
1	MS. CENAR: Where are we with the	1	THE DEPONENT: Can you please go to
2	place holder?	2	"Cold As Ice"?
3	MR. GREELY: 130.	3	(SPEAKING SIMULTANEOUSLY.)
4	MR. GOULD: Now go back and play "Take	4	BY MR. GOULD:
5	A Dive" up through when we stopped.	5	Q. You can't answer the question whether
6	MS. CENAR: Provide foundation for the	6	it's
7	record, Counsel, as to what you are about to play.	7	A. I'm going to answer your question
8	Mr. GREELY: The same YouTube video,	8	Q. You're going to answer it?
9	"Bryan Pringle, Take a Dive."	9	0 0
			A and this is how I'm going to answer
10	MS. CENAR: DRDR313?	10	it.
11	MR. GREELY: Yes.	11	Q. All right. Good.
12	MS. CENAR: Same objections to the	12	MR. GREELY: I've got a bunch: MLP,
13	foundation since that's not known.	13	Foreigner.
14	(BRIEF PAUSE IN PROCEEDINGS	14	THE DEPONENT: Foreigner, please.
15	WHILE MUSIC IS BEING PLAYED.)	15	Can you please play "As Cold As Ice"
16	THE DEPONENT: 16 notes, "Dun dun dun	16	of Foreigner?
17	dundun dun" (indicating).	17	MR. GREELY: Do you want to do it?
18	MR. GOULD: Stop it right there.	18	MR. GOULD: Yeah, I do.
19	Where is it? Right here?	19	THE DEPONENT: Thank you.
20	MR. GREELY: 22 seconds.	20	Not the live version. That's live.
21	BY MR. GOULD:	21	That's live again.
22	Q. Okay. Is what you just heard	22	So you want to type in "Foreigner,
23	different from "I Gotta Feeling"?	23	'Cold As Ice,' original recording."
24	A. Totally.	24	BY MR. GOULD:
25	MS. CENAR: Objection; form.	25	Q. Can you just explain to me what this
25	MS. GENAIC. OBJECTION, TOTAL.	23	2. Can you just explain to me what this
	Page 291		Page 293
1	BY MR. GOULD:	1	is going to show us?
2	Q. Okay. Explain to me, for the record,	2	MS. CENAR: Nope.
3	how it's different.	3	THE DEPONENT: It's going to show you
_			a lot.
4	A. As I told you, the gimmick line is	4	a lot.
	"Dunda bumana bumana bumana bumana" (indicatina)	l =	MC CENAD. There's a guestion
5	"Dunda bumpa bumpa bumpa" (indicating).	5	MS. CENAR: There's a question
6	And nowhere is "bumpa bumpa bumpa"	6	BY MR. GOULD:
6 7	And nowhere is "bumpa bumpa bumpa" anywhere in "I Gotta Feeling," sir.	6 7	BY MR. GOULD: Q. Okay. Tell me what it is going to
6 7 8	And nowhere is "bumpa bumpa" anywhere in "I Gotta Feeling," sir. MR. GOULD: Keep on going.	6 7 8	BY MR. GOULD: Q. Okay. Tell me what it is going to show us.
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	Page 294		Page 296
1	Thank you.	1	terms of "Take A Dive," which I identified for the
2	A. Here it comes. Here it comes. Here	2	record
3	it comes. Can you play that for me, please?	3	Again, Mr. Greely.
4	MS. CENAR: The witness has asked for	4	MR. GREELY: YouTube videotape of the
5	you to do it for two questions now.	5	"Bryan Pringle 'Take a Dive.'" Uploaded by DRDR313
6	MR. GOULD: I understand.	6	on November 2nd, 2010.
7	MS. CENAR: Would you kindly play it	7	BY MR. GOULD:
8	for him?	8	Q and you considered that to be spa
9	MR. GOULD: I understand that. I	9	music, as you said earlier; is that true?
10	understand that what he thinks, so why should I do	10	MS. CENAR: Objection; form.
	it?		BY MR. GOULD:
11		11	
12	THE DEPONENT: Can I hear it, please?	12	Q. Is that true?
13	MR. GREELY: Play it now?	13	MR. GOULD: Ms. Cenar, do we sit here
14	MR. GOULD: No.	14	in silence?
15	THE DEPONENT: Then	15	THE DEPONENT: I'm just trying to
16	BY MR. GOULD:	16	remember, sir.
17	Q. Then my question is	17	BY MR. GOULD:
18	 A. I refuse to answer any questions you 	18	Q. Okay.
19	are going to ask me.	19	A. It's true.
20	Q. Any questions?	20	Q. Okay. You did not consider the hook,
21	I suggest we take a break. I have a	21	the music accompaniment part of the hook, that you
22	other questions.	22	identified in "I Gotta Feeling" to be spa music; is
23	A. I suggest I go home now.	23	that correct?
24	Q. I suggest I have other questions for	24	MR. DICKSTEIN: Objection; form.
25	you and I'm not finished with the deposition.	25	MS. CENAR: Objection; form.
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1	MS. CENAR: This this this	1	MS. CENAR: Mischaracterizes his
2	question	2	testimony.
3	MR. GOULD: So why don't we take a	3	THE DEPONENT: Can I can you play
4	break.	4	the Foreigner for me?
5	MS. CENAR: We'll do it on redirect	5	BY MR. GOULD:
6	and we'll move to strike this.	6	Q. Do you consider
7	THE DEPONENT: I was trying to answer	7	MS. CENAR: We'll play it.
8	his question	8	BY MR. GOULD:
9	MS. CENAR: I know.	9	Q. Do you consider the music
10	THE DEPONENT: the best way that I	10	accompaniment that's part of the hook that you
11	can.		identified to be spa music
12			
13		11 12	·
	MS. CENAR: And he's not letting he	12	A. It's not a part of the hook, sir.
14	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that	12 13	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling."
14 15	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order	12 13 14	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not
15	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order to answer.	12 13 14 15	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not Q. Do you consider
15 16	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order to answer. MR. GOULD: He'll have an opportunity	12 13 14 15 16	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not Q. Do you consider A spa music.
15 16 17	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order to answer. MR. GOULD: He'll have an opportunity to do it.	12 13 14 15 16 17	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not Q. Do you consider A spa music. Q that music accompaniment to be part
15 16 17 18	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order to answer. MR. GOULD: He'll have an opportunity to do it. MS. CENAR: He has an opportunity to	12 13 14 15 16 17 18	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not Q. Do you consider A spa music. Q that music accompaniment to be part of the hook?
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15 16 17 18 19 20 21 22	MS. CENAR: And he's not letting he not letting you do it. So the record is clear that he's refused to provide you with the tools in order to answer. MR. GOULD: He'll have an opportunity to do it. MS. CENAR: He has an opportunity to ask you further questions about other subject matter. THE DEPONENT: He wants to hear it later because he has no idea what I'm going to say.	12 13 14 15 16 17 18 19 20 21 22	A. It's not a part of the hook, sir. It's a musical portion of "I Gotta Feeling." And no, it's not Q. Do you consider A spa music. Q that music accompaniment to be part of the hook? MS. CENAR: Objection to form. MR. DICKSTEIN: Objection; form. THE DEPONENT: The music that's the music on "I Gotta Feeling" is not spa music.

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1	finished.	1	MR. MCPHERSON: Same objection.
2	THE VIDEOGRAPHER: We are now going	2	MS. CENAR: Same objections.
3	off the record. The time is 5:32 p.m.	3	THE DEPONENT: I know that no, not
4	(WHEREUPON, A RECESS WAS HELD	4	offhand.
5	FROM 5:32 P.M. TO 5:55 P.M.)	5	BY MR. GOULD:
6	THE VIDEOGRAPHER: We are now going	6	Q. Is it more than a million dollars?
7	back on the record. The time is 5:55 p.m.	7	MS. CENAR: Objection; form,
8	THE DEPONENT: So we can't play	8	foundation.
9	Foreigner?	9	MR. MCPHERSON: Same objection.
10	BY MR. GOULD:	10	THE DEPONENT: I'm not I'm not
11	Q. Pardon me?	11	sure.
12	A. Are we going to play Foreigner now?	12	BY MR. GOULD:
13	Q. Say that again?	13	Q. So you think it might be less than a
14	A. The "Cold As Ice," Foreigner.	14	million dollars?
15	Q. Your lawyer can do what she wants with	15	A. I haven't
16	you.	16	MS. CENAR: Same objections.
17	A. No. I want to know if you can play	17	THE DEPONENT: I haven't checked.
18	the Foreigner song that I asked to play to answer the	18	DEPOSITION OFFICER: I couldn't hear
19	question you asked.	19	you, Counsel.
20	Q. No, not as far as I'm concerned. Your	20	MR. MCPHERSON: I said, "Same
21	lawyer can ask you whatever questions she wants to	21	objection."
22	ask.	22	DEPOSITION OFFICER: Thank you.
23	MS. CENAR: Okay. Are we back on the	23	BY MR. GOULD:
24	record officially?	24	Q. Do you know what the songwriter splits
25	THE VIDEOGRAPHER: Yes.	25	are for the song?
			<u> </u>
	Page 299		Page 301
1	Page 299 BY MR. GOULD:	1	Page 301 MR. MCPHERSON: Objection: vague and
1 2	BY MR. GOULD:		MR. MCPHERSON: Objection; vague and
2	BY MR. GOULD: Q. All right. We're essentially done. I	1 2 3	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation.
	BY MR. GOULD: Q. All right. We're essentially done. I just have a few straggling questions	2	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation. THE DEPONENT: I know that it's 50/50.
2 3 4	BY MR. GOULD: Q. All right. We're essentially done. I just have a few straggling questions A. Okay.	2	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation. THE DEPONENT: I know that it's 50/50. 50 to the people who made the beat, and 50 to the
2 3 4 5	BY MR. GOULD: Q. All right. We're essentially done. I just have a few straggling questions A. Okay. Q that we should be finished with	2 3 4	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation. THE DEPONENT: I know that it's 50/50.
2 3 4	BY MR. GOULD: Q. All right. We're essentially done. I just have a few straggling questions A. Okay. Q that we should be finished with shortly; okay?	2 3 4 5	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation. THE DEPONENT: I know that it's 50/50. 50 to the people who made the beat, and 50 to the people who wrote the lyrics. BY MR. GOULD:
2 3 4 5 6 7	BY MR. GOULD: Q. All right. We're essentially done. I just have a few straggling questions A. Okay. Q that we should be finished with shortly; okay? Do you have knowledge as to how much	2 3 4 5 6 7	MR. MCPHERSON: Objection; vague and ambiguous, lacks of foundation. THE DEPONENT: I know that it's 50/50. 50 to the people who made the beat, and 50 to the people who wrote the lyrics. BY MR. GOULD: Q. Okay. Since you only wrote the
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	Page 302		Page 304
1	participate regardless if they wrote or not.	1	(WHEREUPON, DEPOSITION EXHIBIT
2	Q. Uh-huh.	2	NUMBER 10 WAS MARKED FOR IDENTIFICATION
3	A. So that's what keeps us together, is	3	BY THE DEPOSITION OFFICER.)
4	that that sharing and collaboration and monetizing	4	MS. CENAR: Let counsel look at it
5	content	5	first.
6	Q. Okay.	6	(DOCUMENT REVIEWED BY COUNSEL.)
7	A as a, you know, security fund.	7	MR. GOULD: Okay.
8	Q. Well, why do you then have about	8	BY MS. CENAR:
9	25 percent and they only have about 1 percent?	9	Q. I've handed to you what's been marked
10	MS. CENAR: Objection	10	as Exhibit Number 10, which is bearing a Bates number
11	THE DEPONENT: I just told you that	11	BEP-PR-1C.
12	,	12	Can you tell me what that is, sir?
	answer.	13	A. So this is an e-mail. Earlier I said
13	MS. CENAR: Objection; form,		
14	foundation.	14	it was in November. I was wrong. It was December.
15	THE DEPONENT: It's called a security	15	And that's the day I was in Colorado and then flew
16	fund for the group.	16	back home and then recorded "I Gotta Feeling" that
17	BY MR. GOULD:	17	night.
18	Q. The security fund for the group is	18	And then on New Year's Eve trans
19	what?	19	translated my mumble into English.
20	A. So if I wrote a song completely by	20	And then the other guys came and did
21	myself	21	their part in January, and Fergie came and did her
22	Q. Yes. Uh-huh.	22	part in February.
23	A then a portion of that song I put	23	Q. So does Exhibit 10 refresh your
24	into a Black Eyed Peas security fund that's, you	24	recollection as to when you would have received the
25	know, for Peas to participate regardless if they	25	audio file which was marked as Exhibit Number 8?
	Page 303		Page 305
1	Page 303 wrote or not.	1	Page 305 A. Yeah, December 20th, 2008.
1 2	=	1 2	· · · · · · · · · · · · · · · · · · ·
	wrote or not.		A. Yeah, December 20th, 2008.
2	wrote or not. MR. GOULD: All right. I have no	2	A. Yeah, December 20th, 2008. Q. And does Exhibit Number 10 refresh your recollection as to when you first started working on the song "I Gotta Feeling"?
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2 3 4 5 6	wrote or not. MR. GOULD: All right. I have no further questions. EXAMINATION BY MS. CENAR: Q. Mr. Adams, I have a few questions.	2 3 4 5 6	A. Yeah, December 20th, 2008. Q. And does Exhibit Number 10 refresh your recollection as to when you first started working on the song "I Gotta Feeling"? A. I started working on it on December 20th.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	wrote or not. MR. GOULD: All right. I have no further questions. EXAMINATION BY MS. CENAR: Q. Mr. Adams, I have a few questions. Mr. Gould was asking you some questions about the date that you received the musical file which has been marked as Exhibit 8 A. Uh-huh. Q and he's played for you. A. Uh-huh. Q. And you indicated that that was sent to you by an e-mail? A. That was, yeah. Q. Do you recall as you sit here what the date of that e-mail was? A. Not offhand, like freestyling it. Q. Okay. Let me show you what's been Can I have the court reporter mark this.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yeah, December 20th, 2008. Q. And does Exhibit Number 10 refresh your recollection as to when you first started working on the song "I Gotta Feeling"? A. I started working on it on December 20th. MS. CENAR: Can we mark this next one as Exhibit Number 11, please. (WHEREUPON, DEPOSITION EXHIBIT NUMBER 11 WAS MARKED FOR IDENTIFICATION BY THE DEPOSITION OFFICER.) DEPOSITION OFFICER: Here. MS. CENAR: Yes, please let Mr. Gould take a look at it. MR. GOULD: Yeah. BY MS. CENAR: Q. I've handed to you what's been marked as Exhibit Number 11. Why don't you take a moment and look at that. Can you tell us what that is, please? A. David Guetta, he sent me an e-mail after I played him the the finished lyric and

Page 306 Page 308 questions now? 1 Gotta Feeling' is? 1 2 2 "This is a world number one, man. A. Yes. It's gonna remind 'Love Is Gone,'" which 3 Q. Would you explain for the record what 3 was the original conversation I had with the group taking a hiatus means? 4 4 5 A. So The Black Eyed Peas, we work in two 5 him in December "with an unbelievable melody," which is what I added." cycles. Our first record came out in 1998, so it's 6 6 7 "It's going to be massive. Love it." 7 1998, 2000. So in this e-mail David Guetta says: 8 8 And then we took a hiatus from 2001 9 "Hey, Will, as requested, here are 9 and '-2. And then we released "Elephunk" in 2003. some tracks. Some are just ideas and Then we released "Elephunk" and 10 10 "Monkey Business" in 2005. And then we took another other are produced. Obviously they are 11 11 on DJ format, but I will reformat it hiatus in 2006 and '-7. 12 12 around your song. 13 And then we released "The E.N.D." in 13 14 "I will make new tracks and also write 14 2008 -- I mean in 2009 and "The Beginning" in 2010. Two installments, and each installment 15 15 new songs -- I would write -- I also write with songwriters in January. 16 16 has two-year breaks. "I'm waiting for your song now. 17 17 So now we will take another two-year "What is important is that we -- we 18 18 break. 19 can speak openly. Tell me I like this and 19 The break between "Elephunk," "Monkey not that. I like none of that, but tell Business" and "The E.N.D.," Fergie released her solo 20 20 me." 21 21 project. 22 Because when you don't have that much 22 And now I will release a solo project time, you just want complete transparency. 23 after this last Black Eyed Peas cycle that will renew 23 24 And then I said, "Right. I want 24 itself two years from now -something like Love Is Gone." 25 25 Q. Okay. Page 307 Page 309 1 A. And samples. I just want to -- I 1 And that he gave me. He said that here in February. sample; right? I don't want to be difficult. I've 2 2 3 This is December. And in February he 3 sampled in the past, and I -- I'm a sampler. I said, "It's going to remind 'Love Is Gone,' but with continue to sample. 4 4 an unbelievable melody." 5 5 It's an art form. It's no different 6 And that's what I played him over the 6 than Andy Warhol painting Campbell soup. It's art. 7 7 I sample to the point where phone. 8 And that's those two things. 8 James Brown and other artists that I sample want to 9 Q. And this Exhibit Number 11 occurred on 9 collaborate with us. 10 I do my best to provide all the 10 what date? information to the company when they put it out. 11 11 A. February 6, 2009, at 1:00 a.m. I work But never in my life have I ever come 12 late. 12 13 13 across a sampler -- a machine that could take --Q. And that was before the song was released publicly; correct? 14 extract a piece of audio from a song that has other 14 A. That was before the song was released 15 15 instruments in it. publicly and before Fergie was on it. Fergie got on 16 16 So music -it February 9th. Q. So you --17 17 A. -- the music they perform --18 Q. At the beginning of the deposition, 18 Q. When you were listening to the 19 Mr. Gould asked you some questions about the group 19 DRDR313, did that concept come to your mind? 20 taking a hiatus. 20 Do you recall that? A. What concept that came to my mind was 21 21 22 A. Yes. 22 what my mom told me when she first heard "I Gotta 23 23 Feeling." Q. And at the time you didn't want to 24 answer those questions. 24 She said, "Willie, that sounds like

Foreigner, 'Cold As Ice.' That's exactly what that

25

25

Are you willing to answer those

Page 310 Page 312 is." further questions at this time. 1 1 2 MR. GOULD: No further questions --2 I was like, "Mom, that ain't Foreigner, 'Cold As Ice.'" 3 3 No. I do have a couple. Just a couple. "Yes, it is, boy. I know my music." 4 4 5 5 **EXAMINATION** (LAUGHTER.) 6 MR. MCPHERSON: Slow down. 6 BY MR. GOULD: 7 THE DEPONENT: She said, "Well, that 7 Q. In that -sounds just like Foreigner, 'Cold As Ice.' 8 8 Can I see those two exhibits, the I was like, "Mom, that isn't 9 9 paper exhibits? Foreigner, 'Cold As Ice.' 10 10 MS. CENAR: By the way, Ira, you have Bates-stamped versions of those in our production. 11 "Listen to it. Bink, bink." 11 BY MR. GOULD: 12 I was like, "No, ma, that's not it." 12 So to a person that has no ear of 13 Q. Exhibit 10, which you identified as a 13 December 20, 2008, e-mail from Guetta to you, there's 14 music, they are going to hear rhythm, intonation, and 14 four -- one, two, three, four, attachments in that? 15 15 say it is. 16 A. No. Those aren't attachments. 16 But no sampler can go inside of a body of work and extract a portion of a song when it's 17 Q. What are they? 17 intermingled and surrounded by other instruments. A. Those are notes to a cloud. And that 18 18 There's no technology that can do 19 19 cloud is Dropbox. And the way Dropbox works is if there's -- if you see anything on that fitting as a 20 that. 20 wav file -- hold on one second, guys. 21 So what you provided to me --21 If you see a way file on there, that's 22 Q. On DRDR --22 one song. If you see a zip file, that's six songs. 23 A. On DR3. 23 24 24 And so what they do is they compress Q. DRDR313. 25 25 the file so you can send multiple songs through that A. Whatever that file is, it's impossible Page 311 Page 313 for whoever created "I Gotta Feeling," if they -- if 1 pipe. you're claiming that they sampled it, there's no 2 2 Q. Does this send to you more than the "I 3 sampler that can sample it, that can go inside and 3 Gotta Feeling" music? A. He sent maybe ten things. Read the 4 extract that. 4 5 5 That's my two cents of hearing both e-mail below. 6 things. 6 Q. Yeah. Go on. 7 Speaking for David Guetta, all I did 7 A. The e-mail below describes what's on 8 was write the top line, so I'm defending David Guetta 8 that e-mail. and his right by saying I don't think he was able 9 9 He says there's some DJ formats. What to -- if you're saying he sampled that, 10 that means is -- a DJ-formatted song is when the 10 drums are by themselves. So he was talking about "imfreakingpossible." 11 11 12 David Pop; right? That's my two cents. 12 13 Q. And that's what you weren't allowed to 13 Q. Uh-huh. discuss when Mr. Gould cut you off in his question --14 14 A. The drums are by themselves for about 15 A. Exactly. 15 a minute. That's called a DJ format so they could Q. -- on DRDR313? 16 blend and mix in between. 16 A. When he wanted me to answer that, he 17 But it's already mixed and "e-chewed" 17 did not let me answer that. And I wanted to answer for -- for people to play. 18 18 19 that by playing Foreigner and then giving you my Q. The exhibit that I've done -- I played 19 technological perspective and professional --20 20 for you --I've been doing music for, you know, 21 21 A. That would have been one of those zip 20 years now, working with samplers and working with 22 22 files. 23 musicians, and there's no technology that's able to 23 Q. That was going to be my question. 24 It was in one of these? 24 do that. 25 MS. CENAR: Okay. Okay. I have no 25 A. Yes.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Q. Okay. Can we have all everything else that's in these files? A. No. MS. CENAR: None of those relate to the song "I Gotta Feeling." BY MR. GOULD: Q. It's the only thing related to "I Gotta Feeling" is what you produced in that disk? A. Exactly. MR. GOULD: All right. I have no further questions. THE VIDEOGRAPHER: This is the end of Media Number Four and concludes the videotape deposition William Adams. The testimony of or the master tapes of today's testimony will remain in the custody of Tracy Fox & Associates. We are now going off the record. The time is 6:10 p.m. MS. CENAR: And, Ira, we can stipulate that the witness can sign the transcript before any notary? MR. GOULD: Yes. MS. CENAR: Review and sign; MR. GOULD: Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 316 000 DEPONENT'S SIGNATURE Please be advised I,
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 315 * * * * (WHEREUPON, AT 6:09 P.M., THE DEPOSITION PROCEEDINGS WERE CONCLUDED.) -OOO-	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 317 DEPONENT'S CHANGES OR CORRECTIONS NOTE: If you are adding to your testimony, print the exact words you want to add. If you are deleting from your testimony, print the exact words you want to delete. Specify with "Add" or "Delete" and sign this form. DEPOSITION OF: WILLIAM ADAMS CASE TITLE: BRYAN PRINGLE vs. WILLIAM ADAMS, et al. DATE OF DEPOSITION: MONDAY, JULY 25TH, 2011 I,

DEPOSITION OF WILLIAM ADAMS - 7/25/2011

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