

**EXHIBIT G**



Transcript of the Testimony of **JAIME GOMEZ**

**Date:** July 22, 2011

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

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1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION

3  
4

5 BRYAN PRINGLE, an individual, )  
6 Plaintiff, )  
7 )

8 vs. ) Case No.  
9 ) SACV 10-1656 JST(RZx)

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

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

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

17 DEPOSITION OF JAIME GOMEZ  
18 (a/k/a "Taboo")

19 TAKEN ON FRIDAY, JULY 22, 2011, AT 10:42 A.M.

20  
21 REPORTED BY:

22 TRACY M. FOX

23 CSR NUMBER 10449  
24  
25

Page 2

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 18 DEPOSITION OF JAIME GOMEZ, a/k/a "Taboo,"  
 19 TAKEN ON BEHALF OF THE PLAINTIFF  
 20 AT 450 NORTH ROXBURY DRIVE, 8TH FLOOR,  
 21 IN BEVERLY HILLS, CALIFORNIA, COMMENCING  
 22 AT 10:42 A.M., ON FRIDAY, JULY 22, 2011,  
 23 BEFORE TRACY FOX, CERTIFIED SHORTHAND  
 24 REPORTER NUMBER 10449  
 25

Page 3

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 Edwin F. McPherson, Esq.  
 16 Annette Cain, Videographer,  
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 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

Page 5

I N D E X

1  
 2  
 3 DEPONENT: EXAMINED BY: PAGE:  
 4 JAIME GOMEZ MR. DICKIE 8  
 a/k/a "Taboo"  
 5  
 (AFTERNOON SESSION) 91  
 6  
 7  
 8  
 9 EXHIBITS FOR IDENTIFICATION:  
 10 PLAINTIFF'S:  
 11 (PREVIOUSLY MARKED AND ATTACHED HERETO)  
 12 5 - Photocopy of liner notes in  
 booklet in The Black Eyed Peas  
 13 "The E.N.D." album, Bates-stamped  
 BEP-PR000038 - BEP-PR000050  
 14 (13 pages) 166  
 15  
 16  
 17 QUESTIONS UNANSWERED BY THE DEPONENT:  
 18 PAGE: LINE:  
 19 8 24  
 20 32 2  
 21  
 22  
 23 INFORMATION REQUESTED:  
 24 (NONE.)  
 25

Page 6

1 BEVERLY HILLS, CALIFORNIA, FRIDAY  
 2 JULY 22, 2011  
 3 10:42 A.M.  
 4  
 5 THE VIDEOGRAPHER: Good morning.  
 6 My name is Annette Cain, video technician and  
 7 notary public, for the State of California, here  
 8 on behalf of Tracy Fox & Associates.  
 9 Today's date is July 22nd, year 2011.  
 10 This marks the beginning of Media  
 11 Number One of the videotaped deposition of  
 12 Jaime Gomez in the matter of "Bryan Pringle v.  
 13 William Adams, et al., pending before the  
 14 United States District Court, Central District  
 15 of California, Southern Division. Case Number  
 16 SACV 10-1656 JST(RZx).  
 17 This deposition is being taken on  
 18 behalf of the plaintiff and is being held at the  
 19 Law Offices of Hertz & Lichtenstein. Address is  
 20 450 Roxbury, we are on the eighth floor, in  
 21 Beverly Hills, California.  
 22 We are now going on the record. The  
 23 time is 10:42 a.m.  
 24 Would counsel and all present please  
 25 identify yourselves for the record.

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1 MR. DICKIE: My name is Dean Dickie  
 2 of the law firm Miller, Canfield, Paddock and Stone.  
 3 I represent Bryan Pringle, the Plaintiff.  
 4 MS. CENAR: Kara Cenar of the law  
 5 firm of Brian Cave, representing William Adams  
 6 and Allan Pineda, Jaime Gomez, Stacy Ferguson,  
 7 Will.i.am Music, LLP, Jeepney Music, Inc.,  
 8 Tab Magnetic Publishing, Cherry River Music Co.,  
 9 EMI April Music, Inc., and Headphone Junkie  
 10 Publishing, LLC.  
 11 MR. PINK: Jonathan Pink, same  
 12 defendants.  
 13 MS. ROSOFF: Rachel Rosoff. I'm  
 14 with the law firm of Hertz & Lichtenstein, and I  
 15 represent the individual members of the Black Eyed  
 16 Peas and their entities.  
 17 MR. MCPHERSON: Ed McPherson. I'm  
 18 just a guest here today.  
 19 THE VIDEOGRAPHER: And would the court  
 20 reporter please administer the oath.  
 21 ///  
 22 ///  
 23 ///  
 24  
 25

Page 8

1 JAIME LUIS GOMEZ,  
 2 a/k/a "Taboo,"  
 3 called as a deponent and sworn in by  
 4 the deposition officer, was examined  
 5 and testified as follows:  
 6  
 7 DEPOSITION OFFICER: Would you raise  
 8 your right hand.  
 9 Do you solemnly state that the  
 10 testimony you are about to give in the following  
 11 deposition will be the truth, the whole truth, and  
 12 nothing but the truth, so help you God?  
 13 THE DEPONENT: I do.  
 14 DEPOSITION OFFICER: Thank you.  
 15  
 16 EXAMINATION  
 17 BY MR. DICKIE:  
 18 Q. Sir, will you please state and spell  
 19 your full name.  
 20 A. My name is Jaime, J-a-i-m-e, Luis,  
 21 L-u-i-s, Gomez, G-o-m-e-z.  
 22 Q. And where do you live, Mr. Gomez?  
 23 A. I live in Pasadena.  
 24 Q. And what is your residence address?  
 25 MS. CENAR: The transcript is

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1 designated as "Highly Confidential," so it has  
 2 protections by stipulation of counsel.  
 3 They are to maintain it as "Attorneys'  
 4 Eyes Only," so it's not public information.  
 5 THE DEPONENT: Okay.  
 6 MS. CENAR: So we'll designate the  
 7 transcript as "Highly Confidential."  
 8 DEPOSITION OFFICER: Okay.  
 9 MS. CENAR: Thank you.  
 10 THE DEPONENT: I agree.  
 11 BY MR. DICKIE:  
 12 Q. Can you answer my question,  
 13 Mr. Gomez?  
 14 A. I cannot.  
 15 Q. Is that because you don't know the  
 16 residence address?  
 17 A. Can't give that information out.  
 18 Q. You can't give that information out,  
 19 why?  
 20 A. It's private.  
 21 MR. DICKIE: Ms. Cenar, are you  
 22 instructing your client not to answer that  
 23 question?  
 24 MS. CENAR: No, I'm not.  
 25 ///

Page 10

1 BY MR. DICKIE:  
 2 Q. Do you refuse to give that information  
 3 out, Mr. Gomez?  
 4 MS. CENAR: If you need it and it's  
 5 important, we'll be happy to provide it, but the  
 6 witness can be contacted through counsel.  
 7 MR. DICKIE: But that wasn't the  
 8 question.  
 9 The question was for the witness to  
 10 state his residence address. And I want to know  
 11 whether he's refusing to state that address here on  
 12 the record under oath.  
 13 It's a simple question.  
 14 THE WITNESS: Nope.  
 15 BY MR. DICKIE:  
 16 Q. You are refusing to do that?  
 17 A. It's private.  
 18 Q. Do you have more than one residence,  
 19 Mr. Gomez?  
 20 A. Yes.  
 21 Q. And other than the residence in  
 22 Pasadena --  
 23 A. Uh-huh.  
 24 Q. -- where are the other residences?  
 25 A. Murrieta.

Page 11

1 Q. Pardon me?  
 2 A. Murrieta, California.  
 3 Q. And the ZIP code in Murrieta,  
 4 California is what?  
 5 A. Don't know.  
 6 Q. Do you have any other residences?  
 7 A. No, sir.  
 8 Q. Now, as we began this morning, you  
 9 were administered an oath.  
 10 Did you understand what the  
 11 significance of that was?  
 12 A. Uh-huh.  
 13 Q. And by the way, you have to answer my  
 14 questions verbally. The court reporter doesn't take  
 15 down nods of the head or gestures.  
 16 A. Yes.  
 17 Q. So if you would just please answer my  
 18 question orally.  
 19 A. Okay.  
 20 MS. CENAR: Can I interrupt for a  
 21 minute?  
 22 I'm not getting the feed on the  
 23 transcript.  
 24 DEPOSITION OFFICER: Off the record.  
 25 THE VIDEOGRAPHER: We are now going

Page 12

1 off the record. The time is 10:46.  
 2 (WHEREUPON, A RECESS WAS HELD  
 3 FROM 10:46 A.M. TO 10:48 A.M.)  
 4 THE VIDEOGRAPHER: We are now going  
 5 back on the record. The time is 10:48 a.m.  
 6 MS. CENAR: And, Dean, you've  
 7 indicated that you had no problem with the witness  
 8 looking at the screen as well?  
 9 MR. DICKIE: If he wishes to.  
 10 MS. CENAR: If you wish to, this is  
 11 just a screen of everything that's being said in the  
 12 room.  
 13 THE DEPONENT: Okay.  
 14 BY MR. DICKIE:  
 15 Q. All set to proceed, Mr. Gomez?  
 16 A. Yes, sir.  
 17 Q. Thank you.  
 18 And am I -- I asked you about your  
 19 understanding of the significance of the oath, and  
 20 then there was a break.  
 21 So could you tell me what you  
 22 understand the significance of oath you've given to  
 23 be.  
 24 MS. CENAR: Objection to the form.  
 25 THE DEPONENT: Can you repeat the

Page 13

1 question?  
 2 BY MR. DICKIE:  
 3 Q. Sure.  
 4 What do you understand the  
 5 significance of the oath that you gave this morning  
 6 to be?  
 7 A. You have to tell the truth and nothing  
 8 but the truth.  
 9 Q. Now, are you aware that there are  
 10 penalties for not telling the truth in a proceeding  
 11 like this?  
 12 MS. CENAR: Objection to the form.  
 13 THE DEPONENT: Can you repeat the  
 14 question?  
 15 BY MR. DICKIE:  
 16 Q. Are you aware that there are penalties  
 17 for not telling the truth in a proceeding like this  
 18 after having given an oath?  
 19 A. Yes.  
 20 Q. By the way, have you ever said to  
 21 anyone that there is nothing more important to you  
 22 than telling the truth?  
 23 MS. CENAR: Objection to the form.  
 24 THE DEPONENT: Could you repeat the  
 25 question?

Page 14

1 BY MR. DICKIE:  
 2 Q. Let me rephrase it.  
 3 Have you ever said to anyone that  
 4 there is nothing more important to you than honesty?  
 5 MS. CENAR: Same objection.  
 6 THE DEPONENT: Can you repeat the  
 7 question?  
 8 BY MR. DICKIE:  
 9 Q. Have you ever said to anyone that  
 10 there is nothing more important to you than  
 11 honesty?  
 12 MS. CENAR: Objection to the form.  
 13 THE DEPONENT: Repeat the question.  
 14 MS. CENAR: You can see the question  
 15 if you want.  
 16 THE DEPONENT: No.  
 17 BY MR. DICKIE:  
 18 Q. Is there something in the question  
 19 that you don't understand? And I'll be happy to try  
 20 and rephrase it.  
 21 We've done it several times, and plus  
 22 I would encourage you to, perhaps, to read the  
 23 transcript of the question.  
 24 And if you look at line 9, page 22,  
 25 there's a clear statement of the question.

Page 15

1 (DOCUMENT REVIEWED BY THE DEPONENT.)  
 2 MS. CENAR: Line 22, you said?  
 3 MR. DICKIE: Right. Page 9, line 22  
 4 on my screen. I don't know what it is on yours  
 5 because I forgot that you were off the record.  
 6 MS. CENAR: The question at line 22  
 7 says:  
 8 "Is there something in the  
 9 question that you don't understand?"  
 10 MR. DICKIE: Right. Your line is  
 11 different than mine --  
 12 MS. CENAR: Okay.  
 13 MR. DICKIE: -- so let me --  
 14 MS. CENAR: Just restate the question,  
 15 please.  
 16 THE DEPONENT: Restate the question.  
 17 BY MR. DICKIE:  
 18 Q. Sure.  
 19 For the fourth time, here's the  
 20 question: Have you ever said to anyone that there  
 21 is nothing more important to you than honesty?  
 22 A. I don't know.  
 23 Q. Well, do you agree, Mr. Gomez, that  
 24 there is nothing more important to you than  
 25 honesty?

Page 16

1 MS. CENAR: Objection to the form.  
 2 THE DEPONENT: Rephrase.  
 3 BY MR. DICKIE:  
 4 Q. Do you agree with me, sir, that there  
 5 is nothing more important to you than honesty?  
 6 A. I don't know.  
 7 Q. And in the course of this deposition,  
 8 Mr. Gomez, do you intend to respond honestly to the  
 9 questions we ask you?  
 10 MS. CENAR: Objection to the form.  
 11 THE DEPONENT: Rephrase.  
 12 BY MR. DICKIE:  
 13 Q. In the course of this deposition,  
 14 Mr. Gomez, do you intend to respond honestly to the  
 15 questions we ask?  
 16 A. Yes.  
 17 Q. Do you know why you're here today?  
 18 MS. CENAR: Objection to the form.  
 19 THE DEPONENT: Rephrase.  
 20 BY MR. DICKIE:  
 21 Q. Do you know why you are here today in  
 22 this deposition?  
 23 MS. CENAR: You can answer the  
 24 question to the extent you can without revealing  
 25 communications with your counsel.

Page 17

1 If your answer requires you to reveal  
 2 communications with your counsel, you're instructed  
 3 not to answer.  
 4 MR. DICKIE: Well, since, Counsel, the  
 5 question was simply a yes-or-no question, I would  
 6 just request that you stop speaking objections.  
 7 That's a yes-or-no question, not  
 8 calling for the disclosure of any substantive  
 9 response.  
 10 BY MR. DICKIE:  
 11 Q. Can you answer my question, Mr. Gomez,  
 12 please?  
 13 A. Yes.  
 14 Q. And why, as you understand it, are you  
 15 here today?  
 16 MS. CENAR: Same instruction.  
 17 You can answer that question to the  
 18 extent that you can without revealing communications  
 19 with your lawyers.  
 20 MR. DICKIE: Counsel --  
 21 MS. CENAR: To the extent you can't,  
 22 those communications are privileged, and you're  
 23 instructed not to answer the question.  
 24 MR. DICKIE: Counsel, he has an  
 25 obligation --

Page 18

1 MS. CENAR: You can answer --  
 2 MR. DICKIE: -- to answer.  
 3 MS. CENAR: -- it to the extent you  
 4 don't reveal communications with your lawyer.  
 5 MR. DICKIE: Counsel, under the  
 6 Federal rules, he has an obligation to answer any  
 7 question unless you instruct him not to answer.  
 8 You did not have to engage in speaking  
 9 objections to telegraph some position to the witness.  
 10 And I would simply ask you not to do that.  
 11 If you wish to instruct him on a  
 12 question on the basis of privilege, please do so, but  
 13 stop the speaking objections, please.  
 14 BY MR. DICKIE:  
 15 Q. Mr. Gomez --  
 16 MS. CENAR: My instruction stands.  
 17 BY MR. DICKIE:  
 18 Q. Why are you here today?  
 19 A. Deposition.  
 20 MS. CENAR: Same instruction.  
 21 THE DEPONENT: Uh-huh.  
 22 BY MR. DICKIE:  
 23 Q. What's your answer, sir?  
 24 A. I'm instructed to say "I don't know."  
 25 Q. You're instructed to say you don't

Page 19

1 know?  
 2 A. No, I'm instructed --  
 3 MS. CENAR: He's been instructed not  
 4 to reveal communication --  
 5 THE DEPONENT: -- not to reveal  
 6 communications.  
 7 MR. CENAR: -- privileged  
 8 communications with his counsel.  
 9 That's my instruction.  
 10 BY MR. DICKIE:  
 11 Q. Well, as you sit here --  
 12 MS. CENAR: You can answer the  
 13 question to the extent you don't.  
 14 THE DEPONENT: Uh-huh.  
 15 MS. CENAR: So if you have an  
 16 understanding separate from conversations with your  
 17 counsel, please provide it.  
 18 THE DEPONENT: Okay.  
 19 I'm here for a deposition.  
 20 BY MR. DICKIE:  
 21 Q. Are you aware that you're a defendant  
 22 in a lawsuit?  
 23 A. Yes.  
 24 Q. This isn't the first lawsuit in which  
 25 you've been a defendant, is it?

Page 20

1 MS. CENAR: Same instruction.  
 2 THE DEPONENT: I can't reveal that.  
 3 BY MR. DICKIE:  
 4 Q. You -- have you ever given testimony  
 5 in a deposition before, Mr. Gomez?  
 6 A. Nope.  
 7 Q. Is this the first time you've ever  
 8 given sworn testimony?  
 9 A. Yes.  
 10 Q. Have you ever been involved in any  
 11 proceeding in which you were a named party to that  
 12 defendant -- proceeding?  
 13 MS. CENAR: Objection to the form of  
 14 the question.  
 15 And you can answer that question to  
 16 the extent that you don't reveal privileged  
 17 communications with your counsel.  
 18 THE DEPONENT: Rephrase.  
 19 BY MR. DICKIE:  
 20 Q. Were you ever a defendant in any other  
 21 lawsuit besides this one, sir?  
 22 A. I don't know.  
 23 Q. Well, for example, were you sued by  
 24 George Clinton recently?  
 25 MS. CENAR: Objection to form.

Page 21

1 THE DEPONENT: Rephrase.  
 2 BY MR. DICKIE:  
 3 Q. Well, you know who George Clinton is,  
 4 don't you?  
 5 A. Uh-huh. Yes.  
 6 Q. Were you ever sued by him?  
 7 MS. CENAR: Same objection; same  
 8 instruction.  
 9 THE DEPONENT: Rephrase.  
 10 BY MR. DICKIE:  
 11 Q. Were you ever sued in a lawsuit by  
 12 George Clinton?  
 13 A. Yes.  
 14 Q. And you were sued by George Clinton in  
 15 December of 2010 in California; isn't that right?  
 16 MS. CENAR: Objection to the form of  
 17 the question.  
 18 THE DEPONENT: Rephrase. Rephrase  
 19 it.  
 20 BY MR. DICKIE:  
 21 Q. Did George Clinton sue you in  
 22 California in late 2010?  
 23 A. Yes.  
 24 Q. And between 2009 and the present time,  
 25 have you been sued in any lawsuit other than by



Page 22

1 George Clinton and by Bryan Pringle?  
 2 A. I don't know.  
 3 MS. CENAR: Objection to the form of  
 4 the question.  
 5 BY MR. DICKIE:  
 6 Q. Have you ever, by way of background,  
 7 been arrested or convicted of a felony?  
 8 MS. CENAR: Objection to the form of  
 9 the question.  
 10 THE DEPONENT: Rephrase.  
 11 BY MR. DICKIE:  
 12 Q. Do you know what a felony is?  
 13 A. Uh-huh.  
 14 Q. Have you ever been charged with a  
 15 felony?  
 16 A. No.  
 17 Q. Have you ever been charged with or  
 18 arrested for a felony?  
 19 MS. CENAR: Objection to the form.  
 20 THE DEPONENT: Rephrase.  
 21 BY MR. DICKIE:  
 22 Q. Have you ever been arrested?  
 23 MS. CENAR: Same objections.  
 24 THE DEPONENT: Rephrase.  
 25 ///

Page 23

1 BY MR. DICKIE:  
 2 Q. Have you ever been arrested, sir?  
 3 A. Yes.  
 4 Q. On how many occasions?  
 5 MS. CENAR: Counsel, what's the  
 6 relationship of that to this case?  
 7 BY MR. DICKIE:  
 8 Q. You can answer the question,  
 9 Mr. Gomez.  
 10 A. Twice.  
 11 Q. And did either of those arrests result  
 12 in any kind of conviction or supervision?  
 13 A. Nope.  
 14 Q. And how long ago were those arrests?  
 15 Were they more than ten years ago?  
 16 A. Nope.  
 17 Q. When was the first arrest, then, by  
 18 year?  
 19 A. I don't remember.  
 20 Q. When was the second one?  
 21 A. March 27, 2007.  
 22 Q. Does that involve driving a vehicle  
 23 while under the influence of an illegal substance?  
 24 MS. CENAR: Objection to the form.  
 25 THE DEPONENT: Rephrase.

Page 24

1 BY MR. DICKIE:  
 2 Q. Were you driving a vehicle under the  
 3 influence of either alcohol or a controlled substance  
 4 or both?  
 5 MS. CENAR: Objection to form.  
 6 THE DEPONENT: Rephrase.  
 7 BY MR. DICKIE:  
 8 Q. Were you driving a vehicle on -- I  
 9 think you said March 27, 2007, and caused an  
 10 accident?  
 11 MS. CENAR: Objection to form, calls  
 12 for a legal conclusion.  
 13 BY MR. DICKIE:  
 14 Q. Can you answer the question,  
 15 Mr. Gomez?  
 16 A. Yes.  
 17 Q. And isn't it accurate that in a book  
 18 called "Fallen Up" you described in some detail that  
 19 experience?  
 20 A. Yes.  
 21 Q. And "Fallen Up" is an autobiographical  
 22 book that you caused to be published recently; isn't  
 23 that right?  
 24 A. Yes.  
 25 Q. And in connection with that book, you

Page 25

1 had assistance; isn't that correct?  
 2 A. Excuse me?  
 3 Q. You had assistance in writing the  
 4 book?  
 5 A. Yes.  
 6 Q. And in connection with the story that  
 7 is set forth in "Fallen Up," you set forth a number  
 8 of events in your life in a truthful fashion; isn't  
 9 that correct?  
 10 A. Yes.  
 11 Q. So would you agree with me, if I  
 12 looked at your book "Fallen Up" and looked at factual  
 13 things that you explained that took place in your  
 14 life, I could rely on those things as facts?  
 15 MS. CENAR: Objection to the form of  
 16 the question and foundation.  
 17 If you have the book, put it in front  
 18 of him. Show him what you're referring to.  
 19 BY MR. DICKIE:  
 20 Q. You can answer my question.  
 21 A. I don't know.  
 22 Q. So was it your intent to not be  
 23 truthful in writing the book?  
 24 MS. CENAR: Objection to form,  
 25 foundation.

Page 26

1 THE DEPONENT: Rephrase.  
 2 BY MR. DICKIE:  
 3 Q. Was it your intention not to be  
 4 truthful in recounting facts about your life in the  
 5 book "Fallen Up," your autobiography?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't know.  
 9 BY MR. DICKIE:  
 10 Q. Now, are you a resident of the state  
 11 of California?  
 12 A. Yes.  
 13 Q. And this is -- have you been outside  
 14 the state of California in the last 30 days?  
 15 A. Yes.  
 16 Q. On how many days?  
 17 A. Almost a month.  
 18 Q. Which month?  
 19 A. I think all of June.  
 20 Q. How about the month of July, were you  
 21 outside the State of California in the days prior to  
 22 today?  
 23 A. Yes.  
 24 Q. Which days or weeks?  
 25 A. I got home on July 15th.

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1 Q. And prior to July 15th, where were  
 2 you?  
 3 A. France, London, Belgium, Germany, and  
 4 Spain.  
 5 Q. Now, Mr. Gomez, just so the jury will  
 6 know a little bit more about you, are you married?  
 7 A. Yes, sir.  
 8 Q. Do you have any children?  
 9 A. Yes, sir.  
 10 Q. How many?  
 11 A. Three.  
 12 Q. What are their ages?  
 13 A. 17, 2, and 3 months.  
 14 Q. Would you tell me what you did, if  
 15 anything, to prepare for today's deposition?  
 16 MS. CENAR: You can answer that  
 17 question to the extent you don't reveal  
 18 communications with your counsel. Communications  
 19 with your counsel are privileged.  
 20 THE DEPONENT: Slept a lot, rested.  
 21 BY MR. DICKIE:  
 22 Q. How about looking at any documents?  
 23 Did you do that?  
 24 A. No, sir.  
 25 Q. Did you review any of the papers filed

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1 in this lawsuit?  
 2 A. No, sir.  
 3 Q. Did you have a meeting with your  
 4 lawyers?  
 5 MS. CENAR: You can answer that "yes"  
 6 or "no."  
 7 THE DEPONENT: Yes.  
 8 BY MR. DICKIE:  
 9 Q. And where was the meeting?  
 10 A. My home.  
 11 Q. When was the meeting?  
 12 A. Yesterday.  
 13 Q. What time of day did it begin and when  
 14 did it end?  
 15 A. 12:00 noon; 1:45.  
 16 Q. And who all was present at the  
 17 meeting?  
 18 A. My counsel.  
 19 Q. By your counsel, can you identify the  
 20 counsel that was present?  
 21 A. Kara, Jonathan, Rachel.  
 22 Q. The three individuals --  
 23 A. Yes.  
 24 Q. -- that were here at the start --  
 25 A. Yes.

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1 Q. -- of the deposition?  
 2 A. Uh-huh.  
 3 Q. And let me finish my question before  
 4 you answer, if you would. That way the reporter will  
 5 get my question down and we'll get your answer  
 6 cleanly.  
 7 Would that be okay?  
 8 MS. CENAR: That's good advice.  
 9 THE DEPONENT: Yes.  
 10 MS. CENAR: Gives us an opportunity  
 11 for him to finish his question so you understand the  
 12 question.  
 13 THE DEPONENT: Uh-huh.  
 14 MS. CENAR: If I have an objection for  
 15 the record, I'll give an objection.  
 16 BY MR. DICKIE:  
 17 Q. In preparation for the deposition,  
 18 were you provided with any summary by anyone about  
 19 this case?  
 20 MS. CENAR: You can --  
 21 MR. DICKIE: It's a yes-or-no  
 22 question, Counsel.  
 23 MS. CENAR: -- answer that question to  
 24 the extent you don't reveal communications with  
 25 counsel.

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1 If you are revealing conversations  
 2 you've had with your attorneys, you're instructed not  
 3 to answer.  
 4 And object to the form of the  
 5 question.  
 6 THE DEPONENT: Rephrase.  
 7 BY MR. DICKIE:  
 8 Q. Sure.  
 9 Did someone provide you a written  
 10 summary of this case to assist you in preparing for  
 11 the deposition?  
 12 MS. CENAR: You can answer the  
 13 written-summary question with a "yes" or a "no."  
 14 THE DEPONENT: I don't understand.  
 15 BY MR. DICKIE:  
 16 Q. What is it you don't understand?  
 17 A. Are you saying did somebody give me an  
 18 actual summary printout that I have it in my hand?  
 19 Is that what you're saying?  
 20 Q. Did someone hand you a writing which  
 21 summarized what was going on?  
 22 A. No.  
 23 Q. Has anyone given you any summary of  
 24 any testimony that was taken in this case so far?  
 25 MS. CENAR: Objection to the form of

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1 the question.  
 2 And you can and the question to the  
 3 extent you don't reveal communications with your  
 4 lawyers.  
 5 THE DEPONENT: Rephrase.  
 6 BY MR. DICKIE:  
 7 Q. Has anyone given you a summary of the  
 8 testimony taken from other witnesses in this case for  
 9 you to use in preparation for your deposition?  
 10 A. No.  
 11 Q. Have you read, at any time prior to  
 12 today, any deposition testimony taken in this case?  
 13 A. No.  
 14 Q. And other than counsel present in the  
 15 room today with whom you met yesterday for an hour  
 16 and 45 minutes, have you had an occasion to talk to  
 17 anyone about your deposition -- anyone else about  
 18 your deposition?  
 19 MS. CENAR: Objection to the form of  
 20 the question.  
 21 THE DEPONENT: Rephrase.  
 22 BY MR. DICKIE:  
 23 Q. Other than the counsel that you've  
 24 identified that you met with yesterday, have you  
 25 discussed your deposition with anyone else?

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1 A. I don't know.  
 2 Q. For example, did you tell your wife  
 3 you were going to have a deposition today?  
 4 MS. CENAR: Objection.  
 5 Instruct not to answer on spousal  
 6 privilege.  
 7 THE DEPONENT: I'm not going to  
 8 answer.  
 9 BY MR. DICKIE:  
 10 Q. Did you speak to any member of the  
 11 Black Eyed Peas band about your deposition prior to  
 12 today?  
 13 A. No.  
 14 Q. Let me move to another topic,  
 15 Mr. Gomez.  
 16 Can you tell me what your business or  
 17 occupation is?  
 18 A. Musician.  
 19 Q. Now, are you employed as a musician on  
 20 a full-time basis?  
 21 MS. CENAR: Objection to form.  
 22 THE DEPONENT: Rephrase.  
 23 BY MR. DICKIE:  
 24 Q. Are you employed as a musician on a  
 25 full-time basis?

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1 A. I don't know.  
 2 Q. Do you have any businesses or engage  
 3 in any other occupations other than as a musician?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: Rephrase.  
 6 BY MR. DICKIE:  
 7 Q. Do you have any businesses or engage  
 8 in any other occupation other than as a musician?  
 9 MS. CENAR: Same objection.  
 10 THE DEPONENT: I don't know.  
 11 BY MR. DICKIE:  
 12 Q. Well, are you involved in a full-time  
 13 basis with a band called the Black Eyed Peas?  
 14 A. Yes.  
 15 Q. And are you involved in the business  
 16 affairs of any organization or band other than the  
 17 Black Eyed Peas?  
 18 MS. CENAR: Objection to the form.  
 19 THE DEPONENT: I don't understand.  
 20 BY MR. DICKIE:  
 21 Q. Well, do you understand what -- the  
 22 Black Eyed Peas is a band; correct?  
 23 A. Uh-huh. Uh-huh.  
 24 Q. Do you perform as a musician with any  
 25 other band?

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1 A. No.  
 2 Q. Do you participate in or engage in any  
 3 business activities for any other business entity or  
 4 organization?  
 5 MS. CENAR: Objection to form.  
 6 THE DEPONENT: I don't understand.  
 7 BY MR. DICKIE:  
 8 Q. Well, are you familiar with an entity  
 9 called now Nawasha Networks Publishing?  
 10 A. Yes and no.  
 11 Q. Well, let's start with: What is it  
 12 that you know about that entity?  
 13 A. That is --  
 14 MS. CENAR: Objection to form.  
 15 THE DEPONENT: Rephrase.  
 16 BY MR. DICKIE:  
 17 Q. What is it that you know about Nawasha  
 18 Networks Publishing?  
 19 MS. CENAR: Same objection.  
 20 THE DEPONENT: It doesn't exist.  
 21 BY MR. DICKIE:  
 22 Q. Did it ever exist?  
 23 A. Yes.  
 24 Q. Was it a sole proprietorship of your  
 25 own?

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1 A. Yes.  
 2 Q. And what was its business while it  
 3 existed?  
 4 A. My publishing company.  
 5 Q. When did it cease to exist?  
 6 MS. CENAR: Objection to form.  
 7 THE DEPONENT: Rephrase.  
 8 BY MR. DICKIE:  
 9 Q. When did it cease to exist?  
 10 A. I don't remember.  
 11 Q. Well, was it in calendar year 2011?  
 12 A. I --  
 13 Q. Was it this year that it ceased to  
 14 exist?  
 15 A. I don't remember.  
 16 Q. Are you aware of any document that  
 17 would refresh your recollection as to when it ceased  
 18 to exist?  
 19 A. Can you repeat the question?  
 20 Q. Are you aware of any document that  
 21 would refresh your recollection as to when Nawasha  
 22 Networks Publishing, your sole proprietorship,  
 23 existed?  
 24 A. I don't know.  
 25 Q. Where did it office?

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: Rephrase.  
 3 BY MR. DICKIE:  
 4 Q. Where was it officing when it  
 5 operated?  
 6 MS. CENAR: Same objection.  
 7 THE DEPONENT: I don't understand.  
 8 BY MR. DICKIE:  
 9 Q. Well, did it have a business office or  
 10 did it perform its business out of your house?  
 11 A. There was no business. It was just  
 12 publishing. There was no business. It's just --  
 13 it's a publishing name. That's all it was.  
 14 Q. Did it have its own tax I.D. number?  
 15 MS. CENAR: Objection to form.  
 16 THE DEPONENT: Rephrase.  
 17 BY MR. DICKIE:  
 18 Q. Did it have its own tax I.D. number?  
 19 A. I don't know.  
 20 Q. Did you have any other sole  
 21 proprietorship entities which you owned and  
 22 operated?  
 23 MS. CENAR: Objection to form.  
 24 THE DEPONENT: Rephrase.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Did you have any other sole  
 3 proprietorship entities which you owned and operated  
 4 other than Nawasha Networks Publishing?  
 5 MS. CENAR: Same objection.  
 6 THE DEPONENT: I don't know.  
 7 BY MR. DICKIE:  
 8 Q. What is Tab Magnetic, Inc.?  
 9 A. It's my corporation.  
 10 Q. Where is it incorporated?  
 11 A. The State of California.  
 12 Q. When was it incorporated?  
 13 A. I don't remember.  
 14 Q. Are there any shareholders of that  
 15 California corporation other than yourself?  
 16 A. No.  
 17 Q. And what is the business of Tab  
 18 Magnetic, Inc.?  
 19 A. It's just my corporation.  
 20 Q. Yes, but what does it do?  
 21 A. Just for my accounts -- my personal  
 22 accounts. I have no business.  
 23 Q. Well, doesn't it do business as Tab  
 24 Magnetic Publishing?  
 25 MS. CENAR: Objection to form.

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1 THE DEPONENT: Rephrase.  
 2 BY MR. DICKIE:  
 3 Q. Doesn't Tab Magnetic, Inc., a  
 4 California corporation, do business under the name  
 5 Tab Magnetic Publishing?  
 6 A. Two different things.  
 7 Q. What is Tab Magnetic Publishing,  
 8 then?  
 9 A. My publishing company.  
 10 Q. When you say your publishing company,  
 11 are you the sole individual involved in that  
 12 entity?  
 13 A. Yes.  
 14 Q. And Tab Magnetic Publishing, what is  
 15 its relationship to Tab Magnetic, Inc.?  
 16 A. Nothing.  
 17 MS. CENAR: Objection to form.  
 18 BY MR. DICKIE:  
 19 Q. How many employees does Tab Magnetic,  
 20 Inc., have?  
 21 A. One.  
 22 Q. Is that you?  
 23 A. No.  
 24 Q. Who is its employee?  
 25 A. David Lara.

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1 Q. Could you spell the last name for the  
 2 record, please.  
 3 A. L-a-r-a.  
 4 Q. And what is Mr. Lara's position? What  
 5 does he do?  
 6 A. My day-to-day manager.  
 7 Q. And he's the day-to-day manager of the  
 8 business of Tab Magnetic, Inc.?  
 9 MS. CENAR: Objection to form.  
 10 THE DEPONENT: Rephrase.  
 11 BY MR. DICKIE:  
 12 Q. You say he's "my day-to-day manager."  
 13 Is he the day-to-day manager of the  
 14 business of Tab Magnetic, Inc.?  
 15 A. No.  
 16 Q. Well, what is his position with Tab  
 17 Magnetic, Inc.?  
 18 A. He's a staff member.  
 19 Q. And is he -- did I understand you  
 20 correctly, he is the sole employee of Tab Magnetic,  
 21 Inc.?  
 22 A. Yes.  
 23 Q. And where is Tab Magnetic, Inc.,  
 24 located?  
 25 A. California.

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1 Q. What is its business address?  
 2 A. I don't have it offhand.  
 3 Q. Well, in what city is it located?  
 4 A. Glendale.  
 5 Q. Now, are you acquainted with an entity  
 6 called the Cherry Lane Music Publishing Company,  
 7 Inc.?  
 8 A. Yes.  
 9 Q. Do you have an ownership interest in  
 10 that business?  
 11 A. I don't know.  
 12 Q. What is the business of Cherry Lane  
 13 Music Publishing, Inc.?  
 14 MS. CENAR: Objection to form and  
 15 foundation.  
 16 THE DEPONENT: Rephrase.  
 17 BY MR. DICKIE:  
 18 Q. What is the business of Cherry Lane  
 19 Publishing, Inc.?  
 20 MS. CENAR: Same objection: Form,  
 21 foundation.  
 22 THE DEPONENT: I don't know.  
 23 BY MR. DICKIE:  
 24 Q. Are you familiar -- well, what is the  
 25 nature -- or what are the nature and circumstances of

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1 your interaction with Cherry Lane Publishing, Inc.?  
 2 A. I have people who handle that.  
 3 Q. Well, and the people who handle that,  
 4 they're handling it for you?  
 5 A. Yes.  
 6 Q. And who are the people who are  
 7 handling it for you?  
 8 A. My attorney and management.  
 9 Q. And who is that?  
 10 A. Rachel Rosoff.  
 11 Q. The young woman that was here  
 12 earlier?  
 13 A. Yes.  
 14 Q. Do you know what the business of  
 15 Cherry Lane Publishing Company is?  
 16 A. I don't know.  
 17 Q. How do you interact with that  
 18 company?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: Rephrase.  
 21 BY MR. DICKIE:  
 22 Q. How do you interact with that  
 23 company?  
 24 MS. CENAR: Same objection.  
 25 THE DEPONENT: I don't know.

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1 BY MR. DICKIE:  
 2 Q. Now, have you -- in addition to being  
 3 a musician, do you also act?  
 4 A. Yes.  
 5 Q. And when did you start acting?  
 6 A. Can you repeat the question?  
 7 Q. When did you start acting  
 8 professionally?  
 9 A. 2005.  
 10 Q. And do you consider yourself first an  
 11 actor or a musician?  
 12 MS. CENAR: Objection to form.  
 13 THE DEPONENT: Rephrase.  
 14 BY MR. DICKIE:  
 15 Q. Do you consider -- do you consider  
 16 yourself a musician or an actor first?  
 17 MS. CENAR: Objection to form.  
 18 THE DEPONENT: I don't know.  
 19 BY MR. DICKIE:  
 20 Q. Now, let me just ask a few questions  
 21 by way of background regarding your educational  
 22 exposure and training.  
 23 When did you graduate from high  
 24 school?  
 25 A. 1993.

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1 Q. What high school?  
 2 A. Rosemead.  
 3 Q. And where is that high school  
 4 located?  
 5 A. In Rosemead, California.  
 6 Q. And after graduating from high school  
 7 in 1993, did you attend college or university?  
 8 A. No.  
 9 Q. Since 1993, have you had any further  
 10 formal academic training?  
 11 A. I don't understand the question.  
 12 Q. Well, did you attend junior college or  
 13 take any formal seminars, write any papers, anything  
 14 at all since 1993 by way of education?  
 15 MS. CENAR: Objection to form.  
 16 THE DEPONENT: Rephrase.  
 17 BY MR. DICKIE:  
 18 Q. Have you had any further formal  
 19 education since high school?  
 20 A. No.  
 21 Q. Now, can you describe for me your  
 22 formal musical training?  
 23 MS. CENAR: Objection to form.  
 24 THE DEPONENT: Rephrase.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Yes.  
 3 Have you had any formal musical  
 4 training?  
 5 A. No.  
 6 Q. Do you play any instruments -- musical  
 7 instruments?  
 8 A. No.  
 9 Q. Have you ever taken any instruction on  
 10 how to play any form of musical instrument?  
 11 A. No.  
 12 Q. Do you play -- regardless of whether  
 13 you've had any formal training or not -- any musical  
 14 instrument?  
 15 A. No.  
 16 Q. Do you know how to write sheet  
 17 music?  
 18 A. No.  
 19 Q. Do you know how to read sheet music?  
 20 A. No.  
 21 Q. Now, have you ever had any dance  
 22 training?  
 23 A. No.  
 24 Q. Have you participated in any informal  
 25 sessions to learn various dance moves?

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: Rephrase.  
 3 BY MR. DICKIE:  
 4 Q. Have you participated in any informal  
 5 sessions to learn various dance moves?  
 6 MS. CENAR: Objection to form.  
 7 THE DEPONENT: I don't understand the  
 8 question.  
 9 BY MR. DICKIE:  
 10 Q. Well, have you ever been in a group  
 11 where people taught you how to do any particular  
 12 dance?  
 13 MS. CENAR: Objection to form.  
 14 THE DEPONENT: I still don't  
 15 understand the question.  
 16 BY MR. DICKIE:  
 17 Q. What is it -- what word that I've  
 18 asked in that question is it that you don't  
 19 understand?  
 20 A. Informal. Informal.  
 21 Q. Well, outside of a classroom, for  
 22 example, like in a group in a base- -- somebody's  
 23 basement or in a hall or something where you got  
 24 together with others who were dancing and you learned  
 25 some moves.

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1 A. Are you referring to practicing?  
 2 Q. If that's where you learned some  
 3 moves, sure.  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I don't know.  
 6 BY MR. DICKIE:  
 7 Q. Have you ever advised or suggested to  
 8 somebody that you have a particular kind of dance  
 9 style in connection with your performance as a  
 10 musician?  
 11 A. I don't understand the question.  
 12 Q. Well, have you ever described to  
 13 anyone your particular dance style?  
 14 A. Yes.  
 15 Q. And have you ever used a descriptive  
 16 term to sort of identify your particular style?  
 17 A. Yes.  
 18 Q. And what particular term have you used  
 19 to describe your own dance style?  
 20 A. I would say I incorporate martial arts  
 21 with my footwork with my freestyle type of dancing.  
 22 Q. And when you say you incorporate  
 23 martial arts in your footwork in your freestyle type  
 24 of dancing, where did you learn that?  
 25 A. From Jet Tanner.

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1 DEPOSITION OFFICER: Can you spell  
 2 that?  
 3 THE DEPONENT: J-e-t, Jet,  
 4 T-a-n-n-e-r.  
 5 BY MR. DICKIE:  
 6 Q. Is that an individual?  
 7 A. Yes.  
 8 Q. And when did you learn that from  
 9 Jet Tanner?  
 10 A. In high school.  
 11 Q. Did you also break-dance during high  
 12 school?  
 13 A. Yes.  
 14 Q. And you did that in the neighborhood  
 15 in which you grew up; is that right?  
 16 A. Yes.  
 17 Q. And I take it that the break dancing  
 18 you learned wasn't something that somebody taught you  
 19 formally? It's what you picked up when you were out  
 20 on -- out and about on the streets?  
 21 A. Yes.  
 22 Q. Now, your stage name, if I understand  
 23 it correctly, is Taboo; is that right?  
 24 A. Yes.  
 25 Q. When did you adopt that stage name?

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1 A. As a teenager.  
 2 Q. And what is the origin of the name?  
 3 A. Signified the type of situation I was  
 4 in.  
 5 Q. Well, when you say doing -- something  
 6 that signified the type of situation you were in, are  
 7 you suggesting that it means that you were doing  
 8 something that you weren't supposed to do?  
 9 MS. CENAR: Objection to the form of  
 10 the question.  
 11 BY MR. DICKIE:  
 12 Q. Is that what I understood you to  
 13 say?  
 14 A. Can you rephrase?  
 15 Q. Sure.  
 16 You said that you were -- that the  
 17 name came from something that signified the type of  
 18 situation you were in.  
 19 And my question was: When you said  
 20 that, were you suggesting that the derivation of the  
 21 stage name "Taboo" comes from the fact that you were  
 22 doing something that you weren't supposed to do or  
 23 that others weren't doing in wherever it was you came  
 24 from?  
 25 MS. CENAR: Objection to the form.

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1 THE DEPONENT: I don't know.  
 2 BY MR. DICKIE:  
 3 Q. Well, what is the significance of the  
 4 stage name "Taboo," then, in so far as it relates to  
 5 you and your use?  
 6 A. Unexplainable.  
 7 Q. You're not able to explain it?  
 8 A. That's what the it means:  
 9 "unexplainable."  
 10 Q. Now, can you tell me what specific  
 11 genre of dance that you have studied at any time in  
 12 your career?  
 13 MS. CENAR: Objection to form.  
 14 THE DEPONENT: Rephrase.  
 15 BY MR. DICKIE:  
 16 Q. Can you tell me what the genre or  
 17 genres of dance that you have looked at, studied, or  
 18 tried to emulate in your career?  
 19 MS. CENAR: Same objection.  
 20 THE DEPONENT: I don't understand.  
 21 BY MR. DICKIE:  
 22 Q. Well, you understand that there are  
 23 different types of dance, do you not?  
 24 A. Uh-huh. Yes.  
 25 Q. And have you -- other than the -- what

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1 you described for me, the one that Jet Tanner taught  
 2 you, have you studied with anybody else regarding  
 3 other forms of dance?  
 4 A. No.  
 5 Q. Have you ever studied the -- or looked  
 6 at the process of choreographing dance moves?  
 7 A. I don't understand the question.  
 8 Q. Do you know what "choreographed"  
 9 means?  
 10 A. Yes.  
 11 Q. Have you ever choreographed a dance  
 12 for anyone other than yourself?  
 13 A. No.  
 14 Q. And do you choreograph your own dance  
 15 moves or do you do that in conjunction with others?  
 16 A. Yes.  
 17 Q. So you do choreograph your own dance  
 18 steps?  
 19 A. Yes.  
 20 Q. And you also, I take it, choreograph  
 21 your own dance steps in conjunction with others?  
 22 A. Yes.  
 23 Q. So when you're working with persons  
 24 other than yourself for purposes of developing any  
 25 dance steps, with whom do you work?

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1 MS. CENAR: Objection to the form of  
 2 the question.  
 3 THE DEPONENT: Rephrase.  
 4 BY MR. DICKIE:  
 5 Q. With whom do you work when you're  
 6 choreographing some dance steps for yourself when  
 7 you're working with others?  
 8 MS. CENAR: Same objection.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Now, when was it as a point in time  
 12 that you first became interested in music?  
 13 A. Five years old.  
 14 Q. And at five years old, what was the  
 15 music you were interested in?  
 16 A. Mariachis.  
 17 Q. Anything else?  
 18 A. Rock and roll.  
 19 Q. Any particular bands?  
 20 A. Rock and roll like Little Richard,  
 21 Elvis, Jerry Lee Lewis.  
 22 Q. So would the focus have been basically  
 23 rock and roll from the late '50s and '60s --  
 24 A. Yes.  
 25 Q. -- as opposed to rock and roll from

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1 the '70s and '80s?  
 2 A. Yes.  
 3 Q. And when is it that you first began to  
 4 get interested in any kind of dance?  
 5 A. Five years old.  
 6 Q. Dancing to the mariachis?  
 7 A. Yes.  
 8 Q. And dancing to the sounds of Elvis  
 9 and Jerry Lee Lewis?  
 10 A. Yes.  
 11 Q. And when was it that you first began  
 12 to actually perform either dances or some kind of  
 13 music activity?  
 14 MS. CENAR: Objection to form.  
 15 THE DEPONENT: Can you rephrase?  
 16 BY MR. DICKIE:  
 17 Q. Sure.  
 18 As a point in time, did you begin your  
 19 first performance as a dancer at age five or did that  
 20 come later?  
 21 MS. CENAR: Objection to form.  
 22 THE DEPONENT: I don't understand.  
 23 BY MR. DICKIE:  
 24 Q. Well, how old were you when you made  
 25 your first public performance as a musician?

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: I don't know.  
 3 BY MR. DICKIE:  
 4 Q. And did you ever start performing or  
 5 engaging in any kind of rap contests with your  
 6 colleagues?  
 7 A. Can you repeat the question?  
 8 Q. Yeah.  
 9 Did you ever start or engage in sort  
 10 of rap contests with your friends growing up?  
 11 A. Yes.  
 12 Q. When did you start doing that?  
 13 A. 16, 17.  
 14 Q. And when was it as a point in time --  
 15 by the way, do you play any musical instruments by  
 16 ear?  
 17 MS. CENAR: Objection; form.  
 18 BY MR. DICKIE:  
 19 Q. Do you know --  
 20 A. Rephrase.  
 21 Q. Do you know what I mean by that?  
 22 A. Rephrase.  
 23 Q. Can you sit down at a piano and just  
 24 play a song if you just hear it?  
 25 MS. CENAR: Objection to form.



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1 THE DEPONENT: I don't know.  
 2 BY MR. DICKIE:  
 3 Q. Have you ever tried to do that?  
 4 A. Nope.  
 5 Q. So if you're in a room and somebody  
 6 hums a few bars of a tune, can you take that and then  
 7 develop that tune on the piano?  
 8 A. Nope.  
 9 MS. CENAR: Objection to form.  
 10 BY MR. DICKIE:  
 11 Q. Do you ever write poetry?  
 12 A. Yes.  
 13 Q. When did you start writing poetry?  
 14 MS. CENAR: Objection to form.  
 15 THE DEPONENT: Rephrase.  
 16 BY MR. DICKIE:  
 17 Q. When did you first start writing  
 18 poetry?  
 19 A. As a teenager.  
 20 Q. Before or after you were 15?  
 21 A. I don't remember.  
 22 Q. Did you write poems and put them in a  
 23 journal?  
 24 A. Yes.  
 25 Q. Did you ever write poems that you put

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1 into the journal and then recorded them?  
 2 A. I don't understand.  
 3 Q. Well, suppose you wrote a poem, put it  
 4 in a journal. Did you ever then read the poem out of  
 5 a journal and try to record it on a tape recorder or  
 6 in some other fashion?  
 7 MS. CENAR: Objection to form.  
 8 THE DEPONENT: I don't remember.  
 9 BY MR. DICKIE:  
 10 Q. Now, did you ever -- have you ever  
 11 from time to time just sung melodies into a tape  
 12 recorder?  
 13 MS. CENAR: Objection to form.  
 14 THE DEPONENT: Rephrase.  
 15 BY MR. DICKIE:  
 16 Q. Have you ever sung melodies into a  
 17 tape recorder?  
 18 MS. CENAR: Objection to form.  
 19 Do you have a time frame or a context,  
 20 Counsel?  
 21 MR. DICKIE: I think the word "ever"  
 22 covers the time frame.  
 23 MS. CENAR: Objection to form.  
 24 THE DEPONENT: I don't understand.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Well, have you -- do you know what a  
 3 melody is?  
 4 A. Yes.  
 5 Q. Have you ever sung a melody into a  
 6 tape recorder to record that melody?  
 7 A. My own melody?  
 8 Q. Yes.  
 9 A. Yes.  
 10 Q. When was the first time you did  
 11 that?  
 12 A. Two-thousand -- 2006.  
 13 Q. And was that an attempt to come up  
 14 with some sort of solo melody?  
 15 MS. CENAR: Object to form.  
 16 THE DEPONENT: Rephrase.  
 17 BY MR. DICKIE:  
 18 Q. Was it an attempt by you to create a  
 19 solo series of songs, just you and the melody?  
 20 MS. CENAR: Objection to form.  
 21 THE DEPONENT: I don't know.  
 22 BY MR. DICKIE:  
 23 Q. Well, what was the purpose in 2006 for  
 24 singing a melody of your own into a tape recorder?  
 25 A. It's called freestyle.

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1 Q. And the freestyle, the purpose of that  
 2 exercise was what?  
 3 A. Sharpen up your skills.  
 4 Q. So this was sort of practicing?  
 5 A. Yes.  
 6 Q. Prior to 2006, had you ever sung your  
 7 own melody into a tape recorder for use in creating a  
 8 record?  
 9 A. No.  
 10 Q. And at -- since 2006, have you ever  
 11 sung your own melodies into a recorder for the  
 12 purpose of creating a record?  
 13 MS. CENAR: Objection to form.  
 14 THE DEPONENT: I don't understand that  
 15 question.  
 16 BY MR. DICKIE:  
 17 Q. Well, since 2006, have you ever sung  
 18 any of your own melodies into a recorder for the  
 19 purpose of taking that recording of your melodies and  
 20 having a record published?  
 21 MS. CENAR: Objection to form.  
 22 THE DEPONENT: Record or song?  
 23 BY MR. DICKIE:  
 24 Q. Or song. Either one.  
 25 MS. CENAR: Same objection.

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1 THE DEPONENT: I don't know.  
 2 BY MR. DICKIE:  
 3 Q. Well, if you don't know about that,  
 4 who would know, Mr. Gomez?  
 5 MS. CENAR: Objection to form and  
 6 foundation.  
 7 THE DEPONENT: I don't know.  
 8 BY MR. DICKIE:  
 9 Q. When, as a point in time, was it that  
 10 you first wrote your own musical song?  
 11 A. Probably like 14.  
 12 Q. And what song was that?  
 13 A. "Rising Sun."  
 14 Q. And how was that song memorialized?  
 15 Was there sheet music for the song?  
 16 A. No.  
 17 Q. Was there a tape recording for the  
 18 song?  
 19 A. No.  
 20 Q. Was there any commercial embodiment of  
 21 the song, in other words, a record?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: Rephrase.  
 24 BY MR. DICKIE:  
 25 Q. Was there a commercial embodiment

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1 ever? Was it put into a demo tape? Was it put into  
 2 a single song which was published and recorded?  
 3 MS. CENAR: Objection to the form.  
 4 THE DEPONENT: No.  
 5 BY MR. DICKIE:  
 6 Q. Is there any existing version of the  
 7 song "Rising Sun" that you say was the first music  
 8 you ever wrote?  
 9 A. No.  
 10 Q. Is there any document that you're  
 11 aware of which evidences the fact of that writing?  
 12 MS. CENAR: Objection to form.  
 13 THE DEPONENT: I don't know.  
 14 BY MR. DICKIE:  
 15 Q. By the way, are you familiar with --  
 16 well, strike that.  
 17 Did you ever write or create any rap  
 18 song?  
 19 MS. CENAR: Objection to the form.  
 20 THE DEPONENT: I don't understand the  
 21 question.  
 22 BY MR. DICKIE:  
 23 Q. Well, did you ever engage in any rap  
 24 music?  
 25 MS. CENAR: Objection to form.

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1 THE DEPONENT: I don't understand.  
 2 BY MR. DICKIE:  
 3 Q. Well, did you ever participate in a  
 4 spoken-word event or contest?  
 5 A. Yes.  
 6 Q. And when did you first start doing  
 7 that?  
 8 MS. CENAR: Objection to form.  
 9 THE DEPONENT: Rephrase.  
 10 BY MR. DICKIE:  
 11 Q. When did you first start participating  
 12 in what I would call a spoken-word event or a  
 13 contest?  
 14 A. After the age of 15.  
 15 Q. And when we talk about a "spoken-word  
 16 event or a contest," do you understand -- what do you  
 17 understand that to mean?  
 18 A. Type of poetry. It's like a poetry  
 19 jam.  
 20 Q. Where you recite something and  
 21 somebody recites something back to you?  
 22 A. No, where you recite your own.  
 23 You get up in front of people and you  
 24 recite. And then you get off and the next person  
 25 recites. You don't recite to each other.

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1 Q. Have you ever been involved in a  
 2 contest where people were reciting back and forth to  
 3 one another trying to outdo one another?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: Rephrase.  
 6 BY MR. DICKIE:  
 7 Q. Well, you said that you get up and  
 8 then you get off.  
 9 But did you ever do that in the  
 10 context of a contest between you and others to see  
 11 who could do it best?  
 12 MS. CENAR: Objection to form.  
 13 THE DEPONENT: I don't know.  
 14 BY MR. DICKIE:  
 15 Q. Have you ever heard the phrase "a  
 16 dozen spits"?  
 17 A. No.  
 18 Q. Did you ever -- strike that.  
 19 When was the first time that you gave  
 20 a public performance as a musician?  
 21 MS. CENAR: Objection to form.  
 22 THE DEPONENT: Rephrase.  
 23 BY MR. DICKIE:  
 24 Q. Well, as a point in time, you said --  
 25 when I asked you what the your occupation was, you

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1 said you were a musician.  
 2 When was the first time you gave a  
 3 public performance as a musician?  
 4 A. Professional?  
 5 Q. For -- if you got paid for it, yes.  
 6 A. 1993.  
 7 Q. And was your first public professional  
 8 performance playing an instrument or rapping?  
 9 MS. CENAR: Objection to form.  
 10 THE DEPONENT: Rephrase.  
 11 BY MR. DICKIE:  
 12 Q. Was your first public performance  
 13 playing an instrument or rapping?  
 14 MS. CENAR: Same objection.  
 15 THE DEPONENT: Rapping.  
 16 BY MR. DICKIE:  
 17 Q. And where was it that your first rap  
 18 public performance occurred?  
 19 A. High school.  
 20 Q. And after leaving high school, did you  
 21 continue to have rap performances publicly?  
 22 A. Yes.  
 23 Q. What was the first rap performance in  
 24 which you participated publicly after leaving high  
 25 school?

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: Rephrase.  
 3 BY MR. DICKIE:  
 4 Q. What was the first rap performance in  
 5 which you participated publicly and for which you  
 6 were paid after leaving high school?  
 7 A. I don't understand.  
 8 Q. Well, you weren't paid for the rap  
 9 performance that was your first in high school, were  
 10 you?  
 11 A. Yes.  
 12 Q. And was -- your high school paid you  
 13 to do that?  
 14 A. Talent show.  
 15 MS. CENAR: Objection to form.  
 16 DEPOSITION OFFICER: I couldn't hear  
 17 you.  
 18 THE DEPONENT: Talent show.  
 19 BY MR. DICKIE:  
 20 Q. What do you mean it was a talent  
 21 show?  
 22 A. Talent show. Students got up there  
 23 and tried to win, you know.  
 24 Q. And if you won the contest, did you  
 25 receive some sort of payment?

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1 A. Yes.  
 2 Q. And that took place in 1993, if I  
 3 understand it correctly?  
 4 A. Yes.  
 5 Q. After 1993, when was the next time  
 6 that you rapped publicly and were paid for doing  
 7 so?  
 8 A. 1995.  
 9 Can I use the restroom?  
 10 MS. CENAR: Sure.  
 11 BY MR. DICKIE:  
 12 Q. Mr. Gomez, let me make it clear,  
 13 anytime you need to take a break, just tell us and  
 14 we'll --  
 15 A. Yes, I need to use the restroom.  
 16 Q. -- go off the record.  
 17 And I caution you when you get up, you  
 18 need to remove your microphone --  
 19 A. Yes, sir.  
 20 Q. -- so it doesn't rip your jacket.  
 21 A. Yes.  
 22 THE VIDEOGRAPHER: This is the end  
 23 of Media Tape Number One of the deposition of  
 24 Jaime Gomez.  
 25 The time is 11:48 a.m.

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1 (WHEREUPON, A RECESS WAS HELD  
 2 FROM 11:48 A.M. TO 12:00 P.M.)  
 3 THE VIDEOGRAPHER: This is the  
 4 beginning of Media Number Two in the deposition of  
 5 Jaime Gomez.  
 6 We are now going back on the record at  
 7 12:00 o'clock p.m.  
 8 BY MR. DICKIE:  
 9 Q. You're all set to proceed,  
 10 Mr. Gomez?  
 11 A. Yes, sir.  
 12 Q. In that 1993 high school talent show,  
 13 what did your performance consist of?  
 14 A. Rapping.  
 15 Q. Were there any choreographed dance  
 16 moves in that performance or was it just rap?  
 17 A. Just rap.  
 18 Q. Then you -- just before the break, you  
 19 told me that the first or the next time that you  
 20 performed and were paid for was 1995.  
 21 Did I understand that correctly?  
 22 A. Yes.  
 23 Q. And what were the circumstances of  
 24 that next paid performance?  
 25 A. I don't understand.

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1 Q. Well, what -- where were you and what  
2 did you do?  
3 A. I was at a club and performed.  
4 Q. Well, had you been hired by the club  
5 to perform?  
6 A. No.  
7 Q. You were just in attendance at the  
8 club and had an opportunity to perform?  
9 MS. CENAR: Objection to form.  
10 BY MR. DICKIE:  
11 Q. Is that correct?  
12 A. I don't understand.  
13 Q. Well, you said, "I was at a club and  
14 performed."  
15 Were you at the club because the club  
16 had invited you to come and perform?  
17 A. No.  
18 Q. And what were the circumstances of  
19 your performing at that club in 1995?  
20 A. I believe it was a showcase.  
21 Q. What do you mean, "a showcase"?  
22 A. Like an artist showcase. Different  
23 artists.  
24 Q. And it was an open showcase, anybody  
25 could come and then sign up and perform?

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1 MS. CENAR: Objection to form.  
2 THE DEPONENT: I don't understand the  
3 question.  
4 BY MR. DICKIE:  
5 Q. Well, if I understand, you said it was  
6 a showcase. Was that an advertised showcase?  
7 MS. CENAR: Foundation.  
8 THE DEPONENT: I don't know.  
9 BY MR. DICKIE:  
10 Q. Were there individuals that were  
11 scheduled to perform in this showcase that you came  
12 to see?  
13 A. No.  
14 Q. Well, what were the circumstances that  
15 under which you came to perform at that club?  
16 A. I don't know.  
17 Q. And what is it that you performed at  
18 the club? Did you rap there, too?  
19 A. Yes.  
20 Q. What was the name of the club?  
21 A. Glam Slam.  
22 Q. Sorry. I didn't understand that.  
23 A. Glam Slam.  
24 Q. And were you then paid by the club for  
25 performing?

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1 A. No.  
2 Q. So if I understand it correctly, you  
3 performed at this Glam Slam Club in a showcase, but  
4 you weren't paid for that; is that right?  
5 MS. CENAR: Objection to form.  
6 THE DEPONENT: I don't understand.  
7 BY MR. DICKIE:  
8 Q. Well, did the Glam Slam Club pay you  
9 for the rapping you did at that club in 1995?  
10 A. No.  
11 Q. What was the next time that you had an  
12 occasion to perform publicly after the Glam Slam Club  
13 where you were paid for doing something?  
14 A. I can't remember.  
15 Q. Now, was it at this club, the Glam  
16 Slam Club, that you first met Will.i.am?  
17 A. No.  
18 Q. Where was it that you first met him?  
19 A. Ballistics.  
20 Q. Is that a club?  
21 A. Yes.  
22 Q. Where is it located?  
23 A. Many locations. It was -- it was in  
24 different locations: Trubador, Club A.D. on Santa  
25 Monica. It was in different locations.

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1 There was never no set location.  
2 Q. Well, where were you -- in which club  
3 were you, at which location, when you first met  
4 William Adams?  
5 A. At the Whiskey.  
6 Q. And the Whiskey is located where?  
7 A. I think it's Sunset. I'm not -- I'm  
8 not too sure.  
9 Q. During the time you were in high  
10 school, did you ever form a band with any of your  
11 classmates or friends?  
12 A. No.  
13 Q. Now, were you ever a member of any  
14 other musical group besides the Black Eyed Peas?  
15 A. Yes.  
16 Q. What was the first musical group  
17 other than the Black Eyed Peas of which you were a  
18 member?  
19 A. United Soul Children.  
20 Q. And when were you a member of  
21 United Soul Children?  
22 And by the way is that Soul, S-o-u-l?  
23 A. Yes, sir.  
24 1992 to 1993. High school.  
25 Q. And were the members of this

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1 United Soul Children band high school classmates?  
 2 A. Yes.  
 3 Q. And the band ceased to exist after you  
 4 all graduated?  
 5 A. Yes.  
 6 Q. And the type of music that the band  
 7 United Soul Children performed was what?  
 8 A. R and -- hip-hop, R&B.  
 9 Q. And did you play an instrument in this  
 10 band?  
 11 A. No.  
 12 Q. How many members were there?  
 13 A. Four.  
 14 Q. And what instruments were used in the  
 15 band?  
 16 A. No instruments.  
 17 Q. Was it -- did the band sing?  
 18 A. Sang and rapped.  
 19 Q. And did you write musical songs for  
 20 the band?  
 21 A. No.  
 22 Q. Was most of the -- were most of the  
 23 performances basically rap presentations?  
 24 A. Yes.  
 25 Q. And after you left United Soul

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1 Children, what was the next band with which you had  
 2 any affiliation?  
 3 A. Pablo.  
 4 Q. Is that P-a-b-l-o?  
 5 A. Yes.  
 6 Q. And when did you have an association  
 7 with Pablo?  
 8 A. 1994.  
 9 Q. And at Pablo, how many members of the  
 10 band were there?  
 11 A. Three.  
 12 Q. In addition to yourself, who was in  
 13 the band?  
 14 A. Eclipse and Mr. Shaw.  
 15 Q. Mr.?  
 16 A. Mr. Shaw, S-h --  
 17 Q. S-h-a-w?  
 18 A. Yeah.  
 19 Q. And was this a basically a rap group,  
 20 too?  
 21 A. Spoken word.  
 22 Q. What's the difference?  
 23 A. Rap is more melodic. Spoken word is  
 24 just spoken.  
 25 Q. Just like we're talking now?

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1 A. Yes.  
 2 Q. As opposed to the rap with the sound  
 3 and --  
 4 A. Uh-huh.  
 5 Q. -- a beat?  
 6 A. Yeah.  
 7 Q. And Pablo lasted for how long?  
 8 MS. CENAR: Objection to form.  
 9 THE DEPONENT: I don't understand.  
 10 BY MR. DICKIE:  
 11 Q. Well, it's not still in existence, is  
 12 it?  
 13 A. No.  
 14 Q. And you left the group when?  
 15 A. 1995.  
 16 Q. And did the group disband when you  
 17 left?  
 18 A. Yes.  
 19 Q. It didn't continue on?  
 20 A. No.  
 21 Q. So when you left Pablo in 1995, then  
 22 did you join another band?  
 23 A. Yes.  
 24 Q. And was that band called Atban  
 25 Klann --

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1 A. No.  
 2 Q. -- or was there something in  
 3 between?  
 4 A. No.  
 5 Q. Nothing in between?  
 6 A. No.  
 7 Q. What was the next group with which you  
 8 had any affiliation as a band after leaving Pablo?  
 9 A. Black Eyed Peas.  
 10 Q. When you first met William Adams  
 11 and Allan Pineda, were they in a group called  
 12 Atban Klann?  
 13 A. Yes.  
 14 Q. And that group had previously been  
 15 called Tribal Nation; isn't that right?  
 16 A. Yes.  
 17 Q. And they did a substantial amount of  
 18 break dancing; isn't that true?  
 19 A. Yes.  
 20 Q. And the group was -- that group was  
 21 under Eazy-E label, Ruthless Records; right?  
 22 A. Yes.  
 23 Q. And that was the group that --  
 24 MS. CENAR: Objection; form.  
 25 THE DEPONENT: I don't understand.

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1 MS. CENAR: Foundation.  
 2 DEPOSITION OFFICER: Sorry, Counsel.  
 3 I missed the end of that.  
 4 BY MR. DICKIE:  
 5 Q. That was the name of the group that  
 6 William Adams and Allan Pineda were with when you  
 7 first met those two men; is that correct?  
 8 MS. CENAR: Objection to form,  
 9 foundation.  
 10 BY MR. DICKIE:  
 11 Q. Well, did you know William Adams,  
 12 Will.i.am, in high school?  
 13 A. I still don't understand.  
 14 Q. Did you know William Adams when you  
 15 were in high school?  
 16 A. Yes.  
 17 Q. Did he attend the same high school?  
 18 A. No.  
 19 Q. Did he attend the neighborhood high  
 20 school?  
 21 A. My neighborhood?  
 22 MS. CENAR: Objection to the form.  
 23 BY MR. DICKIE:  
 24 Q. Where was it -- you said you knew him  
 25 in high school. Where did you meet him while you

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1 were in high school prior to 1993?  
 2 A. Club Ballistyx.  
 3 Q. And did you meet Allan Pineda at the  
 4 same time?  
 5 MS. CENAR: Objection to form.  
 6 (NO AUDIBLE RESPONSE BY THE DEPONENT.)  
 7 BY MR. DICKIE:  
 8 Q. Is that a "yes," sir?  
 9 A. Yes.  
 10 Q. And you met both of them before you  
 11 graduated from high school?  
 12 A. Yes.  
 13 Q. And then at some point subsequent to  
 14 your graduation from high school in 1993, you had  
 15 occasion to meet Mr. Adams and Mr. Pineda again; is  
 16 that right?  
 17 A. I don't understand.  
 18 Q. Well, did you keep in contact with  
 19 Mr. Adams and Mr. Pineda from the time you first met  
 20 them while you were in high school up until the time  
 21 you joined the Black Eyed Peas?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: Yes.  
 24 BY MR. DICKIE:  
 25 Q. With what frequency did you see those

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1 two gentlemen in the period of time from 19- -- the  
 2 time you first met them prior to 1993 and the time  
 3 that you became involved with the Black Eyed Peas  
 4 sometime after 1995?  
 5 A. I don't understand.  
 6 Q. Did you meet -- did you talk with them  
 7 regularly?  
 8 MS. CENAR: Objection to form.  
 9 THE DEPONENT: Yes.  
 10 BY MR. DICKIE:  
 11 Q. And under what circumstances would you  
 12 talk with them? Was it on the phone? Did you meet  
 13 them in clubs?  
 14 What was the nature of the  
 15 interactions with Mr. Adams and Mr. Pineda before  
 16 you became a member of The Black Eyed Peas?  
 17 MS. CENAR: Hold on a minute.  
 18 Objection to the form.  
 19 THE DEPONENT: I don't understand.  
 20 BY MR. DICKIE:  
 21 Q. What is it you don't understand,  
 22 Mr. Gomez?  
 23 A. I don't understand what you're trying  
 24 to say.  
 25 Q. I'm just trying to find out how and

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1 under what the circumstances you continued your  
 2 relationship with Mr. Adams and Mr. Pineda after you  
 3 first met them in high school up until the time you  
 4 came to become a member of The Black Eyed Peas.  
 5 Do you understand that?  
 6 MS. CENAR: Objection to form.  
 7 THE DEPONENT: Yeah.  
 8 BY MR. DICKIE:  
 9 Q. So can you answer that for me  
 10 please?  
 11 A. Occasional visits.  
 12 Q. Occasional visits where?  
 13 A. Studio.  
 14 Q. What studio?  
 15 A. Studio, Paramount Studios.  
 16 Q. Now, did you know a Mark DeGraff and a  
 17 Robert Byrne?  
 18 A. No.  
 19 Q. Do you know whether those two  
 20 individuals were with the group called Atban Klann as  
 21 of 1995?  
 22 A. I don't know.  
 23 Q. Now, was that the -- the name of the  
 24 band Atban Klann changed to The Black Eyed Peas at  
 25 some point?

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1 MS. CENAR: Objection to form,  
 2 foundation.  
 3 THE DEPONENT: I don't understand.  
 4 BY MR. DICKIE:  
 5 Q. Well, you've never been with the  
 6 group, if I understood you correctly, called Atban  
 7 Klann, K-l-a-n-n; is that correct?  
 8 A. Yes.  
 9 Q. And do you know whether -- if the name  
 10 Atban Klann was changed to The Black Eyed Peas in  
 11 1997 when the group changed labels?  
 12 A. No.  
 13 Q. You don't know or that's not true?  
 14 A. That's not true.  
 15 You said 1997?  
 16 Q. Yes, I did say 1997.  
 17 A. Nope.  
 18 Q. Was the name changed before that?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: I don't understand.  
 21 BY MR. DICKIE:  
 22 Q. Well, when did the group that  
 23 Mr. Adams and Mr. Pineda were involved with change  
 24 its name to The Black Eyed Peas?  
 25 A. I don't remember.

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1 Q. Well, were you performing with those  
 2 two gentleman when the name was changed to The Black  
 3 Eyed Peas?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I came after.  
 6 BY MR. DICKIE:  
 7 Q. How long after the name was changed  
 8 did you arrive on the scene?  
 9 A. I'm not sure. I don't know.  
 10 Q. Well, when was it that you first,  
 11 then, joined The Black Eyed Peas band?  
 12 A. 1995.  
 13 Q. And what were the circumstances which  
 14 led to your joining The Black Eyed Peas?  
 15 A. I got kicked out of Pablo.  
 16 Q. And why was it that you left Pablo?  
 17 A. Because I wasn't good.  
 18 Q. You left Pablo, and then how was it  
 19 that you got into The Black Eyed Peas?  
 20 A. Belief.  
 21 Q. No.  
 22 What are the circumstances.  
 23 Did somebody contact you? Did you  
 24 contact them? What is the next step?  
 25 You left Pablo. Then what was the

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1 next step in joining The Black Eyed Peas?  
 2 MS. CENAR: Objection to form.  
 3 THE DEPONENT: I don't understand.  
 4 BY MR. DICKIE:  
 5 Q. Well, when you left or were kicked  
 6 out, as you said, from Pablo, did you call up any  
 7 members of The Black Eyed Peas and ask to join  
 8 them?  
 9 A. No.  
 10 Q. Did they call you and say, "Hey, come  
 11 join the band"?  
 12 MS. CENAR: Objection to form.  
 13 THE DEPONENT: I don't understand.  
 14 BY MR. DICKIE:  
 15 Q. Well, tell us how it is that you  
 16 came to become a member of the band The Black Eyed  
 17 Peas?  
 18 A. Will asked me if I wanted to perform  
 19 with them.  
 20 Q. And Mr. Adams asked you if you wanted  
 21 to perform with them when?  
 22 A. Club Glam Slam, 1995.  
 23 Q. And did he ask you to do that at the  
 24 club itself?  
 25 A. No.

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1 Q. So it wasn't at the club, it was  
 2 sometime after the showcase?  
 3 MS. CENAR: Objection to the form.  
 4 THE DEPONENT: Show?  
 5 BY MR. DICKIE:  
 6 Q. Isn't that right?  
 7 A. Uh-uh.  
 8 Q. Didn't you say that you would give a  
 9 showcase at Club Glam in 1995?  
 10 A. Yeah. I don't understand what you  
 11 just said.  
 12 Q. Well, you told me just a moment ago  
 13 that Mr. Adams asked you if you wanted to perform  
 14 with them at the Club Glam Slam in 1995.  
 15 A. Yes.  
 16 Q. Was that at the same time that you  
 17 performed in the showcase?  
 18 A. That was the showcase.  
 19 Q. And so you had a conversation with  
 20 Mr. Adams after you performed?  
 21 A. Prior.  
 22 MS. CENAR: Objection to form.  
 23 BY MR. DICKIE:  
 24 Q. Prior.  
 25 And when was it as a point in time

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1 after that Club Glam Slam performance that you became  
 2 an official member of The Black Eyed Peas?  
 3 MS. CENAR: Objection to form.  
 4 THE DEPONENT: I don't understand.  
 5 BY MR. DICKIE:  
 6 Q. Well, when did you join the band The  
 7 Black Eyed Peas, in fact?  
 8 A. That day.  
 9 Q. Did you sign an agreement that day?  
 10 A. No.  
 11 Q. Did you sign an agreement at some  
 12 point in time regarding your participation in The  
 13 Black Eyed Peas?  
 14 MS. CENAR: Objection to the form.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. Well, when you and Mr. Adams at Club  
 18 Glam Slam talked about your joining The Black Eyed  
 19 Peas, was there a discussion or an agreement about  
 20 how the band would be operated going forward once you  
 21 joined it?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: I don't understand.  
 24 BY MR. DICKIE:  
 25 Q. Well, was there a discussion about how

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1 the band would operate going forward once you became  
 2 a member, based upon your agreement at Club Glam  
 3 Slam?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I don't know.  
 6 BY MR. DICKIE:  
 7 Q. Well, did you discuss how would you be  
 8 compensated with Mr. Adams at Club Glam Slam?  
 9 A. No.  
 10 Q. Did you ever enter into an agreement  
 11 with -- regarding your -- the terms and conditions of  
 12 your participation in The Black Eyed Peas?  
 13 MS. CENAR: Objection to the form of  
 14 the question.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. And at the time in 1995 when you and  
 18 Mr. Adams had this conversation -- and by the way,  
 19 was the conversation that you told me about with  
 20 Mr. Adams with him alone or was Mr. Pineda involved  
 21 in that conversation as well?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: I can't remember.  
 24 BY MR. DICKIE:  
 25 Q. Is there any document or note of which

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1 you are aware which would refresh your recollection  
 2 as to who the participants were at that -- in that  
 3 discussion in 1995?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I don't know.  
 6 BY MR. DICKIE:  
 7 Q. And what were the terms of your  
 8 participation to be, based upon your discussion with  
 9 Mr. Adams in 1995 at the club?  
 10 MS. CENAR: Objection to form.  
 11 THE DEPONENT: I can't -- I don't  
 12 understand.  
 13 BY MR. DICKIE:  
 14 Q. Well, what is it that you don't  
 15 understand, Mr. Gomez?  
 16 A. I don't understand what you're trying  
 17 to say, what you mean.  
 18 Q. Well, did you discuss with Mr. Adams  
 19 how much you would be paid?  
 20 A. No.  
 21 Q. Did you discuss with Mr. Adams who  
 22 would have the creative decisionmaking in the  
 23 group?  
 24 A. No.  
 25 Q. Did you discuss with Mr. Adams any of

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1 the terms and conditions under which you would be  
 2 able to be a member of the band called The Black Eyed  
 3 Peas?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: No.  
 6 BY MR. DICKIE:  
 7 Q. Now, as of 1995, what would you  
 8 describe the Black Eyed -- the genre of The Black  
 9 Eyed Peas' music to be?  
 10 A. Man. Hip-hop foundation. The  
 11 foundation is hip-hop inspired by many other forms of  
 12 music all over the world.  
 13 Q. Well, what specific forms of music are  
 14 you referring to from around the world?  
 15 A. From bossa nova to Latin rhythms,  
 16 jazz, Bollywood, electro dance.  
 17 Q. And that was the principal --  
 18 MS. CENAR: Were you done with your  
 19 answer?  
 20 THE DEPONENT: No, I wasn't done.  
 21 MR. DICKIE: Oh. I'm sorry.  
 22 MS. CENAR: Would you like the witness  
 23 to finish his answer?  
 24 BY MR. DICKIE:  
 25 Q. I thought you were finished.



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1 A. No, I wasn't.  
 2 Electro dance, house.  
 3 I'm finished.  
 4 Q. Well, what specific Black Eyed Peas'  
 5 song that was being sung publicly as of 1995 had the  
 6 genre of dance or house?  
 7 A. From 1995?  
 8 Q. Yeah.  
 9 A. I don't know.  
 10 Q. Well, as of 1995, did I understand  
 11 you correctly to say that The Black Eyed Peas were  
 12 already producing and playing and performing music  
 13 from all those different genres you identified, or  
 14 did that come later?  
 15 A. It came later.  
 16 Q. But my question, and perhaps you  
 17 misunderstood it, was: As of 1995 --  
 18 A. Yes.  
 19 Q. -- when you saw William Adams in a  
 20 club, what was the basic genre of The Black Eyed  
 21 Peas' music as of that time?  
 22 A. Okay. Jazz.  
 23 Q. And who were the members of The Black  
 24 Eyed Peas at the time you signed on in 1995 during  
 25 this conversation with Mr. Adams at the Club Glam

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1 Slam?  
 2 MS. CENAR: Objection to form.  
 3 THE DEPONENT: I don't understand.  
 4 BY MR. DICKIE:  
 5 Q. Well, were there members of The Black  
 6 Eyed Peas other than William Adams and Allan Pineda  
 7 as of that time? And the time being 1995.  
 8 A. No.  
 9 Q. And what instruments, as of 1995, did  
 10 Allan Pineda play?  
 11 MS. CENAR: Objection to form,  
 12 foundation.  
 13 THE DEPONENT: None.  
 14 BY MR. DICKIE:  
 15 Q. And what instruments as of 1995 did  
 16 William Adams play?  
 17 MS. CENAR: Same objections.  
 18 THE DEPONENT: I don't know.  
 19 BY MR. DICKIE:  
 20 Q. And I'm correct, am I not, that as of  
 21 1995 you were not playing any musical instruments --  
 22 MS. CENAR: Objection to form.  
 23 BY MR. DICKIE:  
 24 Q. -- right?  
 25 A. I don't understand.

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1 Q. Did you play any musical instruments  
 2 as of 1995?  
 3 A. No.  
 4 Q. And has that fact continued right up  
 5 to today?  
 6 MS. CENAR: Objection to the form.  
 7 THE DEPONENT: Yes.  
 8 BY MR. DICKIE:  
 9 Q. Now starting in nineteen -- strike  
 10 that.  
 11 I take it that you started being a  
 12 member of The Black Eyed Peas in 1995?  
 13 MS. CENAR: Objection to form.  
 14 BY MR. DICKIE:  
 15 Q. Is that correct?  
 16 A. I don't understand.  
 17 Q. Well, after -- how long was it after  
 18 you agreed with Mr. Adams in the club to perform with  
 19 him as a member of The Black Eyed Peas was it that  
 20 you were actually doing that?  
 21 Did that happen right away?  
 22 MS. CENAR: Object to form.  
 23 THE DEPONENT: I can't remember.  
 24 BY MR. DICKIE:  
 25 Q. Well, is there anything that would

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1 refresh your recollection as to when as a point in  
 2 time that you actually started performing as a member  
 3 of the band?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I don't know.  
 6 BY MR. DICKIE:  
 7 Q. And at the time you first started  
 8 performing as a member of The Black Eyed Peas band,  
 9 did The Black Eyed Peas have an agreement of some  
 10 kind with a particular record label?  
 11 A. In 1995?  
 12 Q. Yes.  
 13 A. No.  
 14 Q. Did The Black Eyed Peas have an  
 15 agreement with any kind of record label when you  
 16 first began to perform with it?  
 17 MS. CENAR: Objection to form.  
 18 THE DEPONENT: No.  
 19 I'm sorry. I've got to use the  
 20 restroom again.  
 21 MS. CENAR: Is this a good time to  
 22 break for lunch?  
 23 MR. DICKIE: Sure.  
 24 THE VIDEOGRAPHER: We are now going  
 25 off the record. The time is 12:28 p.m.

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1 (WHEREUPON, A LUNCHEON RECESS WAS  
 2 HELD FROM 12:28 P.M. TO 2:08 P.M.)  
 3 (WHEREUPON, MR. PINK EXITED  
 4 THE DEPOSITION PROCEEDINGS.)  
 5 ///  
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1 BEVERLY HILLS, CALIFORNIA, FRIDAY  
 2 JULY 22, 2011  
 3 2:08 P.M.  
 4  
 5 THE VIDEOGRAPHER: We are now going  
 6 back on the record. The time is 2:08 p.m.  
 7  
 8 EXAMINATION (RESUMED)  
 9 BY MR. DICKIE:  
 10 Q. All set to proceed, Mr. Gomez?  
 11 A. All set to proceed.  
 12 Q. You understand that you're still under  
 13 oath?  
 14 A. Yes.  
 15 Q. What is the derivation and the origin  
 16 of the name The Black Eyed Peas?  
 17 A. I don't understand "derivation."  
 18 Q. Where did the name "The Black Eyed  
 19 Peas" come from?  
 20 A. I believe Will.i.am came up with  
 21 that.  
 22 Q. Did you have any role in the selection  
 23 of that name?  
 24 A. No.  
 25 Q. And can you tell me what it is -- what

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1 exactly your role is as a member of The Black Eyed  
 2 Peas?  
 3 A. I would say performer -- performer,  
 4 lyricist, MC.  
 5 Q. Performer -- and what did you add?  
 6 A. Lyricist. And MC, which basically  
 7 means "master of ceremony."  
 8 Q. And what exactly is it that you do as  
 9 a performer for The Black Eyed Peas?  
 10 A. Can you be more specific?  
 11 Q. Well, you said -- I asked you what  
 12 your role was and you said performer, lyricist, and  
 13 MC.  
 14 So now I'm just asking you what  
 15 exactly is it that you do as a performer?  
 16 A. Go up there and get the crowd into the  
 17 performance, do my verses from each song, and control  
 18 the crowd.  
 19 Q. When you say get your verses from each  
 20 song, do you have assigned verses?  
 21 A. Yes.  
 22 Q. And the verses that are assigned to  
 23 you, are they verses that you wrote?  
 24 MS. CENAR: Objection to the form.  
 25 THE DEPONENT: Yes.

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1 BY MR. DICKIE:  
 2 Q. Now, when was it that Stacy Ferguson  
 3 joined The Black Eyed Peas?  
 4 A. Between 2002 and 2003.  
 5 Q. Were you involved in the decision to  
 6 bring Stacy Ferguson to The Black Eyed Peas?  
 7 MS. CENAR: Objection to the form.  
 8 THE DEPONENT: Can you be more  
 9 specific?  
 10 BY MR. DICKIE:  
 11 Q. Well, was it your idea to bring her to  
 12 The Black Eyed Peas?  
 13 A. It was a collective.  
 14 Q. Did you know her before she was  
 15 interviewed for the position?  
 16 A. Yes.  
 17 Q. And when you say it was a "collective  
 18 decision," who made that decision? Who were the  
 19 person or persons?  
 20 A. Me, Apl, Allan Pineda, and  
 21 William Adams.  
 22 Q. And who suggested that she join the  
 23 group?  
 24 A. I don't recall.  
 25 Q. What was the purpose of having her

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1 join the group or the band?  
 2 MS. CENAR: Objection to form.  
 3 THE DEPONENT: I don't understand.  
 4 BY MR. DICKIE:  
 5 Q. Well what was the purpose in having  
 6 Stacy Ferguson join The Black Eyed Peas?  
 7 MS. CENAR: Objection to form,  
 8 foundation.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Well, in this collective  
 12 decision-making process you told me about, was there  
 13 a discussion as to whether The Black Eyed Peas needed  
 14 an additional person like Stacy Ferguson?  
 15 MS. CENAR: Objection to the form.  
 16 THE DEPONENT: Repeat the question  
 17 again.  
 18 BY MR. DICKIE:  
 19 Q. In this collective decision-making  
 20 process that you told me about, was there a  
 21 discussion as to whether -- as to the reason why  
 22 The Black Eyed Peas needed to add a person like  
 23 Stacy Ferguson?  
 24 MS. CENAR: Same objection.  
 25 THE DEPONENT: I don't recall.

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1 BY MR. DICKIE:  
 2 Q. Did you ever perform with  
 3 Stacy Ferguson prior to the time that she was --  
 4 you were discussing collectively adding her to  
 5 The Black Eyed Peas?  
 6 A. Can you be more specific?  
 7 Q. Well, had you ever performed with her  
 8 in some other venue or some other time?  
 9 A. She was in another group and we  
 10 performed in the same venue.  
 11 Q. And what group was she in?  
 12 A. Wild Orchid.  
 13 Q. When was that?  
 14 A. I can't remember the exact date.  
 15 Q. Well, was it in the year in which she  
 16 joined the band or was it before?  
 17 A. It was right before.  
 18 Q. And who from The Black Eyed Peas  
 19 approached her initially?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: Will.  
 23 BY MR. DICKIE:  
 24 Q. And were you present when Mr. Adams  
 25 approached her for the first time?

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1 A. No.  
 2 Q. Do you have an understanding as to  
 3 why Stacy Ferguson became a member of The Black Eyed  
 4 Peas?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 THE DEPONENT: No.  
 8 BY MR. DICKIE:  
 9 Q. When you say you don't know, you have  
 10 no understanding as to why she joined?  
 11 MS. CENAR: Objection; form,  
 12 foundation.  
 13 THE DEPONENT: Sorry.  
 14 I can't remember that.  
 15 BY MR. DICKIE:  
 16 Q. Was there a discussion that  
 17 Stacy Ferguson brought an expanded kind of music to  
 18 the group?  
 19 A. No.  
 20 Q. And this group -- what did you say it  
 21 was, Wild Orchid?  
 22 A. Yes.  
 23 Q. What kind of genre of music did it  
 24 perform?  
 25 MS. CENAR: Objection; form,

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1 foundation.  
 2 THE DEPONENT: Be more specific.  
 3 BY MR. DICKIE:  
 4 Q. Well, what kind of music were they  
 5 doing?  
 6 MS. CENAR: Same objections.  
 7 THE DEPONENT: I guess pop.  
 8 BY MR. DICKIE:  
 9 Q. And you say that you and Wild Orchid  
 10 performed someplace at the same venue. When was  
 11 that?  
 12 A. I don't recall.  
 13 Q. What venue was it?  
 14 A. I don't recall.  
 15 Q. Do you recall the city it was in?  
 16 A. Uh-uh.  
 17 Q. Now, have you ever worked as a solo  
 18 artist?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: Can you be more  
 21 specific with that?  
 22 BY MR. DICKIE:  
 23 Q. Well, do you understand the words  
 24 "solo artist" -- the words "solo artist"?  
 25 A. Yes.

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1 Q. Have you ever performed as a solo  
 2 artist as you understand --  
 3 A. With --  
 4 Q. -- those two words?  
 5 A. With other artists?  
 6 Q. No, by yourself. Just as a solo  
 7 artist.  
 8 A. No.  
 9 Q. Have you ever done any -- sung any  
 10 songs solo that were written by you?  
 11 MS. CENAR: Objection to form.  
 12 THE DEPONENT: I don't remember.  
 13 BY MR. DICKIE:  
 14 Q. Have you ever put out any, or  
 15 attempted to put out, a solo album?  
 16 A. Not yet.  
 17 Q. Well, have you ever thought about  
 18 putting out a solo album and simply delayed or  
 19 deferred doing so?  
 20 MS. CENAR: Objection; form.  
 21 THE DEPONENT: Can you rephrase that  
 22 one?  
 23 BY MR. DICKIE:  
 24 Q. Have you ever thought about putting  
 25 out a solo album and simply delayed or deferred doing

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1 so for some reason?  
 2 A. What does "deferred" --  
 3 MS. CENAR: Objection --  
 4 THE DEPONENT: -- mean?  
 5 MS. CENAR: Objection to form.  
 6 BY MR. DICKIE:  
 7 Q. Put it off.  
 8 A. Yes.  
 9 Q. And when was that and what were the  
 10 circumstances?  
 11 MS. CENAR: Objection to the form,  
 12 compound.  
 13 THE DEPONENT: Nineteen-ninety -- no.  
 14 I'm sorry.  
 15 2006 wasn't the right time for me.  
 16 BY MR. DICKIE:  
 17 Q. What do you mean it "wasn't the right  
 18 time"?  
 19 A. Just wasn't there. I wasn't -- I  
 20 wasn't ready.  
 21 Q. Now, do you write your own original  
 22 music and the lyrics?  
 23 MS. CENAR: Objection; form.  
 24 THE DEPONENT: No.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Well, would it be correct to say that  
 3 you primarily remix or use music written by others?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 THE DEPONENT: Can you reiterate that?  
 7 BY MR. DICKIE:  
 8 Q. Well, you know what "remix" means,  
 9 don't you?  
 10 A. Uh-huh.  
 11 Q. Would it be correct that you basically  
 12 either remix the music from others or use music  
 13 written by others when you perform?  
 14 MS. CENAR: Objection; form.  
 15 THE DEPONENT: Me?  
 16 BY MR. DICKIE:  
 17 Q. You personally.  
 18 A. Okay.  
 19 Q. My questions are as to you,  
 20 personally.  
 21 MS. CENAR: Still same objection.  
 22 THE DEPONENT: I don't know.  
 23 BY MR. DICKIE:  
 24 Q. Can you tell me or identify for me any  
 25 specific musical composition written entirely by

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1 you?  
 2 A. No.  
 3 Q. Have you ever had a song written  
 4 entirely by you without collaboration from others,  
 5 that was released commercially?  
 6 MS. CENAR: Objection; form.  
 7 THE DEPONENT: No.  
 8 BY MR. DICKIE:  
 9 Q. Now, have you ever written any song in  
 10 which you collaborated with others in the writing --  
 11 the actual writing of the song, the music for the  
 12 song?  
 13 MS. CENAR: Objection to the form.  
 14 THE DEPONENT: I don't understand.  
 15 BY MR. DICKIE:  
 16 Q. Well, have you ever actually sat down  
 17 with someone else and you and the other person  
 18 actually have written the music to a song?  
 19 A. Yes.  
 20 Q. What song have you done that on, or  
 21 songs?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: La Paga remix.  
 24 DEPOSITION OFFICER: Can you spell  
 25 that?

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1 THE DEPONENT: La Paga, L-a P-a-g-a.  
 2 BY MR. DICKIE:  
 3 Q. You said "remix"?  
 4 A. Yeah, it -- when I say remix, it's  
 5 like another version.  
 6 Q. Did you write the original La Paga?  
 7 A. No.  
 8 Q. So if I understand it, what you did is  
 9 you had caused a prior version of a song you did not  
 10 write to be remixed in some fashion?  
 11 A. No. It's his song.  
 12 MS. CENAR: Objection to form.  
 13 BY MR. DICKIE:  
 14 Q. Whose song?  
 15 A. Juan, the original artist. He just  
 16 asked me to be on the song.  
 17 Q. Well, what did you do to be on his  
 18 song?  
 19 A. I just rapped to the original song.  
 20 Like he just asked me to be on and I just rapped.  
 21 Q. So you did not write the actual music  
 22 that you were on when you rapped --  
 23 MS. CENAR: Objection.  
 24 BY MR. DICKIE:  
 25 Q. -- that came from somebody else?

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1 MS. CENAR: Objection to the form.  
 2 THE DEPONENT: I don't know.  
 3 BY MR. DICKIE:  
 4 Q. Other than this -- what was the name  
 5 of the remixed song?  
 6 A. La Paga.  
 7 Q. Are there any other songs in which you  
 8 collaborated with anyone else for purposes of writing  
 9 the music?  
 10 A. No.  
 11 Q. Now, was the -- was it La Paga?  
 12 A. Uh-huh.  
 13 Q. Was that song commercially  
 14 successful?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 THE DEPONENT: I can't remember.  
 18 BY MR. DICKIE:  
 19 Q. Did you make a lot of money on the  
 20 song?  
 21 MS. CENAR: Same objections.  
 22 THE DEPONENT: No.  
 23 BY MR. DICKIE:  
 24 Q. Now, can you describe for me what you  
 25 have done as a music producer?

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1 A. I'm not a music producer.  
 2 Q. Now, I read a short time ago in the  
 3 press -- I think it was last week -- that The Black  
 4 Eyed Peas were breaking up.  
 5 Have The Black Eyed Peas stopped  
 6 performing together or gone on some kind of a hiatus,  
 7 or was that just an incorrect news story?  
 8 MS. CENAR: Objection; form.  
 9 THE DEPONENT: You need to be more  
 10 specific.  
 11 BY MR. DICKIE:  
 12 Q. Well, has the band The Black Eyed Peas  
 13 gone on -- gone into some kind of an indeterminate  
 14 hiatus, that is, where they are not performing?  
 15 MS. CENAR: Objection; form.  
 16 THE DEPONENT: No.  
 17 BY MR. DICKIE:  
 18 Q. Does The Black Eyed Peas, as a band,  
 19 operate with complete transparency regarding who  
 20 receives what monies from the sale of records and  
 21 revenues from tours?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: I don't understand the  
 25 question.

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1 BY MR. DICKIE:  
 2 Q. Well, do you share information within  
 3 the band as to all of your revenue from anything that  
 4 The Black Eyed Peas do, and do they share theirs with  
 5 you, so that everybody knows what everybody else is  
 6 making?  
 7 MS. CENAR: Objection; form.  
 8 THE DEPONENT: I have a team that  
 9 handles that.  
 10 BY MR. DICKIE:  
 11 Q. Well, you say you have a team that  
 12 handles that.  
 13 Do you discuss the revenue that each  
 14 of the members of The Black Eyed Peas receive with  
 15 the other members of The Black Eyed Peas?  
 16 MS. CENAR: Objection to the form.  
 17 THE DEPONENT: I don't know.  
 18 BY MR. DICKIE:  
 19 Q. Well, do you have conversations with  
 20 Stacy Ferguson about what she's earning from her  
 21 participation in The Black Eyed Peas?  
 22 MS. CENAR: Objection; form.  
 23 THE DEPONENT: Nope.  
 24 BY MR. DICKIE:  
 25 Q. Do you have discussions with

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1 William Adams and Allan Pineda about what they're  
 2 earning from their participation in the band  
 3 The Black Eyed Peas?  
 4 MS. CENAR: Objection; form.  
 5 THE DEPONENT: I have people who  
 6 handle that.  
 7 BY MR. DICKIE:  
 8 Q. Perhaps you didn't understand my  
 9 question.  
 10 My question is: Do you have  
 11 conversations directly with Mr. Adams and Mr. Pineda  
 12 regarding the amount of money they derive from the  
 13 revenues received by the Black Eyed Peas?  
 14 MS. CENAR: Objection to the form.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. Well, do you have a recollection of  
 18 having any such conversation with any other members  
 19 of the band?  
 20 MS. CENAR: Same objections.  
 21 THE DEPONENT: Nope.  
 22 BY MR. DICKIE:  
 23 Q. And when you say you have a team that  
 24 does that, does the team that does that for you  
 25 circulate to you written information on a regular

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1 basis about what each member of The Black Eyed Peas  
 2 receives by way of royalties from -- for records  
 3 sold, touring, and other promotional income-earning  
 4 ventures?  
 5 MS. CENAR: I'm going to caution the  
 6 witness that you have an attorney-client privilege.  
 7 THE DEPONENT: Yep.  
 8 MS. CENAR: And you can answer this  
 9 question specifically with a "yes" or a "no."  
 10 THE DEPONENT: Yes.  
 11 BY MR. DICKIE:  
 12 Q. And the members of the team that you  
 13 say do this for you, who are those individuals?  
 14 A. My attorney Rachel Rosoff.  
 15 Q. Anyone else?  
 16 A. My day-to-day, David Lara.  
 17 Q. By the way, was there ever a time in  
 18 the period 2003 to 2007 when you had difficulties  
 19 with other members of The Black Eyed Peas?  
 20 MS. CENAR: Objection; form.  
 21 THE DEPONENT: I don't understand  
 22 that.  
 23 BY MR. DICKIE:  
 24 Q. Well, for example, have you ever said  
 25 that your fellow members of the band between the

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1 years 2003 and 2007 were embarrassed by your  
 2 conduct?  
 3 MS. CENAR: Objection; form.  
 4 THE DEPONENT: I think that was my  
 5 perception.  
 6 BY MR. DICKIE:  
 7 Q. Well, regardless of whether that was  
 8 your perception, did you ever state to anyone that  
 9 your fellow band members were embarrassed by your  
 10 conduct --  
 11 MS. CENAR: Objection to form.  
 12 BY MR. DICKIE:  
 13 Q. -- or words to that effect?  
 14 A. I think everybody was embarrassed.  
 15 Q. Is the answer to my question, "yes,"  
 16 Mr. Gomez, or "no"?  
 17 MS. CENAR: Objection to form.  
 18 Would you like the question read back?  
 19 THE DEPONENT: Yes.  
 20 MS. CENAR: Could you please read the  
 21 question back for him.  
 22 BY MR. DICKIE:  
 23 Q. I think you can just read it there.  
 24 It's there on the screen, Mr. Gomez.  
 25 MS. CENAR: It might be on your

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1 screen.  
 2 Could you please read it back for the  
 3 record.  
 4 MR. DICKIE: It's not on your screen,  
 5 Counsel?  
 6 MS. CENAR: No.  
 7 MR. DICKIE: Is that the  
 8 representation you're making?  
 9 MS. CENAR: Yes.  
 10 We have a much smaller screen than you  
 11 and it scrolled out of the area.  
 12 So could you please read the question  
 13 back for the witness.  
 14 MR. DICKIE: If you just click on the  
 15 stop button, you can scroll right back up to it.  
 16 MS. CENAR: Would you please read the  
 17 question back for the witness.  
 18 (THE RECORD WAS READ AS FOLLOWS:  
 19 Q. Well, regardless of whether  
 20 that was your perception, did you  
 21 ever state to anyone that your  
 22 fellow band members were  
 23 embarrassed by your conduct or  
 24 words to that effect?)  
 25 THE DEPONENT: Yes.

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1 BY MR. DICKIE:  
 2 Q. Now, is William Adams considered the  
 3 band leader of The Black Eyed Peas?  
 4 MS. CENAR: Objection to the form and  
 5 foundation.  
 6 THE DEPONENT: Be more specific.  
 7 BY MR. DICKIE:  
 8 Q. Well, within the group of The Black  
 9 Eyed Peas, within that band, is Mr. Adams considered  
 10 the band leader?  
 11 MS. CENAR: Objection to form and  
 12 foundation.  
 13 THE DEPONENT: Yes.  
 14 BY MR. DICKIE:  
 15 Q. And am I correct that as the band  
 16 leader of The Black Eyed Peas, it's Mr. Adams who  
 17 makes the decisions regarding band activities, band  
 18 performances, and the like?  
 19 MS. CENAR: Objection; form,  
 20 foundation.  
 21 THE DEPONENT: It's a collective.  
 22 BY MR. DICKIE:  
 23 Q. So are you saying, then, that all  
 24 decisions regarding the band activity are made on a  
 25 collective basis by all four of you?

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1 MS. CENAR: Objection; form.  
 2 THE DEPONENT: Not really clear on  
 3 what you're trying to say.  
 4 BY MR. DICKIE:  
 5 Q. Well, in terms of the authority for  
 6 decisions which impact the band, does Mr. Adams have  
 7 a veto power such that he is the one who has the  
 8 final say on decisions impacting The Black Eyed  
 9 Peas?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: I'm still unclear.  
 13 BY MR. DICKIE:  
 14 Q. Well, do you understand what a veto  
 15 power is?  
 16 A. No.  
 17 Q. Do you understand -- let me ask it  
 18 this way, then.  
 19 Does Mr. Adams have the ability to  
 20 negotiate contracts on behalf of The Black Eyed  
 21 Peas?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: No.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Does he have the -- what authority  
 3 does Mr Adams have as the band leader with respect to  
 4 the business activities of The Black Eyed Peas, if  
 5 any?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't know.  
 9 BY MR. DICKIE:  
 10 Q. Well, are there any decisions that  
 11 Mr. Adams has the authority to make that he can make  
 12 without consulting the other two members of The Black  
 13 Eyed Peas?  
 14 MS. CENAR: Objection; form,  
 15 foundation.  
 16 THE DEPONENT: I don't know.  
 17 BY MR. DICKIE:  
 18 Q. Have you ever had a conversation  
 19 with Mr. Adams or anyone else with The Black Eyed  
 20 Peas regarding the nature and extent of Mr Adams'  
 21 authority to make decisions on behalf of the band?  
 22 MS. CENAR: Objection to the form.  
 23 THE DEPONENT: No.  
 24 BY MR. DICKIE:  
 25 Q. And tell me how decisions relating to

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1 The Black Eyed Peas touring, for example, are handled  
 2 within the group.  
 3 MS. CENAR: Objection; form,  
 4 foundation.  
 5 And I'll caution the witness that you  
 6 can respond to this question to the extent that you  
 7 don't reveal communications with counsel.  
 8 MR. DICKIE: Counsel, stop the  
 9 speaking objections.  
 10 MS. CENAR: And to the extent that you  
 11 can only answer the question revealing communications  
 12 with your counsel, you're instructed not to answer.  
 13 MR. DICKIE: Counsel, your conduct is  
 14 in violation of California rules with respect to  
 15 speaking objections.  
 16 I would ask you politely to cease it,  
 17 because it's inappropriate and sanctionable. If you  
 18 won't, we'll deal with it in an appropriate time.  
 19 But what you are doing constitutes a  
 20 speaking objection, and I want you to stop it,  
 21 please.  
 22 MS. CENAR: And I would ask you to  
 23 stop trying to intimidate this witness to reveal  
 24 privileged communications that you know are  
 25 inappropriately gone into.

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1 I have given an instruction to the  
 2 witness.  
 3 You may proceed with your questions,  
 4 but do so without asking for privileged  
 5 communication.  
 6 MR. DICKIE: Well, Counsel, it's  
 7 not asking -- I don't think you listened to the  
 8 question because the question said, "Are decisions --  
 9 the specific question that I asked:  
 10 Tell me how decisions relating to The  
 11 Black Eyed Peas touring are handled within the four  
 12 members of The Black Eyed Peas?  
 13 MS. CENAR: Same instruction.  
 14 BY MR. DICKIE:  
 15 Q. You understand, Mr. Gomez, I'm not  
 16 asking you about any conversations with any lawyer?  
 17 I'm only asking as between you and the other three  
 18 people.  
 19 How do you decide about touring, for  
 20 example? Tell me that process.  
 21 A. Sit at a table like this and talk  
 22 about it.  
 23 Q. And in the course of sitting around a  
 24 table like this and talking about it, if there is a  
 25 disagreement about something, is there someone in

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1 that group that has the final say?  
 2 MS. CENAR: Objection to form.  
 3 THE DEPONENT: No.  
 4 BY MR. DICKIE:  
 5 Q. And how are disagreements among the  
 6 group resolved with respect to what to do and not to  
 7 do?  
 8 A. Talk about it.  
 9 Q. But if you can't, when you're talking  
 10 about it, get a resolution, is there someone who then  
 11 has the final word to resolve the inability to come  
 12 to a group consensus?  
 13 MS. CENAR: Objection to the form.  
 14 THE DEPONENT: Nope.  
 15 BY MR. DICKIE:  
 16 Q. Can you tell me what role you have had  
 17 in negotiating any contract with respect to a record  
 18 label on behalf of The Black Eyed Peas?  
 19 A. No. Nothing.  
 20 Q. Who within the Black Eyed Peas  
 21 group -- band has been the person principally  
 22 responsible from time to time in negotiating  
 23 contracts which affect The Black Eyed Peas  
 24 business?  
 25 MS. CENAR: Object to the form.

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1 THE DEPONENT: I'm not sure.  
 2 BY MR. DICKIE:  
 3 Q. And is Mr. Adams, as the band leader,  
 4 the person that's been primarily involved in  
 5 selecting the songs or the tracks that appear on  
 6 The Black Eyed Peas' album since you've been in the  
 7 group?  
 8 MS. CENAR: Objection to the form.  
 9 THE DEPONENT: No.  
 10 BY MR. DICKIE:  
 11 Q. Well, who is the person principally  
 12 responsible for selecting the tracks that are to be  
 13 actually included in an album since you joined the  
 14 group in 1995?  
 15 MS. CENAR: Objection to form.  
 16 THE DEPONENT: It's a group effort.  
 17 BY MR. DICKIE:  
 18 Q. Well, when you say it's a group  
 19 effort, tell me how it's done.  
 20 A. "You like this song?"  
 21 "No. I think this song is better."  
 22 "Why?"  
 23 "Because we" -- blah, blah, blah.  
 24 It's like, you know, we just listen to  
 25 the songs and we decide what goes on and what

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1 doesn't.  
 2 Q. And if there is a disagreement among  
 3 you when you're listening like that, does Mr. Adams  
 4 then make the final call?  
 5 MS. CENAR: Objection to the form.  
 6 THE DEPONENT: No.  
 7 BY MR. DICKIE:  
 8 Q. Who makes the final call?  
 9 MS. CENAR: Objection to the form.  
 10 THE DEPONENT: It's the group.  
 11 BY MR. DICKIE:  
 12 Q. But what if the group can't agree?  
 13 MS. CENAR: Objection to the form.  
 14 THE DEPONENT: We always agree.  
 15 BY MR. DICKIE:  
 16 Q. Always agree? Is that right? Is that  
 17 what I understood you to say, the group always  
 18 agrees?  
 19 MS. CENAR: Objection to the form.  
 20 THE DEPONENT: We have a resolution  
 21 like, "Okay. If you don't like that song, why don't  
 22 you like that song?"  
 23 BY MR. DICKIE:  
 24 Q. So if I understand your testimony  
 25 correctly, then, there are no songs which appear on



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1 the album that the group has not all agreed to; is  
 2 that right?  
 3 MS. CENAR: Objection to the form.  
 4 THE DEPONENT: Can you be more  
 5 specific?  
 6 BY MR. DICKIE:  
 7 Q. Sure.  
 8 A. What songs?  
 9 Q. Any songs.  
 10 My question was -- you said to me that  
 11 you sit around and you talk about the songs. "Do you  
 12 like it?" "Do you not?"  
 13 And I -- and you said, "We always  
 14 come to a resolution with respect to the songs or  
 15 the tracks that are to be on an album"; right?  
 16 A. Uh-huh.  
 17 Q. Has there ever been an occasion when  
 18 the group did not have an agreement as to what tracks  
 19 should or should not be on an album?  
 20 MS. CENAR: Objection to form.  
 21 THE DEPONENT: I can't recall.  
 22 BY MR. DICKIE:  
 23 Q. Now, are you familiar with a Spanglish  
 24 remix of "I Gotta Feeling"?  
 25 A. Yes.

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1 Q. What was your role in the creation of  
 2 that remix?  
 3 A. Just the hook.  
 4 Q. When you say "just the hook," what are  
 5 you talking about?  
 6 A. Just interpretation, making a Spanish  
 7 translation to the original.  
 8 Q. A Spanish translation of words or --  
 9 A. Words.  
 10 Q. Did you have anything to do with the  
 11 actual music as opposed to the lyrics?  
 12 A. No.  
 13 Q. And on the Spanglish remix of "I Gotta  
 14 Feeling," who wrote the lyrics?  
 15 MS. CENAR: Objection to the form.  
 16 THE DEPONENT: Can you be more  
 17 specific?  
 18 BY MR. DICKIE:  
 19 Q. The Spanish -- the Spanglish remix,  
 20 was the -- who wrote the Spanglish for the remix?  
 21 A. I did.  
 22 Q. And did you do that by simply taking  
 23 the original words and putting them in some form of  
 24 Spanglish?  
 25 MS. CENAR: Objection to form.

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1 THE DEPONENT: Yes.  
 2 BY MR. DICKIE:  
 3 Q. And when we use the term -- or when  
 4 you say "Spanglish" and I say it, too, what are we  
 5 talking about?  
 6 A. Well, English and Spanish.  
 7 Q. So you take part of an English word  
 8 and part of a Spanish word and put them together?  
 9 A. Yeah.  
 10 Q. And whose idea was it to do this  
 11 remix?  
 12 A. Mine.  
 13 Q. And when was it completed?  
 14 A. I don't remember.  
 15 Q. And was it put out as a song --  
 16 separate song which could be downloaded?  
 17 MS. CENAR: Objection to form,  
 18 foundation.  
 19 THE DEPONENT: Be more specific.  
 20 BY MR. DICKIE:  
 21 Q. Well, after the Spanglish version of  
 22 "I Gotta Feeling" was created or put together --  
 23 A. Uh-huh.  
 24 Q. -- was it then put on as a track in an  
 25 album?

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1 A. An album, no.  
 2 Q. Was it put out as a downloadable  
 3 record?  
 4 A. Record or song?  
 5 MS. CENAR: Objection.  
 6 BY MR. DICKIE:  
 7 Q. Song, rather.  
 8 A. Yes.  
 9 Q. And who put that downloadable song  
 10 out?  
 11 MS. CENAR: Objection to form.  
 12 THE DEPONENT: I don't know.  
 13 BY MR. DICKIE:  
 14 Q. And is that something that was done --  
 15 "that" meaning the Spanglish version of "I Gotta  
 16 Feeling" -- was that something that was done through  
 17 The Black Eyed Peas or was it done through some other  
 18 entity?  
 19 MS. CENAR: Objection to form and  
 20 foundation.  
 21 THE DEPONENT: Black Eyed Peas.  
 22 BY MR. DICKIE:  
 23 Q. And when was it released?  
 24 A. I don't remember.  
 25 Q. Was the song remixed in that fashion

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1 in order to reach a different audience and thereby  
 2 increase revenue?  
 3 MS. CENAR: Objection to the form,  
 4 foundation.  
 5 THE DEPONENT: Be more specific.  
 6 BY MR. DICKIE:  
 7 Q. Well, the remix was released and  
 8 could be downloaded for a price; correct?  
 9 A. Uh-huh.  
 10 Q. One of the reasons you do a remix is  
 11 to attempt to target a, perhaps, different audience;  
 12 isn't that right?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: Not necessarily.  
 16 BY MR. DICKIE:  
 17 Q. Well, in this case, weren't you trying  
 18 to reach a different audience?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: I'm Mexican. I speak  
 21 Spanish. That's my culture. So I was just speaking  
 22 to my people.  
 23 I wouldn't consider it a different  
 24 audience. Those are my people.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Well, is it the same audience that  
 3 heard the original version of "I Gotta Feeling"?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 THE DEPONENT: Yes.  
 7 BY MR. DICKIE:  
 8 Q. So there wasn't any attempt to  
 9 increase revenue by targeting or releasing the song  
 10 in Spanglish to attract, if you will, any enhanced  
 11 and increased audience side?  
 12 MS. CENAR: Objection; form,  
 13 foundation.  
 14 THE DEPONENT: Nope. Speaking to my  
 15 people.  
 16 BY MR. DICKIE:  
 17 Q. Was the Spanglish remix a success?  
 18 MS. CENAR: Objection to form,  
 19 foundation.  
 20 THE DEPONENT: I'm not sure. Don't  
 21 know.  
 22 BY MR. DICKIE:  
 23 Q. Do you know what the sales volume of  
 24 that Spanglish version was?  
 25 MS. CENAR: Objection to the form,

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1 foundation.  
 2 THE DEPONENT: Nope.  
 3 BY MR. DICKIE:  
 4 Q. Now, is it still available to be  
 5 downloaded, the Spanglish version of "I Gotta  
 6 Feeling"?  
 7 MS. CENAR: Objection; form,  
 8 foundation.  
 9 THE DEPONENT: Don't know.  
 10 BY MR. DICKIE:  
 11 Q. And how were the credits and royalties  
 12 divided among The Black Eyed Peas for the Spanglish  
 13 version of "I Gotta Feeling"?  
 14 MS. CENAR: Objection; form,  
 15 foundation.  
 16 THE DEPONENT: My -- my people that  
 17 handle that, they are the ones that handled it.  
 18 BY MR. DICKIE:  
 19 Q. Well, do you know how it was  
 20 handled?  
 21 A. No, I don't.  
 22 Q. When you -- did you -- when you  
 23 embarked on this remix Spanglish "I Gotta Feeling"  
 24 project, did you have discussions with the other  
 25 members of The Black Eyed Peas as to how the

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1 royalties and credits would be split with that  
 2 version?  
 3 MS. CENAR: Objection to the form.  
 4 THE DEPONENT: Nope.  
 5 BY MR. DICKIE:  
 6 Q. Who did you talk to initially about  
 7 proceeding with the Spanglish remix version?  
 8 MS. CENAR: Objection to the form.  
 9 THE DEPONENT: I can't remember.  
 10 BY MR. DICKIE:  
 11 Q. Did you talk to Mr. Adams about it?  
 12 A. Yes.  
 13 Q. And when did you talk to him about it?  
 14 A. I don't remember that.  
 15 Q. Did you talk to anyone else in the  
 16 group about it?  
 17 A. I can't recall.  
 18 Q. Did the group sit down and have a  
 19 discussion about doing a Spanglish remix of "I Gotta  
 20 Feeling" at some point?  
 21 A. Don't remember.  
 22 Q. And did the group sit down and talk  
 23 about how the group would share in the royalties and  
 24 financial credits from that remix?  
 25 MS. CENAR: Objection to form,

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1 foundation.  
 2 THE DEPONENT: Don't remember that  
 3 either.  
 4 BY MR. DICKIE:  
 5 Q. Are you aware of whether any other  
 6 remixes of "I Gotta Feeling" have been done?  
 7 A. Yes.  
 8 Q. What other remixes have there been?  
 9 MS. CENAR: Objection to form.  
 10 THE DEPONENT: I don't know. I don't  
 11 know the name.  
 12 BY MR. DICKIE:  
 13 Q. Well, was there a remix -- an "I Gotta  
 14 Feeling" remix contest of some sort that took place  
 15 of which you're aware?  
 16 A. I believe so.  
 17 Q. And were you and the other Black Eyed  
 18 Peas asked to approve that contest?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: Can't recall.  
 21 BY MR. DICKIE:  
 22 Q. Do you know whether a remix contest  
 23 involving remixing "I Gotta Feeling" actually went  
 24 forward?  
 25 A. I don't know.

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1 Q. And who on your behalf dealt  
 2 specifically with the issue of any "I Gotta Feeling"  
 3 remix contest?  
 4 MS. CENAR: Objection to form,  
 5 foundation.  
 6 THE DEPONENT: I don't know.  
 7 BY MR. DICKIE:  
 8 Q. Now, can you tell me what the elements  
 9 of a song are?  
 10 A. Can you be more specific?  
 11 Q. Sure.  
 12 What are -- what are the things that  
 13 make up a song? What are its elements?  
 14 MS. CENAR: Objection; form,  
 15 foundation.  
 16 THE DEPONENT: Intro, verse, chorus,  
 17 verse, bridge -- a -- chorus, bridge, outro. That's  
 18 a standard.  
 19 BY MR. DICKIE:  
 20 Q. Well, does a song have rhythm to it?  
 21 MS. CENAR: Objection; form,  
 22 foundation.  
 23 THE DEPONENT: I don't understand that  
 24 question.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Do you understand what the word  
 3 "rhythm" means in the context of music?  
 4 A. Yes.  
 5 Q. What does it mean?  
 6 A. Rhythm is the movement of the beat or  
 7 the lyrics. Some songs don't have rhythm; some are  
 8 rhythmless.  
 9 Q. And do some songs have melody?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: If it's a good song,  
 13 yes, there's melody.  
 14 BY MR. DICKIE:  
 15 Q. What -- what does the word "melody"  
 16 mean to you?  
 17 A. Melody is what catches the person's  
 18 ear.  
 19 Q. Would that be what you were sort of  
 20 referring to earlier as "a hook" --  
 21 MS. CENAR: Objection; form.  
 22 BY MR. DICKIE:  
 23 Q. -- or are we talking about something  
 24 else?  
 25 THE DEPONENT: Melody --

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: Melody could be a beat;  
 3 melody could be a verse, a word.  
 4 BY MR. DICKIE:  
 5 Q. Melody could be a word?  
 6 A. Uh-huh.  
 7 Q. And are you familiar with the concept  
 8 in music of harmony?  
 9 A. Excuse me?  
 10 Q. Harmony.  
 11 A. Harmony?  
 12 Q. Do you know what that word means in  
 13 music?  
 14 A. Yes.  
 15 Q. What does it mean?  
 16 A. Harmony is when you make -- there's  
 17 a -- a lead vocal and then you stack it with a  
 18 harmony, which is a texture for whatever the lead  
 19 vocal is.  
 20 Q. Well, when you say you "stack it with  
 21 a harmony," how do you stack it with a harmony?  
 22 A. Like, for example, if I say "Ha," then  
 23 I say "Ha," that's a harmony, because you're saying  
 24 the same word, but you're adding a different tone.  
 25 Q. Right. But how do you do that?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: I don't understand.  
 4 What do you mean, "How do you do that"?  
 5 BY MR. DICKIE:  
 6 Q. Well, how do that in the content of  
 7 music as opposed to a vocal?  
 8 MS. CENAR: Objection; form,  
 9 foundation.  
 10 THE DEPONENT: I'm not sure. I'm not  
 11 a producer. Musically, I could tell you vocally.  
 12 BY MR. DICKIE:  
 13 Q. I'm talking about it from a music  
 14 sense.  
 15 Can you tell me how to do that from a  
 16 music sense?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 BY MR. DICKIE:  
 20 Q. So when you were talking about  
 21 stacking, you were talking about vocals --  
 22 A. Yeah.  
 23 Q. -- being a higher pitch?  
 24 A. Uh-huh. Different texture.  
 25 Q. And by "different texture," you mean

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1 what?  
 2 A. Different texture, it's like you have  
 3 your lead; like I said, it's, you know, the word  
 4 that you use or the inflection to make it sound -- to  
 5 make it stack so that you could have like an  
 6 arrangement of vocals: first, thirds, fifths,  
 7 octaves.  
 8 Q. Do you know what a music sequence  
 9 is?  
 10 MS. CENAR: Objection to form.  
 11 THE DEPONENT: Can you be more  
 12 specific?  
 13 BY MR. DICKIE:  
 14 Q. Have you heard the term in the  
 15 business, since you're a musician, called "music  
 16 sequence"?  
 17 A. "Music sequence"? Well, there's  
 18 different types of sequences. When you're speaking  
 19 about production, I really don't know what that  
 20 means.  
 21 When you're speaking about vocals,  
 22 sequence can be, like I said, a sequence of going  
 23 from a verse to a hook to a verse to a hook to a  
 24 bridge out. That's a sequence.  
 25 Q. Well, let's come back.

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1 What do you mean by the term, then,  
 2 "hook"?  
 3 A. Hook is -- is the chorus.  
 4 Q. What is the hook musically?  
 5 Chorus connotes -- or chorus refers to  
 6 some sort of vocal, does it not?  
 7 A. Uh-huh.  
 8 Q. In the context of music, what is a  
 9 hook?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: I don't know. Not a  
 13 producer.  
 14 BY MR. DICKIE:  
 15 Q. What is a loop?  
 16 MS. CENAR: Objection; form,  
 17 foundation.  
 18 THE DEPONENT: Loop is something that  
 19 repeats.  
 20 BY MR. DICKIE:  
 21 Q. Have you ever written a musical  
 22 hook?  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: Can you be more

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1 specific?  
 2 BY MR. DICKIE:  
 3 Q. Well, you said a hook is something  
 4 that repeats. So in -- have you ever written a  
 5 musical hook?  
 6 MS. CENAR: Objection.  
 7 THE DEPONENT: I said a loop is  
 8 something that repeats.  
 9 BY MR. DICKIE:  
 10 Q. I'm sorry.  
 11 MS. CENAR: You're  
 12 mischaracterizing --  
 13 MR. DICKIE: You're right. I did.  
 14 MS. CENAR: -- the response of the  
 15 witness's testimony.  
 16 MR. DICKIE: Yeah, yeah.  
 17 BY MR. DICKIE:  
 18 Q. Have you ever written a musical  
 19 loop?  
 20 A. You can't write musical loops.  
 21 Q. So --  
 22 A. A loop is something that you produce.  
 23 It's a beat.  
 24 Q. So a musical composer, if I understood  
 25 it correctly, cannot write --

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1 A. No. No. No.  
 2 Q. -- notes which would repeat?  
 3 MS. CENAR: Wait. Wait. Wait.  
 4 I'm going to object to the question on  
 5 form and foundation.  
 6 Let him finish his question before you  
 7 answer it. There may be words that he puts on the  
 8 end of his question --  
 9 THE DEPONENT: Okay.  
 10 MS. CENAR: -- that change what he's  
 11 asking.  
 12 THE DEPONENT: All right.  
 13 Repeat the question.  
 14 BY MR. DICKIE:  
 15 Q. Sure.  
 16 Are you saying that a music composer  
 17 cannot write a musical loop; that is, a series of  
 18 notes which repeat through the course of a musical  
 19 composition?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: The terminology "loop"  
 23 is something a producer uses, not a writer -- a vocal  
 24 writer, a lyricist.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. So lyricists don't create vocal loops;  
 3 is that what you're saying to me?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 THE DEPONENT: Nope.  
 7 BY MR. DICKIE:  
 8 Q. What is a sound bank?  
 9 MS. CENAR: Objection to the form,  
 10 foundation.  
 11 THE DEPONENT: I don't know.  
 12 BY MR. DICKIE:  
 13 Q. Can you tell me what a plug sound box  
 14 is?  
 15 MS. CENAR: Same objection.  
 16 THE DEPONENT: Nope.  
 17 BY MR. DICKIE:  
 18 Q. Have you ever worked with prerecorded  
 19 sounds emanating from some sort of musical  
 20 instrument?  
 21 MS. CENAR: Objection; form.  
 22 THE DEPONENT: Nope.  
 23 BY MR. DICKIE:  
 24 Q. Now, what are the elements of a dance  
 25 song?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: I don't know.  
 4 BY MR. DICKIE:  
 5 Q. Do you have any knowledge as to how  
 6 you can take the elements of a dance song and  
 7 actually create a dance song?  
 8 MS. CENAR: Objection; form.  
 9 THE DEPONENT: Nope.  
 10 MS. CENAR: Foundation.  
 11 BY MR. DICKIE:  
 12 Q. Do you have any knowledge as to how  
 13 one would create a -- what would be needed in order  
 14 to create a dance song?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 THE DEPONENT: No.  
 18 BY MR. DICKIE:  
 19 Q. Do you know what instruments or  
 20 equipment is needed in order to create a dance  
 21 song?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: Nope.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Do you have any knowledge about what  
 3 is needed in order to put a dance song together  
 4 electronically?  
 5 A. No.  
 6 Q. Now, let me just change focus a moment  
 7 and ask you what was the -- what is and has been the  
 8 nature of your interaction with Interscope Records?  
 9 MS. CENAR: Objection to the form.  
 10 THE DEPONENT: Reiterate.  
 11 BY MR. DICKIE:  
 12 Q. Well, have you negotiated any contract  
 13 directly with any individual at Interscope Records?  
 14 A. No.  
 15 Q. Have you ever met Jimmy Iovine?  
 16 A. Yes.  
 17 Q. And how many occasions?  
 18 A. Several.  
 19 Q. Has Mr. Iovine ever been present  
 20 during any of your recording sessions with The Black  
 21 Eyed Peas?  
 22 MS. CENAR: Objection to the form.  
 23 THE DEPONENT: I don't remember.  
 24 BY MR. DICKIE:  
 25 Q. And what were the circumstances of

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1 your introduction to Mr. Iovine?  
 2 A. Can you be more specific?  
 3 Q. Yeah.  
 4 When did you meet him?  
 5 A. 1997.  
 6 Q. And where did you meet him?  
 7 A. In his office.  
 8 Q. And why were you meeting him in  
 9 1997?  
 10 A. We were going through a bidding war.  
 11 Q. When you say "We were going through a  
 12 bidding war," what are you talking about?  
 13 A. Different labels trying to sign us.  
 14 Q. What specific labels were trying to  
 15 sign you that were in this bidding war?  
 16 A. Sony 550 and Warner Bros.  
 17 THE VIDEOGRAPHER: Counsel, we need to  
 18 change the tapes.  
 19 THE DEPONENT: Can I use the restroom?  
 20 THE VIDEOGRAPHER: This is the end of  
 21 Media Number Two in the deposition of Jaime Gomez in  
 22 the matter of "Bryan Pringle v. William Adams, Jr.,  
 23 et al."  
 24 We are now going off the record. The  
 25 time is 2:55 p.m.

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1 (WHEREUPON, A RECESS WAS HELD  
 2 FROM 2:55 P.M. TO 3:14 P.M.)  
 3 THE VIDEOGRAPHER: This is the  
 4 beginning of Media Number Three in the deposition  
 5 of Jaime Gomez in the matter of "Bryan Pringle v.  
 6 William Adams, Jr., et al."  
 7 We are now going back on the record.  
 8 The time is 3:14 p.m.  
 9 BY MR. DICKIE:  
 10 Q. All set, Mr. Gomez?  
 11 A. Yes, sir.  
 12 Q. Just before we broke, we were talking  
 13 a little bit about the bidding war that you were in.  
 14 Ultimately, am I correct that an  
 15 agreement was signed with the record label  
 16 Interscope?  
 17 A. Yes.  
 18 Q. And in connection with that agreement,  
 19 that was the first agreement that The Black Eyed Peas  
 20 entered into with Interscope Records back in 1997; is  
 21 that right?  
 22 MS. CENAR: Objection to form.  
 23 THE DEPONENT: Yes.  
 24 BY MR. DICKIE:  
 25 Q. And was the agreement that was entered

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1 into in 1997, was that an agreement in which the  
 2 members of The Black Eyed Peas were signed  
 3 individually with -- or by Interscope or was the band  
 4 under contract to Interscope in 1997?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 THE DEPONENT: The band.  
 8 BY MR. DICKIE:  
 9 Q. And is there an entity called  
 10 BEP, Inc.? Are you familiar with that entity?  
 11 A. Not clear.  
 12 Q. And do you have -- you, Jaime Gomez,  
 13 have any independent agreement with Interscope  
 14 Records?  
 15 A. No.  
 16 Q. Does any entity or corporation that  
 17 you have have any contract with Interscope Records?  
 18 A. Me personally?  
 19 Q. You personally as different from the  
 20 group, the band?  
 21 A. No.  
 22 Q. Have you ever had an individual  
 23 agreement with Interscope?  
 24 A. No.  
 25 Q. Has any company like Tab -- what was

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1 it? Tab Magnetic --  
 2 A. Uh-huh.  
 3 Q. -- or Cherry Lane, do they have  
 4 agreements with Interscope?  
 5 A. I don't know.  
 6 MS. CENAR: Objection to form,  
 7 foundation.  
 8 BY MR. DICKIE:  
 9 Q. Who would know that?  
 10 A. I don't know Cherry Lane's business.  
 11 I'm not part of Cherry Lane like on a business  
 12 level.  
 13 Q. You have no interest in Cherry Lane;  
 14 is that right?  
 15 A. No, I don't know their -- their  
 16 situation.  
 17 I know Tab Magnetic because that's  
 18 what I own.  
 19 Q. Do you have any ownership interest in  
 20 Cherry Lane?  
 21 MS. CENAR: Objection; form,  
 22 foundation.  
 23 THE DEPONENT: I don't know what that  
 24 means.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Well, if it was a corporation, do you  
 3 own any stock in that company?  
 4 A. Nope.  
 5 MS. CENAR: Objection; form.  
 6 BY MR. DICKIE:  
 7 Q. If it was a joint venture, are you a  
 8 joint-venture partner in that entity?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: I'm still unclear.  
 12 BY MR. DICKIE:  
 13 Q. Have you ever entered into any  
 14 joint-venture agreement with Interscope Records  
 15 either on behalf of yourself or on behalf of some  
 16 entity in which you're involved?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: No.  
 20 BY MR. DICKIE:  
 21 Q. Do you know whether any other members  
 22 of The Black Eyed Peas have any individual agreements  
 23 with Interscope?  
 24 MS. CENAR: Objection; form,  
 25 foundation.

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1 THE DEPONENT: No.  
 2 BY MR. DICKIE:  
 3 Q. Now, are you -- do you have any  
 4 agreement with Interscope using the name -- the stage  
 5 name Taboo?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't know.  
 9 BY MR. DICKIE:  
 10 Q. Well, are you aware of any agreement  
 11 that you entered into using the name Taboo as opposed  
 12 to using your own name?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: Nope.  
 16 BY MR. DICKIE:  
 17 Q. Now, are you aware of an arrangement  
 18 or an agreement that exists between Interscope and an  
 19 entity called Will.i.am Music Group?  
 20 MS. CENAR: Objection; form  
 21 foundation.  
 22 THE DEPONENT: I don't know.  
 23 BY MR. DICKIE:  
 24 Q. Have you ever heard of an entity  
 25 called Will.i.am Music Group?

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1 A. Yes.  
 2 Q. And in what context have you heard  
 3 about that entity?  
 4 A. I believe that's Will -- William's --  
 5 that's his deal, his record label.  
 6 Q. And what do you know about his deal?  
 7 MS. CENAR: Objection; form,  
 8 foundation.  
 9 THE DEPONENT: Nothing.  
 10 BY MR. DICKIE:  
 11 Q. Are you aware that his deal, Will.i.am  
 12 Music Group, operates under and through Interscope  
 13 Records?  
 14 MS. CENAR: Objection; form,  
 15 foundation.  
 16 THE DEPONENT: I don't know.  
 17 BY MR. DICKIE:  
 18 Q. And how did you become aware of the  
 19 existence of Will.i.am Music Group?  
 20 A. That's the name of his -- that's his  
 21 thing. That's Will's thing.  
 22 Q. But my question wasn't that.  
 23 It was: How did you become aware of  
 24 it?  
 25 A. I don't remember exactly how.

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1 Q. Now, do you derive any income from the  
 2 business ventures of Will.i.am Music Group?  
 3 A. No.  
 4 MS. CENAR: Objection; form.  
 5 BY MR. DICKIE:  
 6 Q. Now, is there a reason that you as a  
 7 member of The Black Eyed Peas do not have your own  
 8 label agreement with Interscope?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: No. I need more  
 12 specifics to that.  
 13 BY MR. DICKIE:  
 14 Q. Well, is there a reason why you don't  
 15 have an entity that's comparable to that of Will.i.am  
 16 Music insofar as it's a label with Interscope?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: I'm not a producer.  
 20 BY MR. DICKIE:  
 21 Q. Well, did you ever try to get any  
 22 agreement with Interscope for any entity with which  
 23 you were affiliated?  
 24 MS. CENAR: Objection; form,  
 25 foundation.

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1 THE DEPONENT: No. No.  
 2 BY MR. DICKIE:  
 3 Q. Did you ever make inquiry of anyone  
 4 at Interscope why Will.i.am has this Will.i.am Group  
 5 that's a label with Interscope and you didn't?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't understand  
 9 that.  
 10 BY MR. DICKIE:  
 11 Q. Well, did you ever suggest to somebody  
 12 that -- or ask why Will.i.am had this arrangement  
 13 through Will.i.am Music Group and you didn't?  
 14 A. No.  
 15 Q. Now, do -- to your knowledge, do any  
 16 other members of The Black Eyed Peas have their own  
 17 special arrangements or personal agreements with  
 18 Interscope other than this Will.i.am Music Group?  
 19 A. I don't know.  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 BY MR. DICKIE:  
 23 Q. Did you ever discuss whether any other  
 24 members of the band had their own special arrangement  
 25 with Interscope?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: Can you be more clear  
 4 about that?  
 5 BY MR. DICKIE:  
 6 Q. Well, did you ever ask Allan or  
 7 Fergie, for example, if they had any special  
 8 contractual arrangement with Interscope --  
 9 MS. CENAR: Objection.  
 10 BY MR. DICKIE:  
 11 Q. -- similar to that which Will.i.am  
 12 had?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: No.  
 16 BY MR. DICKIE:  
 17 Q. And do you know whether Will.i.am  
 18 makes or receives substantially more revenue from the  
 19 record sales and performance or downloads than other  
 20 members of The Black Eyed Peas?  
 21 MS. CENAR: Objection; form,  
 22 foundation.  
 23 THE DEPONENT: I don't know.  
 24 BY MR. DICKIE:  
 25 Q. Have you ever compared what you've

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1 received from "The E.N.D." album and the downloads  
 2 with what Will.i.am receives?  
 3 MS. CENAR: Objection; form,  
 4 foundation.  
 5 THE DEPONENT: Nope.  
 6 BY MR. DICKIE:  
 7 Q. Now, when the band The Black Eyed Peas  
 8 tours, do all members of the band share equally in  
 9 the revenue of the tour?  
 10 MS. CENAR: Objection; foundation.  
 11 THE DEPONENT: I think that's a  
 12 private question.  
 13 BY MR. DICKIE:  
 14 Q. I believe you have to answer the  
 15 question, Mr. Gomez, if you know.  
 16 MS. CENAR: We've designated the  
 17 transcript "Highly Confidential," so other than the  
 18 lawyers in this group, that information is private.  
 19 Isn't that correct?  
 20 MR. DICKIE: I'm sorry. What?  
 21 MS. CENAR: That this is designated  
 22 "Highly Confidential," so his answer would only be  
 23 accessible to the lawyers?  
 24 MR. DICKIE: I believe that's correct,  
 25 yes.

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1 MS. CENAR: Objection.  
 2 THE DEPONENT: Yes.  
 3 BY MR. DICKIE:  
 4 Q. And are the sharing splits for the  
 5 concerts and other live events shared at a 25 percent  
 6 per individual band member?  
 7 MS. CENAR: Objection; form,  
 8 foundation.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Do you know if the sharing splits are  
 12 equal for concerts and live events?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: You've got to be more  
 16 specific. What concerts are you referring to?  
 17 BY MR. DICKIE:  
 18 Q. Well, does it differ -- do the sharing  
 19 splits differ by concert?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: I'm unclear.  
 23 BY MR. DICKIE:  
 24 Q. Have you ever -- is there an agreement  
 25 of which you are aware between the four members today



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1 of The Black Eyed Peas which sets out their  
 2 respective credits and royalty-sharing splits?  
 3 A. For -- for what?  
 4 MS. CENAR: Objection to --  
 5 BY MR. DICKIE:  
 6 Q. For any income received.  
 7 A. Be more specific.  
 8 MS. CENAR: Objection; form.  
 9 BY MR. DICKIE:  
 10 Q. Any revenue received.  
 11 MS. CENAR: Objection; form,  
 12 foundation.  
 13 THE DEPONENT: I'm unclear about that.  
 14 I don't know -- I don't know what you're saying.  
 15 BY MR. DICKIE:  
 16 Q. Well, did you ever sign an agreement  
 17 that was signed by yourself and the other three  
 18 members of The Black Eyed Peas which sets forth the  
 19 nature of the relationship between the four of you  
 20 and how much money each of you gets and under what  
 21 circumstances?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: Don't know.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Are you aware of any such agreement?  
 3 A. I don't -- I don't recall.  
 4 Q. Have you ever had an oral  
 5 understanding of what the relative or respective  
 6 sharing splits were between you and your fellow band  
 7 members?  
 8 MS. CENAR: Objection; form,  
 9 foundation.  
 10 THE DEPONENT: I can't remember that  
 11 one.  
 12 BY MR. DICKIE:  
 13 Q. Well, for example, in -- I believe in  
 14 this year's Superbowl you guys performed?  
 15 A. Uh-huh.  
 16 Q. In terms of the payment for that  
 17 performance, did all four members of The Black Eyed  
 18 Peas receive the same money?  
 19 MS. CENAR: Objection; form,  
 20 foundation.  
 21 THE DEPONENT: I'm not sure about -- I  
 22 think it was more exposure than anything. I'm not  
 23 sure --  
 24 BY MR. DICKIE:  
 25 Q. You did it for free?

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1 A. Huh?  
 2 Q. You performed for free?  
 3 MS. CENAR: Objection; form.  
 4 THE DEPONENT: I'm not sure. I have  
 5 people that deal with that.  
 6 BY MR. DICKIE:  
 7 Q. Well, did you perform at the Superbowl  
 8 anticipating that there would be no payment to the  
 9 band for the performance?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: I don't understand that  
 13 question.  
 14 BY MR. DICKIE:  
 15 Q. Did you expect to get paid for  
 16 appearing at the Superbowl?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: Superbowl? The  
 20 biggest -- it's the biggest show on the planet.  
 21 Me, personally?  
 22 BY MR. DICKIE:  
 23 Q. The question was: Did the group  
 24 expect to be to get paid?  
 25 A. I don't know about the group.

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1 Q. Did you expect to get paid for the  
 2 Superbowl performance?  
 3 MS. CENAR: Objection; form.  
 4 THE DEPONENT: I don't know.  
 5 BY MR. DICKIE:  
 6 Q. Did you get paid for the Superbowl  
 7 performance?  
 8 MS. CENAR: Objection to the form.  
 9 THE DEPONENT: Don't know.  
 10 BY MR. DICKIE:  
 11 Q. Mr. Gomez, who would know whether you  
 12 got paid for the Superbowl performance?  
 13 A. People who handle that.  
 14 Q. Well, specifically, again, are you  
 15 talking about the lawyer that was in this room or  
 16 someone else?  
 17 A. Yes, my business manager.  
 18 Q. Who is that?  
 19 A. Michael Markarian.  
 20 Q. Could you spell the last name for the  
 21 reporter?  
 22 MS. CENAR: We can get that spelling  
 23 for you if you'd like.  
 24 THE DEPONENT: Yes, I'm sorry. I'm  
 25 not good at spellings.

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1 MR. MCPHERSON: It's  
 2 M-a-r-k-a-r-i-a-n.  
 3 THE DEPONENT: I only spell with an  
 4 accent. I don't speak with an accent.  
 5 MR. MCPHERSON: I understand.  
 6 BY MR. DICKIE:  
 7 Q. And it's Markarian; is that how it's  
 8 pronounced?  
 9 A. Markarian, sir.  
 10 Q. Markarian?  
 11 A. Yes.  
 12 Q. Who does he work for?  
 13 A. He has his own --  
 14 MS. CENAR: Objection; form,  
 15 foundation.  
 16 BY MR. DICKIE:  
 17 Q. He has his own company?  
 18 A. Yes.  
 19 Q. What is the name of the company?  
 20 A. Resource Group.  
 21 Q. And where is it located?  
 22 MS. CENAR: Objection to the form.  
 23 THE DEPONENT: Glendale.  
 24 BY MR. DICKIE:  
 25 Q. Do you know the address?

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1 A. No, not offhand.  
 2 Q. Now, when The Black Eyed Peas, the  
 3 band, is not recording or on tour, does the band have  
 4 regular band meetings?  
 5 MS. CENAR: Objection; form.  
 6 THE DEPONENT: What does that mean?  
 7 BY MR. DICKIE:  
 8 Q. Does the band have regular meetings  
 9 when you're not on tour --  
 10 A. Meetings about what?  
 11 Q. -- when you're not recording?  
 12 A. Meetings about what?  
 13 MS. CENAR: Objection to form.  
 14 BY MR. DICKIE:  
 15 Q. About anything?  
 16 MS. CENAR: Objection to the form.  
 17 THE DEPONENT: Still don't  
 18 understand.  
 19 BY MR. DICKIE:  
 20 Q. Well, you know what a meeting is;  
 21 right?  
 22 A. Right. Yes.  
 23 Q. Does the band, when it's not recording  
 24 or not touring, get together in a meeting to discuss  
 25 band business?

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1 MS. CENAR: Objection to form.  
 2 THE DEPONENT: Not always.  
 3 BY MR. DICKIE:  
 4 Q. Well, does that mean it does  
 5 sometimes?  
 6 MS. CENAR: Objection to the form.  
 7 THE DEPONENT: What does "sometimes"  
 8 mean?  
 9 BY MR. DICKIE:  
 10 Q. Once in a while.  
 11 A. Yes.  
 12 Q. With what frequency?  
 13 A. I don't understand "frequency."  
 14 Q. Well, does it meet once a month when  
 15 it's not recording -- when the band is not recording  
 16 or touring, to discuss band business as a group.  
 17 Do the four of you get together once a  
 18 month.  
 19 A. It varies.  
 20 MS. CENAR: Objection to form.  
 21 BY MR. DICKIE:  
 22 Q. Well, is there a routine, a regular  
 23 established practice where when The Black Eyed Peas  
 24 as a band is not performing, on tour, or recording  
 25 that it meets with a certain regularity? Once a

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1 week? Once a month? Once a quarter?  
 2 A. No.  
 3 MS. CENAR: Objection to the form.  
 4 BY MR. DICKIE:  
 5 Q. Now, on behalf of The Black Eyed Peas,  
 6 who is it that organizes The Black Eyed Peas  
 7 song-writing process --  
 8 MS. CENAR: Objection to the form.  
 9 BY MR. DICKIE:  
 10 Q. -- if anyone?  
 11 MS. CENAR: Objection to the form.  
 12 THE DEPONENT: It's still unclear.  
 13 BY MR. DICKIE:  
 14 Q. Well, is there a regular kind of  
 15 writing process that The Black Eyed Peas employ in  
 16 terms of writing tracks for new albums?  
 17 MS. CENAR: Objection to form.  
 18 THE DEPONENT: No.  
 19 BY MR. DICKIE:  
 20 Q. Now, in connection with a new album,  
 21 when is it that The Black Eyed Peas start the writing  
 22 process, if at all?  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: Well, Will's always

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1 constantly working. He doesn't stop working.  
 2 BY MR. DICKIE:  
 3 Q. So it's Mr. William Adams that works  
 4 on the new tracks for future albums?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 THE DEPONENT: He just works on tracks  
 8 in general, not necessarily for -- just for The Black  
 9 Eyed Peas.  
 10 He works -- he's a producer. He works  
 11 for a lot of people.  
 12 BY MR. DICKIE:  
 13 Q. Now, when The Black Eyed Peas is not  
 14 recording or touring, are there regular rehearsals  
 15 that take place?  
 16 MS. CENAR: Objection; form --  
 17 THE DEPONENT: No.  
 18 MS. CENAR: -- foundation.  
 19 THE DEPONENT: No rehearsals.  
 20 BY MR. DICKIE:  
 21 Q. When the band is not touring or  
 22 recording, are there regular song-writing or  
 23 music-writing sessions where the four of you get  
 24 together to work on new material?  
 25 MS. CENAR: Objection; form.

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1 THE DEPONENT: I don't know. I'm not  
 2 clear about that.  
 3 BY MR. DICKIE:  
 4 Q. Well, do you recall sitting down in  
 5 sessions with the other members of The Black Eyed  
 6 Peas since 2002 when Fergie joined it, and work on  
 7 new tracks, music and lyrics for new songs, as a  
 8 group?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: Yes.  
 12 BY MR. DICKIE:  
 13 Q. Does the -- or do The Black Eyed Peas  
 14 work on the writing of new music while they're on the  
 15 road?  
 16 MS. CENAR: Objection; form,  
 17 foundation.  
 18 THE DEPONENT: Yes.  
 19 BY MR. DICKIE:  
 20 Q. And how do you do that? Do you get  
 21 together after a performance and sit down and work on  
 22 stuff together?  
 23 MS. CENAR: Objection to the form.  
 24 THE DEPONENT: Can you be more  
 25 specific?

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1 BY MR. DICKIE:  
 2 Q. Well, do you -- when you say you work  
 3 on song writing and music development while you're on  
 4 the road, are there central sessions where the four  
 5 individuals of the group, the band, sit down and they  
 6 exchange ideas so that the writing and development  
 7 occurs when the four of you are together?  
 8 Is that how that happens?  
 9 Or do individual members of the band  
 10 bring material in to talk about potential new tracks  
 11 for albums?  
 12 MS. CENAR: Objection.  
 13 BY MR. DICKIE:  
 14 Q. How does the process work?  
 15 MS. CENAR: Objection; form.  
 16 THE DEPONENT: It varies.  
 17 BY MR. DICKIE:  
 18 Q. Like how?  
 19 MS. CENAR: Objection to form.  
 20 THE DEPONENT: There's no set way of  
 21 doing it.  
 22 BY MR. DICKIE:  
 23 Q. Well, what determines whether it  
 24 varies or not?  
 25 Is there a regular established writing

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1 policy and procedure that you guys follow?  
 2 MS. CENAR: Objection; form,  
 3 foundation.  
 4 THE DEPONENT: No policy.  
 5 BY MR. DICKIE:  
 6 Q. Is there a regular practice in  
 7 terms of the development of new tracks or new songs  
 8 that are utilized by the band as a group?  
 9 MS. CENAR: Objection; form.  
 10 THE DEPONENT: No practice.  
 11 BY MR. DICKIE:  
 12 Q. Now, can you describe for me whether  
 13 you and Mr. William Adams have collaborated on the  
 14 development of new songs?  
 15 MS. CENAR: Objection; form.  
 16 THE DEPONENT: I don't understand that  
 17 question.  
 18 BY MR. DICKIE:  
 19 Q. Well, in other words, do you and  
 20 Mr. Adams sit down and work on a new song, or  
 21 does Mr. Adams bring to you the lyrics for a new  
 22 song?  
 23 MS. CENAR: Objection; form.  
 24 THE DEPONENT: You've got to be more  
 25 specific.

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1 BY MR. DICKIE:  
 2 Q. You know what lyrics are; right?  
 3 A. Yes.  
 4 Q. So do you sit and write -- you and  
 5 Mr. Adams sit and write the lyrics or does Mr. Adams  
 6 come to you and say, "Here's some lyrics I want you  
 7 to try"?"  
 8 MS. CENAR: Objection; form.  
 9 THE DEPONENT: It's collaborative.  
 10 BY MR. DICKIE:  
 11 Q. And do you and Mr. Adams sit down and  
 12 work on the actual music that is to go with the  
 13 lyrics?  
 14 MS. CENAR: Objection; form.  
 15 THE DEPONENT: No.  
 16 BY MR. DICKIE:  
 17 Q. And by the way, when you're working  
 18 on a new track, and you're talking about that with  
 19 Mr. Adams, does the musical melody come first or the  
 20 lyrics?  
 21 MS. CENAR: Objection; form.  
 22 THE DEPONENT: It varies.  
 23 BY MR. DICKIE:  
 24 Q. What determines whether the music  
 25 comes first or the lyrics come first?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: I don't -- I don't  
 4 know.  
 5 BY MR. DICKIE:  
 6 Q. Now, from time to time are lyrics  
 7 given to The Black Eyed Peas to sing?  
 8 A. What do you mean "given"?"  
 9 Q. Somebody hands you lyrics to a song.  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: By perfect strangers,  
 13 is that what you're saying?  
 14 BY MR. DICKIE:  
 15 Q. No. By persons other than the four  
 16 members of The Black Eyed Peas?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: Nobody just gives  
 20 lyrics.  
 21 BY MR. DICKIE:  
 22 Q. Well, how do lyrics come into the  
 23 repertoire of The Black Eyed Peas?  
 24 MS. CENAR: Objection; form.  
 25 THE DEPONENT: Can you be more

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1 specific?  
 2 BY MR. DICKIE:  
 3 Q. From time to time, do people working  
 4 with The Black Eyed Peas provide the lyrics?  
 5 MS. CENAR: Objection; form and  
 6 foundation.  
 7 THE DEPONENT: What people?  
 8 BY MR. DICKIE:  
 9 Q. Any people working with The Black Eyed  
 10 Peas.  
 11 MS. CENAR: Objection; form,  
 12 foundation.  
 13 THE DEPONENT: I'm not sure.  
 14 BY MR. DICKIE:  
 15 Q. Now, does Will.i.am -- Mr. Adams  
 16 approve or disapprove song ideas which emanate from  
 17 other Black Eyed Peas band members?  
 18 MS. CENAR: Objection to the form of  
 19 the question.  
 20 THE DEPONENT: Can you form it better?  
 21 BY MR. DICKIE:  
 22 Q. Well, does Mr. Adams approve song  
 23 ideas which come from you or other Black Eyed Peas  
 24 band members?  
 25 MS. CENAR: Objection to the form.

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1 THE DEPONENT: It's still the same  
 2 question.  
 3 Can you -- like who are you referring  
 4 to? Are you referring to Bucky Johnson, the band?  
 5 BY MR. DICKIE:  
 6 Q. No.  
 7 I'm just talking about a song -- song  
 8 ideas, not -- basically with song ideas, where do  
 9 they come from?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: I don't know.  
 13 BY MR. DICKIE:  
 14 Q. Well, have you ever delivered to the  
 15 other members of The Black Eyed Peas a song idea, a  
 16 song outline that developed into a Black Eyed Peas  
 17 song?  
 18 MS. CENAR: Objection; form.  
 19 THE DEPONENT: No.  
 20 BY MR. DICKIE:  
 21 Q. And who within The Black Eyed Peas  
 22 band provides the actual song ideas for the group?  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: It varies.

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1 BY MR. DICKIE:  
 2 Q. Well, and how does it vary?  
 3 MS. CENAR: Same objections.  
 4 THE DEPONENT: Because there's also,  
 5 you know, Apl has songs that he brought to the table,  
 6 which is Allan Pineda. Fergie's brought ideas to the  
 7 table.  
 8 Like I said, my thing is the  
 9 performer. Not really -- my strengths aren't the  
 10 writing.  
 11 MR. DICKIE: Would you, Ms. Reporter,  
 12 hand the witness what's previously been marked as  
 13 Exhibit 5.  
 14 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER  
 15 5 WAS PREVIOUSLY MARKED FOR IDENTIFICATION  
 16 AND IS ATTACHED HERETO.)  
 17 MS. CENAR: Do you have a copy for me?  
 18 MR. DICKIE: Mr. -- I distributed the  
 19 copies at the deposition so I have the original.  
 20 (SPEAKING SIMULTANEOUSLY.)  
 21 MS. CENAR: So the answer is you don't  
 22 have a copy for me.  
 23 Do you have a copy for counsel?  
 24 MR. DICKIE: He already asked about  
 25 it. He doesn't have --

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1 MS. CENAR: You don't have a copy for  
 2 him?  
 3 MR. DICKIE: He doesn't have a copy.  
 4 MS. CENAR: Can we take a break and  
 5 get a quick copy so that we can all follow along?  
 6 MR. DICKIE: If you want.  
 7 I thought you would bring your own  
 8 exhibits that were in the deposition that your  
 9 partner had.  
 10 I don't make multiple copies of  
 11 exhibits that have already been used and they've been  
 12 distributed.  
 13 MS. CENAR: Can we take a break so  
 14 copies can be made for all the counsel that are in  
 15 the room today, please?  
 16 MR. DICKIE: I have no objection to  
 17 you making a copy.  
 18 THE VIDEOGRAPHER: We are now going  
 19 off the record. The time is 3:39 p.m.  
 20 (WHEREUPON, A RECESS WAS HELD  
 21 FROM 3:39 P.M. TO 3:47 P.M.)  
 22 THE VIDEOGRAPHER: We are now going  
 23 back on the record. The time is 3:47 p.m.  
 24 BY MR. DICKIE:  
 25 Q. All set, Mr. Gomez?

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1 A. Yes.  
 2 Q. Do you have Exhibit 5 in front of  
 3 you?  
 4 A. Yes, I do.  
 5 Q. That exhibit is a copy of the CD cover  
 6 for "The E.N.D." album plus the inside liner notes;  
 7 is that correct?  
 8 A. Yes.  
 9 Q. Let me direct your attention first to  
 10 what has been marked and has production number  
 11 BEP-PR -41.  
 12 A. Uh-huh.  
 13 MS. CENAR: Those are the numbers on  
 14 the bottom.  
 15 THE DEPONENT: Yep.  
 16 BY MR. DICKIE:  
 17 Q. Do you have that page, sir?  
 18 A. Yes, I do.  
 19 Q. And if you look on the right-hand side  
 20 of the liner notes, the second item on the right-hand  
 21 side are the liner notes or the credits for "I Gotta  
 22 Feeling"; is that correct?  
 23 A. Yes.  
 24 Q. You would agree, would you not,  
 25 that you are listed as one of writers of "I Gotta

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1 Feeling"; right?  
 2 A. Yes.  
 3 Q. What specific part of "I Gotta  
 4 Feeling" did you write?  
 5 A. It was a joint effort -- joint effort.  
 6 Sorry.  
 7 Q. What did you write, sir?  
 8 A. I didn't write no specific lines.  
 9 Q. Did you have an agreement with the --  
 10 among The Black Eyed Peas that every one of the  
 11 members of the band would get writer's credit on all  
 12 of the album -- on all of the tracks on the albums?  
 13 MS. CENAR: Objection to the form and  
 14 foundation.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. Well, do you see up above and below  
 18 the album -- what is it -- the one below is "Alive,"  
 19 and the one on the top is -- I'm not sure exactly  
 20 what that title is.  
 21 A. "Imma Be."  
 22 Q. What is it?  
 23 A. "Imma Be."  
 24 Q. "Imma Be"?  
 25 A. Right before -- I mean, right above

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1 "I Gotta Feeling."  
 2 Q. Right.  
 3 Do you see where all four members  
 4 of Black Eyed Peas are listed as writers for the  
 5 song above and the song below "I Gotta Feeling"?  
 6 A. Uh-huh.  
 7 Q. So would it be correct and be  
 8 consistent with your understanding, that regardless  
 9 of whether you actually did write anything or not  
 10 specifically, all four members of The Black Eyed Peas  
 11 get credit for -- writer's credit for every song,  
 12 every track on your album?  
 13 MS. CENAR: Objection; form --  
 14 BY MR. DICKIE:  
 15 Q. And that's an agreement --  
 16 MS. CENAR: Foundation.  
 17 BY MR. DICKIE:  
 18 Q. -- that exists between the band  
 19 members?  
 20 MS. CENAR: Objection --  
 21 BY MR. DICKIE:  
 22 Q. Isn't that right?  
 23 MS. CENAR: Objection; form,  
 24 foundation and Rule of Completeness.  
 25 THE DEPONENT: I don't know.

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1 BY MR. DICKIE:  
 2 Q. Well, you didn't write any of the  
 3 specific lyrics for "Imma Be," did you?  
 4 MS. CENAR: Objection to form.  
 5 THE DEPONENT: I don't understand  
 6 that.  
 7 BY MR. DICKIE:  
 8 Q. Well, did you write any of the lyrics  
 9 for I Want To Be -- "Imma Be"?  
 10 MS. CENAR: Objection to the form.  
 11 THE DEPONENT: I don't know.  
 12 BY MR. DICKIE:  
 13 Q. Well -- and when you look at "I Gotta  
 14 Feeling," tell me what specific lyrics were written  
 15 by William Adams?  
 16 MS. CENAR: Objection; form,  
 17 foundation.  
 18 THE DEPONENT: I can't remember.  
 19 BY MR. DICKIE:  
 20 Q. And what specific part of "I Gotta  
 21 Feeling" did Allan Pineda write?  
 22 MS. CENAR: Same objections.  
 23 THE DEPONENT: I don't know.  
 24 BY MR. DICKIE:  
 25 Q. Can you tell me what specific

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1 contribution Mr. Adams made, for which he received  
 2 writers credit in the liner notes?  
 3 MS. CENAR: Objection; form,  
 4 foundation.  
 5 THE DEPONENT: I don't know.  
 6 BY MR. DICKIE:  
 7 Q. Did you ever exchange any  
 8 correspondence or musical files with Will.i.am  
 9 regarding the creation of "I Gotta Feeling"?  
 10 MS. CENAR: Objection; form.  
 11 THE DEPONENT: No.  
 12 BY MR. DICKIE:  
 13 Q. Did Mr. Adams exchange with you any  
 14 correspondence or musical files regarding the  
 15 creation of "I Gotta Feeling"?  
 16 MS. CENAR: Same objections.  
 17 THE DEPONENT: No.  
 18 BY MR. DICKIE:  
 19 Q. Did you ever exchange any musical  
 20 files or correspondence with any of the other  
 21 members of The Black Eyed Peas regarding the creation  
 22 of "I Gotta Feeling"?  
 23 A. No.  
 24 MS. CENAR: Objection; form.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. By the way, have you had any  
 3 discussion with Mr. Adams regarding the infringement  
 4 claim made in this lawsuit?  
 5 MS. CENAR: Objection; form.  
 6 THE DEPONENT: No.  
 7 BY MR. DICKIE:  
 8 Q. How did you hear about the lawsuit?  
 9 MS. CENAR: I'm going to object and  
 10 instruct the witness.  
 11 You can answer that question to the  
 12 extent you don't reveal communications you've had  
 13 with your counsel.  
 14 If you can't answer that question  
 15 without revealing communications with your counsel --  
 16 MR. DICKIE: Counsel, stop the  
 17 speaking objections.  
 18 MS. CENAR: -- you're instructed not  
 19 to answer that question.  
 20 MR. DICKIE: It doesn't call --  
 21 MS. CENAR: If you can without  
 22 revealing --  
 23 MR. DICKIE: The question does not  
 24 call for a legal advice.  
 25 MS. CENAR: -- communications with

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1 your counsel, you can answer that question.  
 2 THE DEPONENT: Okay.  
 3 My attorney.  
 4 BY MR. DICKIE:  
 5 Q. Weren't you served with a Summons and  
 6 Complaint?  
 7 A. I don't know.  
 8 Q. Did you ever have any conversation  
 9 with any member of The Black Eyed Peas regarding the  
 10 copyright infringement claim made in this case?  
 11 MS. CENAR: Objection to the form.  
 12 THE DEPONENT: No.  
 13 BY MR. DICKIE:  
 14 Q. Did you ever participate in a meeting  
 15 of the members of The Black Eyed Peas band where the  
 16 topic of this copyright infringement lawsuit was  
 17 discussed?  
 18 MS. CENAR: Objection to form.  
 19 THE DEPONENT: I don't remember.  
 20 BY MR. DICKIE:  
 21 Q. Now, continuing the examination of  
 22 Exhibit 5.  
 23 If you look at "I Gotta Feeling"  
 24 credits again, it also shows that Stacy Ferguson is  
 25 given credit as having been a writer of "I Gotta

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1 Feeling."  
 2 Do you see that?  
 3 A. Yes.  
 4 Q. Tell me what part of "I Gotta Feeling"  
 5 she wrote?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't know.  
 9 BY MR. DICKIE:  
 10 Q. Well, were you ever in a meeting of  
 11 the group of The Black Eyed Peas where Stacy Ferguson  
 12 said, "I wrote the lyrics to this song," or words to  
 13 that effect?  
 14 MS. CENAR: Objection; form.  
 15 THE DEPONENT: I can't recall.  
 16 BY MR. DICKIE:  
 17 Q. Did you ever exchange any kind of  
 18 music files with Stacy Ferguson regarding the  
 19 creation of "I Gotta Feeling"?  
 20 A. No.  
 21 Q. Continuing also on Exhibit 5 with the  
 22 liner notes, there's a reference to an individual by  
 23 the name of David Guetta, G-u-e-t-t-a.  
 24 Do you see that?  
 25 A. Uh-huh.

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1 Q. Do you know David Guetta?  
 2 MS. CENAR: I think it's pronounced  
 3 "Guetta"?  
 4 BY MR. DICKIE:  
 5 Q. Do you know him?  
 6 A. Yes.  
 7 Q. And when did you first meet him?  
 8 A. I don't know the exact date.  
 9 Q. Where did you meet him?  
 10 A. The studio.  
 11 Q. What studio?  
 12 A. Record Planet.  
 13 Q. And where is that located?  
 14 A. In Hollywood.  
 15 Q. And what year did you meet him?  
 16 A. Don't remember.  
 17 Q. Did you meet him before or after the  
 18 album which is identified on Exhibit 5 -- before the  
 19 masters were completed?  
 20 A. Before.  
 21 Q. Who else was present when you first  
 22 met David Guetta and the masters had yet to be  
 23 completed?  
 24 A. William Adams.  
 25 Q. Anyone else?

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1 A. An engineer. I believe it was  
 2 Dylan -- Dylan Dresdow.  
 3 Q. And do you recall what the purpose of  
 4 meeting with Mr. Guetta was?  
 5 MS. CENAR: Objection to the form.  
 6 THE DEPONENT: No, I can't recall.  
 7 BY MR. DICKIE:  
 8 Q. Do you recall the conversation between  
 9 yourself, Will.i.am, and Mr. Guetta at the studio  
 10 that you identified before the masters were  
 11 complete?  
 12 A. Small talk.  
 13 Q. Do you know what Mr. Guetta said to  
 14 Mr. Adams or what he said to Mr. Guetta?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 THE DEPONENT: Nope.  
 18 BY MR. DICKIE:  
 19 Q. Do you recall what you said at that  
 20 meeting?  
 21 MS. CENAR: Same objections.  
 22 THE DEPONENT: "Nice shoes."  
 23 BY MR. DICKIE:  
 24 Q. Other than observing his shoes, do you  
 25 recall anything else you said?

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1 A. "Congratulations"

2 Q. On what?

3 A. On his success.

4 Q. What success were you referring to?

5 A. Great DJ. He's been a great DJ for

6 many years before we even met him.

7 Q. Well, how did you know he was a great

8 DJ?

9 A. I mean, everybody knows who

10 David Guetta is if you're in the scene.

11 Q. Well, where did he perform or conduct

12 his business as a DJ?

13 MS. CENAR: Objection; form,

14 foundation.

15 THE DEPONENT: Not sure.

16 BY MR. DICKIE:

17 Q. Was it here in California?

18 MS. CENAR: Objection; form,

19 foundation.

20 THE DEPONENT: Don't know.

21 BY MR. DICKIE:

22 Q. And had you ever talked to him before

23 this meeting at the studio?

24 A. No.

25 Q. And at the time you first met him at

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1 the studio, can you tell me the status of the tracks

2 on the album?

3 MS. CENAR: Objection; form,

4 foundation.

5 THE DEPONENT: I don't recall.

6 BY MR. DICKIE:

7 Q. Had the track "I Gotta Feeling" been

8 completed when you met Mr. Guetta at the recording

9 studio with Mr. Will.i.am?

10 MS. CENAR: Objection to form.

11 THE DEPONENT: I can't remember.

12 BY MR. DICKIE:

13 Q. Well, do you have a recollection of

14 whether any tracks had been finalized as of the time

15 of the meeting?

16 MS. CENAR: Same objections.

17 THE DEPONENT: No.

18 BY MR. DICKIE:

19 Q. And in the studio, was there any

20 recording going on when you were there with Will.i.am

21 and Mr. Guetta?

22 MS. CENAR: Objection to form.

23 THE DEPONENT: No.

24 BY MR. DICKIE:

25 Q. Had The Black Eyed Peas gone to a

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1 recording studio to commence the work on recording

2 the tracks for "The E.N.D." album as of the time of

3 this meeting with Mr. Guetta?

4 A. I don't understand the question.

5 Q. Well, in other words, when you met in

6 the studio with Mr. Guetta, Mr. Will.i.am, and

7 yourself, had The Black Eyed Peas, as a band, already

8 begun recording the tracks which were part of the

9 masters of "The E.N.D." album --

10 MS. CENAR: Objection.

11 BY MR. DICKIE:

12 Q. -- or was it prior to the time the

13 recording sessions commenced?

14 MS. CENAR: Objection; form,

15 foundation.

16 THE DEPONENT: Yes, there were songs

17 already made.

18 BY MR. DICKIE:

19 Q. What songs?

20 A. I can't recall.

21 Q. Is there -- and the songs that had

22 already been made, had they been -- were they in

23 their final master condition --

24 MS. CENAR: Objection.

25 ///

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1 BY MR. DICKIE:

2 Q. -- or were they still being worked

3 on?

4 A. Still being worked on.

5 MS. CENAR: Form, foundation.

6 BY MR. DICKIE:

7 Q. So is there any document of which

8 you're aware which would reflect exactly what the

9 status was of the tracks as of the time of this

10 meeting with Mr. Guetta, yourself, and Mr. Adams?

11 MS. CENAR: Objection --

12 THE DEPONENT: No.

13 MS. CENAR: -- to form.

14 BY MR. DICKIE:

15 Q. When you go into that studio -- what's

16 it called?

17 A. Record Planet.

18 Q. Do you have to sign in? Is there a

19 log when you go in? Or can you just go in and do

20 whatever it is you do there?

21 MS. CENAR: Objection to the form.

22 THE DEPONENT: Yes, you just walk

23 in.

24 BY MR. DICKIE:

25 Q. And where -- as a studio, where did



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1 The Black Eyed Peas begin the recording process of  
 2 the tracks which found their way into the album "The  
 3 E.N.D."?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 THE DEPONENT: I can't recall.  
 7 BY MR. DICKIE:  
 8 Q. Was it the Record Planet?  
 9 MS. CENAR: Same objections.  
 10 THE DEPONENT: I can't recall.  
 11 BY MR. DICKIE:  
 12 Q. Well, I notice on the liner notes that  
 13 there is some reference to recorded at Square Prod in  
 14 Paris, France.  
 15 A. Uh-huh.  
 16 Q. Do you see that?  
 17 A. Yep.  
 18 Q. Were you there? Did you take part in  
 19 the recording process at that place?  
 20 A. In France?  
 21 Q. Yes.  
 22 A. No.  
 23 Q. And then it talks about the Metropolis  
 24 Studios in London, England?  
 25 A. Uh-huh.

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1 Q. Did you work on the tracks in  
 2 "The E.N.D." album at that English studio?  
 3 MS. CENAR: Objection; form,  
 4 foundation.  
 5 THE DEPONENT: Yes.  
 6 BY MR. DICKIE:  
 7 Q. And when were you there?  
 8 MS. CENAR: Objection; form.  
 9 THE DEPONENT: I don't know the exact  
 10 date. I don't remember.  
 11 BY MR. DICKIE:  
 12 Q. Were the master tracks completed at  
 13 the English -- the London studio?  
 14 A. Can you repeat the question?  
 15 Q. Sure.  
 16 Were the master tracks completed at  
 17 the London studio?  
 18 MS. CENAR: Objection; form  
 19 foundation.  
 20 THE DEPONENT: No.  
 21 BY MR. DICKIE:  
 22 Q. Were they completed at the Paris,  
 23 France studio?  
 24 MS. CENAR: Objection; form  
 25 foundation.

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1 THE DEPONENT: No.  
 2 BY MR. DICKIE:  
 3 Q. Where were the master tracks  
 4 completed?  
 5 A. Not sure. Don't know.  
 6 Q. And can you tell me what specific  
 7 aspect of "I Gotta Feeling" David Guetta wrote?  
 8 MS. CENAR: Objection to the form.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Did you discuss with him his writing  
 12 activity in connection with the song "I Gotta  
 13 Feeling"?  
 14 A. No.  
 15 Q. Did anyone distribute to you or other  
 16 members of The Black Eyed Peas band any document that  
 17 contained the lyrics for "I Gotta Feeling"?  
 18 MS. CENAR: Objection; form.  
 19 THE DEPONENT: No.  
 20 BY MR. DICKIE:  
 21 Q. Where did the lyrics themselves come  
 22 from that were used in the -- making this track?  
 23 A. I'm not clear.  
 24 Q. I'm looking still in the liner notes  
 25 on the credits. Frederic Riesterer is listed as a

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1 writer of "I Gotta Feeling."  
 2 Do you see that?  
 3 A. Uh-huh.  
 4 Q. Did you ever meet  
 5 Frederic Riesterer?  
 6 A. No.  
 7 Q. Have you ever spoken with  
 8 Frederic Riesterer?  
 9 A. Nope.  
 10 Q. Can you tell me what specific  
 11 contribution he made in the writing of  
 12 "I Gotta Feeling"?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. Have you ever seen these liner notes  
 18 before?  
 19 A. Yes.  
 20 Q. And did you ever ask anybody what it  
 21 was that Frederic Riesterer did?  
 22 A. Nope.  
 23 Q. Did you ever exchange any  
 24 correspondence or music files with Mr. Riesterer?  
 25 A. No.

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1 Q. Did he ever send any music files, to  
 2 your knowledge, to any member of The Black Eyed  
 3 Peas?  
 4 A. Nope.  
 5 Q. Did you ever have any conversations or  
 6 discussions with your fellow band members about  
 7 Frederic Riesterer's contribution, if any, to the  
 8 writing of "I Gotta Feeling"?  
 9 A. No.  
 10 MS. CENAR: Objection to the form.  
 11 BY MR. DICKIE:  
 12 Q. Now, it says also in these same liner  
 13 notes, if you continue reading along, that the song  
 14 was published by Will.i.am Music, Inc., and then in  
 15 parentheses, (BMI).  
 16 What did Will.i.am Music do to publish  
 17 "I Gotta Feeling"?  
 18 MS. CENAR: Objection on the Rule of  
 19 Completeness. I would ask that the entire sentence  
 20 be read.  
 21 MR. DICKIE: You can ask whatever  
 22 questions you'd like, Counsel. That's not the use of  
 23 the Rule of Completeness.  
 24 MS. CENAR: You're wrong  
 25 MR. DICKIE: No, I'm not.

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1 MS. CENAR: My objection is preserved  
 2 for the record, Counsel.  
 3 MR. DICKIE: You can do whatever you  
 4 want, but you don't know what you're talking about  
 5 regarding the Rule of Completeness.  
 6 MS. CENAR: Remain professional,  
 7 Counsel.  
 8 MR. DICKIE: I am. I'm just listening  
 9 to ridiculous objections.  
 10 MS. CENAR: Remain professional,  
 11 Counsel.  
 12 BY MR. DICKIE:  
 13 Q. Can you answer my question,  
 14 Mr. Gomez?  
 15 A. I don't know.  
 16 Q. Continuing on, there's Jeepney Music,  
 17 Inc.  
 18 Do you see that?  
 19 A. Yes.  
 20 Q. Do you have any involvement with that  
 21 entity?  
 22 A. No.  
 23 Q. Is a member of The Black Eyed Peas  
 24 involved with that entity?  
 25 MS. CENAR: Objection; form and

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1 foundation.  
 2 THE DEPONENT: I don't know.  
 3 BY MR. DICKIE:  
 4 Q. Well, what does Jeepney Music do as a  
 5 publisher?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: I don't know, sir.  
 9 BY MR. DICKIE:  
 10 Q. Have you ever heard of it before?  
 11 A. Yes.  
 12 Q. In what context?  
 13 A. I guess that's Allan Pineda's doing --  
 14 dealing, whatever. I don't -- I don't get involved  
 15 in their business.  
 16 Q. And then it has Tab Magnetic  
 17 Publishing.  
 18 A. Yes.  
 19 Q. That's your publishing company --  
 20 A. Yes, sir.  
 21 Q. -- isn't it?  
 22 A. Uh-huh.  
 23 Q. And by putting you on the liner notes  
 24 as a publisher and publishing company, that gives you  
 25 some additional royalties, does it not?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: I'm not clear on  
 4 that.  
 5 BY MR. DICKIE:  
 6 Q. Do you know why your publishing entity  
 7 is there right alongside the publishing company of  
 8 Allan Pineda and Will.i.am?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: Still unclear, sir.  
 12 BY MR. DICKIE:  
 13 Q. Now, do you see the reference to  
 14 Riesterer Editions?  
 15 A. Yes.  
 16 Q. Do you know who they are?  
 17 A. Nope.  
 18 Q. Do you know who Shapiro, Bernstein &  
 19 Company is?  
 20 A. Nope.  
 21 Q. Now, what percent of the profits do  
 22 you receive for the song "I Gotta Feeling"?  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: I'm not sure because I

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1 have a team that handles that.  
 2 BY MR. DICKIE:  
 3 Q. Uh-huh.  
 4 And you're -- are you affiliated in  
 5 some way or signed up with an entity called BMI?  
 6 A. Yes.  
 7 Q. Does BMI track the royalty payments  
 8 for performance revenue to which you're entitled?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: Once, again, I don't --  
 12 I don't really know the answer to that.  
 13 BY MR. DICKIE:  
 14 Q. Well, does BMI provide you with  
 15 monthly royalty statements regarding income derived  
 16 from albums and downloads and performances of songs  
 17 which The Black Eyed Peas do?  
 18 MS. CENAR: Objection to the form.  
 19 THE DEPONENT: I believe so, yes.  
 20 BY MR. DICKIE:  
 21 Q. Do you know what percentage Will.i.am  
 22 received for the song "I Gotta Feeling"?  
 23 MS. CENAR: Objection; form  
 24 foundation.  
 25 THE DEPONENT: No.

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1 BY MR. DICKIE:  
 2 Q. Do you know if it's the same  
 3 percentage that you do?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 THE DEPONENT: I don't know.  
 7 BY MR. DICKIE:  
 8 Q. And do you know the percentages that  
 9 Allan Pineda and Stacy Ferguson receive for any  
 10 downloads of "I Gotta Feeling" or from the album  
 11 including those songs -- that song?  
 12 MS. CENAR: Objection; form  
 13 foundation.  
 14 THE DEPONENT: I don't know.  
 15 BY MR. DICKIE:  
 16 Now, also in the liner notes --  
 17 A. Are we still on the same page?  
 18 Q. No. I'm moving along here.  
 19 A. Okay.  
 20 Q. There's on page -- we're in the same  
 21 exhibit, just a different page.  
 22 A. Uh-huh.  
 23 Q. On page BEP-PR -47, you see a series  
 24 of sentences under the name Taboo?  
 25 A. Uh-huh.

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1 Q. Did you write that?  
 2 A. Yes.  
 3 Q. And as you look down this note, can  
 4 you identify anyone that was involved in or had any  
 5 role in "I Gotta Feeling"?  
 6 MS. CENAR: Objection to the form.  
 7 THE DEPONENT: Yes.  
 8 BY MR. DICKIE:  
 9 Q. And who would that be?  
 10 A. Will.i.am and Apl.de.ap, Fergie Ferg.  
 11 Q. Anyone else outside of The Black Eyed  
 12 Peas?  
 13 A. I'm not sure.  
 14 Q. Can you tell me when it was, as a  
 15 point in time, that you first heard what I would  
 16 describe as a hook to "I Gotta Feeling"?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: Can you -- can you be  
 20 more specific?  
 21 BY MR. DICKIE:  
 22 Q. Well, there's a -- at the outset  
 23 there's something I would call basically a musical  
 24 vamp. Do you know what I'm talking about --  
 25 A. No.

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1 Q. -- to "I Gotta Feeling"?  
 2 A. Uh-uh.  
 3 Q. The repetitive phrasing or twang at  
 4 the outset?  
 5 (NO AUDIBLE RESPONSE BY THE DEPONENT.)  
 6 MS. CENAR: Objection; form.  
 7 BY MR. DICKIE:  
 8 Q. You don't -- you're not familiar with  
 9 that?  
 10 A. I don't know what you're talking  
 11 about, "twang." I don't know what "twang" means.  
 12 Q. Do you know what a vamp is in the  
 13 context of a piece of written music?  
 14 MS. CENAR: Objection to the form.  
 15 THE DEPONENT: You've got to be more  
 16 specific.  
 17 Are you speaking about vocally?  
 18 BY MR. DICKIE:  
 19 Q. No, the music.  
 20 A. I was not part of the music.  
 21 Q. When was the first time -- strike  
 22 that.  
 23 Do you know what a vamp is in the  
 24 context of music as opposed to vocals?  
 25 MS. CENAR: Objection to the form.

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1 THE DEPONENT: Not really.  
 2 BY MR. DICKIE:  
 3 Q. Is there some portion of "I Gotta  
 4 Feeling" that stands out and makes the song  
 5 recognizable?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: The vocals.  
 9 BY MR. DICKIE:  
 10 Q. Well, is there any musical phrasing  
 11 which is repetitive through the course of the song  
 12 which makes the song identifiable?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: I don't know, sir.  
 16 BY MR. DICKIE:  
 17 Q. So if I -- is it your testimony that  
 18 there is no musical hook, as you understand that  
 19 term, in "I Gotta Feeling"?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: I don't know what that  
 23 means because I'm not a producer. I could tell you  
 24 vocally. I'm a lyricist. I know what makes me feel  
 25 the song when I hear it.

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1 BY MR. DICKIE:  
 2 Q. I wasn't asking that.  
 3 I was asking about the music and  
 4 whether or not it was your testimony --  
 5 A. Uh-huh.  
 6 Q. -- as a musician that there is no  
 7 musical hook in "I Gotta Feeling" as you understand  
 8 the term "hook."  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: Well, hook to me is the  
 12 chorus. That's what it is.  
 13 Like you're asking a writer what a  
 14 hook is, I'm going to tell you it's -- it's a vocal  
 15 performance that is -- that is monotonous, that is  
 16 the driving force behind the song.  
 17 BY MR. DICKIE:  
 18 Q. Well, is it possible, sir, to have  
 19 both a vocal hook and a musical hook in a song?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: I don't know, sir. I'm  
 23 not a producer. I'm not a musical producer.  
 24 I'm a lyricist, I keep on stating. So  
 25 I don't know the answer to that question.

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1 I apologize.  
 2 BY MR. DICKIE:  
 3 Q. Is there any repetitive chord  
 4 progression in "I Gotta Feeling" that repeats over  
 5 and over?  
 6 MS. CENAR: Objection; form.  
 7 THE DEPONENT: Yes.  
 8 BY MR. DICKIE:  
 9 Q. And where were you when you first  
 10 heard that musical progression?  
 11 A. Will's studio.  
 12 Q. Where was that studio?  
 13 A. In his house.  
 14 Q. By the way, do you have a studio in  
 15 your house?  
 16 A. Yes.  
 17 Q. And when you heard that musical hook  
 18 at Will's studio in his house, had the final and  
 19 finished track of "I Gotta Feeling" been recorded?  
 20 MS. CENAR: Objection; form.  
 21 THE DEPONENT: No.  
 22 BY MR. DICKIE:  
 23 Q. Had The Black Eyed Peas gotten into  
 24 the studio at that point to commence the recording  
 25 process for the tracks that ended up on "The E.N.D."

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1 album?  
 2 MS. CENAR: Objection to form.  
 3 THE DEPONENT: Can you be --  
 4 MS. CENAR: Foundation.  
 5 THE DEPONENT: -- more specific?  
 6 BY MR. DICKIE:  
 7 Q. Yeah.  
 8 I take it that you can't tell me when  
 9 it was that you were in Will's studio that you heard  
 10 this musical repetitive sound for the first time; is  
 11 that right?  
 12 A. Uh-huh.  
 13 MS. CENAR: Objection; form.  
 14 BY MR. DICKIE:  
 15 Q. It is that right? Did I understand  
 16 you correctly?  
 17 If I didn't, please correct me.  
 18 A. Yeah. I was more concerned about the  
 19 vocal.  
 20 Q. No, I understand that.  
 21 But I was asking about the musical  
 22 hook that we were talking about. And you said you  
 23 first heard about it in Will's studio in his home?  
 24 A. Uh-huh.  
 25 MS. CENAR: Objection to the form --

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1 BY MR. DICKIE:  
 2 Q. My question --  
 3 MS. CENAR: -- of the question.  
 4 BY MR. DICKIE:  
 5 Q. My question, Mr. Gomez, is: Can you  
 6 place that experience as a point in time?  
 7 A. Yes.  
 8 Q. When was it? What year? What month?  
 9 What can you do?  
 10 MS. CENAR: And I'm going to move to  
 11 strike the first portion of that that preceded "And  
 12 now here's my question."  
 13 THE DEPONENT: I don't recall the  
 14 actual date.  
 15 BY MR. DICKIE:  
 16 Q. Okay. Do you recall the calendar  
 17 year?  
 18 A. No.  
 19 Q. Besides yourself and Mr. Adams, who  
 20 else was present in the recording studio in his house  
 21 when you first heard that musical repetitive sound?  
 22 A. Just me and him.  
 23 Q. Had he invited you over or did you  
 24 just happen to be there?  
 25 A. He invited me over.

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1 Q. And can you tell me what he said to  
 2 you and you said to him in connection with your first  
 3 hearing of that sound, if anything?  
 4 A. Not really much. It was just another  
 5 day in the office. That's how we do it.  
 6 We don't ever feel like -- no song is  
 7 different than any type of -- like "I Gotta Feeling"  
 8 is no different than "Imma Be" when we're recording.  
 9 They are all just our babies.  
 10 Q. Yeah. But what did Mr. Adams say to  
 11 you the first time he played that musical phrase for  
 12 you --  
 13 MS. CENAR: Objection; form.  
 14 BY MR. DICKIE:  
 15 Q. -- if anything.  
 16 A. Nothing. I don't remember him saying  
 17 anything specific.  
 18 Q. You just went into the studio and he  
 19 played the phrase, and that's it?  
 20 A. Yeah.  
 21 MS. CENAR: Objection; form.  
 22 THE DEPONENT: A lot of -- you know,  
 23 when we go into the studio, it's not just one studio  
 24 session. It's like a lot of things that we're doing  
 25 at one time.

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1 BY MR. DICKIE:  
 2 Q. Now, when you went to Mr. Adams' home  
 3 studio and you heard this sound for the first time,  
 4 had the actual -- all of the tracks, had you started  
 5 recording them for purposes of final production of  
 6 the album or was there preliminary to that?  
 7 MS. CENAR: Objection; form,  
 8 foundation.  
 9 THE DEPONENT: I can't remember.  
 10 BY MR. DICKIE:  
 11 Q. Is there anything of which you're  
 12 aware that might refresh your recollection as to when  
 13 as a point in time that took place?  
 14 A. No.  
 15 MS. CENAR: Objection to form.  
 16 BY MR. DICKIE:  
 17 Q. Do you recall when -- the first  
 18 recording studio session where the tracks that are on  
 19 "The E.N.D." album were begun, do you recall the date  
 20 of that?  
 21 MS. CENAR: Objection to the form and  
 22 foundation.  
 23 THE DEPONENT: I don't know, sir.  
 24 Sometimes it was in a hotel room, trains --  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. I was only --  
 3 A. -- planes.  
 4 Q. -- asking about the date.  
 5 A. I don't know exactly the date.  
 6 Q. Now, when as a point in time, were the  
 7 lyrics to "I Gotta Feeling" commenced?  
 8 MS. CENAR: Objection; form,  
 9 foundation.  
 10 THE DEPONENT: Don't know.  
 11 BY MR. DICKIE:  
 12 Q. Who first commenced writing lyrics for  
 13 the song "I Gotta Feeling"?  
 14 A. Will.  
 15 Q. And was there a title given to the  
 16 song by Mr. Adams prior to the time the lyrics were  
 17 written?  
 18 MS. CENAR: Objection; form  
 19 foundation.  
 20 THE DEPONENT: I don't -- I don't  
 21 remember.  
 22 BY MR. DICKIE:  
 23 Q. Do you recall or remember who created  
 24 the title "I Gotta Feeling"?  
 25 MS. CENAR: Objection; form,

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1 foundation.  
 2 THE DEPONENT: Nope.  
 3 BY MR. DICKIE:  
 4 Q. Who came up with the "I Gotta Feeling"  
 5 chorus?  
 6 MS. CENAR: Objection; form,  
 7 foundation.  
 8 THE DEPONENT: Will.  
 9 BY MR. DICKIE:  
 10 Q. Now, can you tell me what instrumental  
 11 parts of the original version of "I Gotta Feeling"  
 12 Will.i.am created?  
 13 A. I don't understand that question.  
 14 Q. Well, the instrumental portion, that  
 15 is the music portion, not the vocals; right?  
 16 A. Uh-huh.  
 17 Q. What portion of the instrumentals, not  
 18 the vocals, did Will.i.am create, if any --  
 19 MS. CENAR: Objection; form.  
 20 BY MR. DICKIE:  
 21 Q. -- of which you're aware?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: I don't know.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Are you aware of any?  
 3 MS. CENAR: Same objections.  
 4 THE DEPONENT: I don't know.  
 5 BY MR. DICKIE:  
 6 Q. Now, can you tell me what the  
 7 Elephunk agreement is?  
 8 A. The what?  
 9 Q. Elephunk or the -- I take that back.  
 10 It's an agreement that's spelled  
 11 B-l-e-p-h-u-n-k.  
 12 A. B-l-e --  
 13 Q. The document I'm looking at that  
 14 refers to the agreement -- you can't tell whether  
 15 it's a "B" or an "E."  
 16 Are you familiar with that?  
 17 A. Bella?  
 18 MS. CENAR: Objection; form,  
 19 foundation.  
 20 THE DEPONENT: I don't know what that  
 21 means -- Belefunk.  
 22 BY MR. DICKIE:  
 23 Q. Okay. Have you ever heard of such an  
 24 agreement?  
 25 A. Belefunk?

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1 Q. Yeah. B-e-l-h-u-n-k.  
 2 A. No. Our album was called Elephunk,  
 3 but not --  
 4 Q. Elephunk.  
 5 A. I don't know what Belefunk is.  
 6 Q. Did that album, Elephunk, did that  
 7 relate to an agreement that you, Mr. Adams, and  
 8 Mr. Pineda had with Cherry Lane Music Publishing  
 9 Company back in 2003?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: I'm not sure, sir. I  
 13 don't recall.  
 14 BY MR. DICKIE:  
 15 Q. Do you recall a point in time when  
 16 Mr. Adams was removed from that album -- or that  
 17 agreement?  
 18 A. "Removed"?  
 19 Q. Uh-huh.  
 20 MS. CENAR: Objection.  
 21 BY MR. DICKIE:  
 22 Q. No longer a part of the agreement.  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: I don't know.

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1 BY MR. DICKIE:  
 2 Q. Now, did you ever initiate an audit  
 3 claim against Interscope Records or Cherry Lane Music  
 4 Publishing Company?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 And I'm going instruct the witness.  
 8 You can answer that question to the  
 9 extent that you don't reveal communications with your  
 10 counsel.  
 11 If by answering that question you will  
 12 be revealing communications with your counsel, you  
 13 are instructed not to answer the question.  
 14 THE DEPONENT: I don't know.  
 15 BY MR. DICKIE:  
 16 Q. Well, as of May 22nd, 2008, Mr. Gomez,  
 17 did you enter into a settlement agreement with Cherry  
 18 Lane Music Publishing Company regarding an audit  
 19 claim for monies allegedly due to you?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 Same instruction. You can answer the  
 23 question to the extent you don't reveal privileged  
 24 communications with your counsel.  
 25 If the only way in answering that

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1 question, you are revealing communications with  
 2 counsel --  
 3 MR. DICKIE: Counsel, stop coaching  
 4 the witness.  
 5 MS. CENAR: -- you are instructed not  
 6 to answer that question.  
 7 MR. DICKIE: There is nothing in the  
 8 question that calls for any legal advice.  
 9 THE DEPONENT: I don't -- I don't  
 10 know, sir.  
 11 BY MR. DICKIE:  
 12 Q. Well, let me ask it more simply, then.  
 13 Did you have a dispute over money with  
 14 Cherry Lane Music Publishing Company?  
 15 A. Don't know.  
 16 Q. Well, did you ever sign a settlement  
 17 agreement over an audit claim against Cherry Lane  
 18 Publishing Company in which you signed for yourself  
 19 and on behalf of an entity called BEP, Inc.  
 20 MS. CENAR: Objection; form --  
 21 THE DEPONENT: I don't remember.  
 22 MS. CENAR: -- foundation.  
 23 THE DEPONENT: I don't remember.  
 24 BY MR. DICKIE:  
 25 Q. Would you entertain the possibility

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1 you did or are you saying you didn't?  
 2 A. I just don't remember, sir.  
 3 MS. CENAR: Objection; form,  
 4 foundation.  
 5 BY MR. DICKIE:  
 6 Q. Well, let's try this: Now, do you  
 7 have any form of indemnification agreement --  
 8 A. I don't understand what that means.  
 9 Q. -- with anybody --  
 10 MS. CENAR: I can't -- wait.  
 11 Please let the lawyer finish asking  
 12 his question first --  
 13 THE DEPONENT: Okay.  
 14 MS. CENAR: -- and then you can answer  
 15 it. But she can't type two people speaking at  
 16 once.  
 17 THE DEPONENT: Uh-huh.  
 18 BY MR. DICKIE:  
 19 Q. Do you have an indemnification  
 20 agreement in connection with this lawsuit running  
 21 from any entity?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: I don't understand what  
 25 that means.

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1 BY MR. DICKIE:  
 2 Q. Do you know what an indemnification  
 3 agreement is?  
 4 A. No.  
 5 Q. Has somebody agreed to pay your  
 6 defense costs in this case?  
 7 MS. CENAR: Objection; form  
 8 foundation.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Are you paying your defense costs,  
 12 Mr. Gomez, in this case?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: I don't know.  
 16 BY MR. DICKIE:  
 17 Q. Is it your understanding that someone  
 18 other than you will be responsible for any defense  
 19 costs incurred or any judgement that results in this  
 20 case?  
 21 MS. CENAR: Objection; form,  
 22 foundation.  
 23 THE DEPONENT: Once again, I don't  
 24 know.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Well, do you know who is paying  
 3 Cherry River Music's defense fees in this case?  
 4 MS. CENAR: Objection; form  
 5 foundation.  
 6 THE DEPONENT: No.  
 7 BY MR. DICKIE:  
 8 Q. Have you entered into -- or has  
 9 anybody advised you that you are being indemnified  
 10 against any judgment that you might have entered  
 11 against you in this case?  
 12 MS. CENAR: Objection; form,  
 13 foundation.  
 14 THE DEPONENT: I don't know indemnify  
 15 means.  
 16 MR. DICKIE: Well, "indemnify" means  
 17 that if there was a judgement against you and you had  
 18 to pay money, somebody else would pay it.  
 19 MS. CENAR: Objection; form,  
 20 foundation.  
 21 THE DEPONENT: I don't know.  
 22 BY MR. DICKIE:  
 23 Q. Do you know whether you have insurance  
 24 for any claims made against you in this case?  
 25 A. Still don't know.

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1 Q. Now, were you sued in 2007 by a  
 2 gentleman by the name of Chris Taylor?  
 3 MS. CENAR: Objection to form.  
 4 THE DEPONENT: Don't recall that.  
 5 BY MR. DICKIE:  
 6 Q. Well, weren't all of The Black Eyed  
 7 Peas sued by Chris Taylor for copyright infringement  
 8 in 2007?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: I don't know, sir.  
 12 BY MR. DICKIE:  
 13 Q. Was that case settled by the payment  
 14 of money?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 THE DEPONENT: Don't know.  
 18 MS. CENAR: Again --  
 19 BY MR. DICKIE:  
 20 Q. Well, are you aware of any claim  
 21 that's been made in the year 2000 [sic] regarding a  
 22 song of any kind?  
 23 MS. CENAR: Objection; form,  
 24 foundation.  
 25 THE DEPONENT: Don't know.

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1 THE VIDEOGRAPHER: Can I change tapes?  
 2 MR. DICKIE: If it's time, sure.  
 3 MS. CENAR: I'm going to need a new  
 4 legal pad anyway.  
 5 THE VIDEOGRAPHER: This is the end of  
 6 Tape Number Three in the deposition of Jaime Gomez in  
 7 the matter of "Bryan Pringle v. William Adams, Jr.,  
 8 et al."  
 9 We are now going off the record. The  
 10 time is 4:28 p.m.  
 11 (WHEREUPON, A RECESS WAS HELD  
 12 FROM 4:28 P.M. TO 4:41 P.M.)  
 13 THE VIDEOGRAPHER: This is the  
 14 beginning of Media Number Four in the deposition of  
 15 Jaime Gomez in the matter of "Brian Pringle v.  
 16 William Adams, Jr., et al."  
 17 We are now going back on the record.  
 18 The time is 4:41 p.m.  
 19 BY MR. DICKIE:  
 20 Q. All set, Mr. Gomez?  
 21 A. All set.  
 22 Q. Is it accurate to say that The Black  
 23 Eyed Peas started with a hip-hop foundation and then  
 24 stepped outside of that foundation by integrating  
 25 elements from different musical traditions?

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1 A. I don't understand the question.  
 2 Q. Well, isn't that the concept that you  
 3 talk about in your book "Fallen Up"?  
 4 MS. CENAR: Objection to the form.  
 5 THE DEPONENT: Can I explain to you  
 6 what hip-hop is?  
 7 BY MR. DICKIE:  
 8 Q. Well, is my statement correct?  
 9 A. No.  
 10 Q. So you've never made that statement;  
 11 is that correct?  
 12 MS. CENAR: Objection; form.  
 13 THE DEPONENT: I'm explaining to you  
 14 what hip-hop is.  
 15 To -- to understand what that  
 16 statement means, you have to understand what hip-hop  
 17 is.  
 18 BY MR. DICKIE:  
 19 Q. Well, I'm asking you just simply to  
 20 answer my question. I'm sure your counsel will ask  
 21 you any kind of questions to review it.  
 22 I'd like an answer to my question, and  
 23 if I'm incorrect, then I'm incorrect.  
 24 A. Yep.  
 25 Q. So it is not accurate to say that

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1 The Black Eyed Peas started with a hip-hop foundation  
 2 and then stepped outside of that foundation by  
 3 integrating elements from different musical  
 4 traditions?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 THE DEPONENT: I don't understand the  
 8 question.  
 9 BY MR. DICKIE:  
 10 Q. In the book "Fallen Up," do you  
 11 describe the evolution of The Black Eyed Peas?  
 12 A. Yes.  
 13 Q. And you describe the evolution of  
 14 The Black Eyed Peas from their hip-hop foundation to  
 15 creating a new sound?  
 16 MS. CENAR: Objection; form,  
 17 foundation.  
 18 THE DEPONENT: You've got to be more  
 19 specific.  
 20 BY MR. DICKIE:  
 21 Q. Well, what more do you need? Did you  
 22 say that or didn't you in your book?  
 23 MS. CENAR: Objection; form.  
 24 THE DEPONENT: I still don't  
 25 understand.



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1 BY MR. DICKIE:  
 2 Q. Well, did you suggest that The Black  
 3 Eyed Peas music evolved from just hip-hop by  
 4 integrating elements from different musical  
 5 traditions over a period of time?  
 6 MS. CENAR: Objection; form.  
 7 THE DEPONENT: I can't recall.  
 8 BY MR. DICKIE:  
 9 Q. Did The Black Eyed Peas attempt to  
 10 assimilate music from different musical traditions in  
 11 their songs?  
 12 A. What do you mean by "attempt"?  
 13 Q. Did you attempt to do that?  
 14 A. I don't understand --  
 15 MS. CENAR: Objection --  
 16 THE DEPONENT: -- "attempt."  
 17 MS. CENAR: Objection to the form.  
 18 BY MR. DICKIE:  
 19 Q. Attempt? You don't understand the  
 20 word attempt?  
 21 A. Uh-uh.  
 22 Q. You don't know what the word attempt  
 23 means?  
 24 A. Not in this case.  
 25 Q. Well, do you know what the word

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1 "attempt" means?  
 2 A. Yes.  
 3 MS. CENAR: Objection; form.  
 4 BY MR. DICKIE:  
 5 Q. Does it mean try?  
 6 MS. CENAR: Objection; form.  
 7 THE DEPONENT: Repeat the question.  
 8 BY MR. DICKIE:  
 9 Q. Did The Black Eyed Peas try to have  
 10 their music evolve through the use of incorporating  
 11 and integrating music from different musical  
 12 traditions?  
 13 MS. CENAR: Objection to the form.  
 14 THE DEPONENT: I don't know.  
 15 BY MR. DICKIE:  
 16 Q. Do you know what sampling is?  
 17 A. Yes.  
 18 Q. What is it?  
 19 MS. CENAR: Objection to the form.  
 20 THE DEPONENT: In what way?  
 21 BY MR. DICKIE:  
 22 Q. I asked you if you knew what sampling  
 23 is. You said yes.  
 24 Then I asked you to tell me what it is  
 25 that you understand.

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1 A. There's many ways.  
 2 Q. What does it mean?  
 3 MS. CENAR: Objection; form.  
 4 THE DEPONENT: I don't understand what  
 5 you mean, what you're saying.  
 6 BY MR. DICKIE:  
 7 Q. When I asked you if you knew what  
 8 sampling is and you said yes, did you understand the  
 9 question?  
 10 A. Yes.  
 11 Q. What do you understand sampling in the  
 12 music business to mean?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: There's different forms  
 16 of sampling.  
 17 BY MR. DICKIE:  
 18 Q. What do you understand sampling to  
 19 mean?  
 20 MS. CENAR: Same objections.  
 21 THE DEPONENT: I don't know.  
 22 BY MR. DICKIE:  
 23 Q. Have you ever used or sampled other  
 24 artists' music?  
 25 A. You mean --

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: -- me personally?  
 4 BY MR. DICKIE:  
 5 Q. Yeah.  
 6 A. Me personally? No.  
 7 Q. Have The Black Eyed Peas ever sampled  
 8 other artists' music?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 THE DEPONENT: Can you be more  
 12 specific?  
 13 BY MR. DICKIE:  
 14 Q. Using your understanding of the word  
 15 "sampling," have The Black Eyed Peas ever sampled  
 16 other music from other artists?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 THE DEPONENT: You have songs that you  
 20 could -- I don't know.  
 21 BY MR. DICKIE:  
 22 Q. Well, that's a yes-or-no question, so  
 23 either you know or you don't.  
 24 A. I don't know.  
 25 Q. Have you or The Black Eyed Peas ever

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1 requested permission from other artists to be able to  
 2 use their music in a Black Eyed Peas' song?  
 3 MS. CENAR: Objection; form and  
 4 foundation.  
 5 THE DEPONENT: Don't know.  
 6 BY MR. DICKIE:  
 7 Q. In 2005, did The Black Eyed Peas have  
 8 a hit single called "My Humps"?  
 9 MS. CENAR: Objection; form.  
 10 THE DEPONENT: Yes.  
 11 BY MR. DICKIE:  
 12 Q. And did The Black Eyed Peas get sued  
 13 for their improper sampling of that song by a DJ by  
 14 the name of Toliver in Cleveland, Ohio?  
 15 MS. CENAR: Objection; form,  
 16 foundation. And again, I'm going to instruct the  
 17 witness.  
 18 You can answer that question to the  
 19 extent that you don't reveal communications with your  
 20 counsel.  
 21 If you can't answer that question  
 22 without revealing communications with your counsel,  
 23 you're instructed not to answer the question.  
 24 THE DEPONENT: I don't know.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Did The Black Eyed Peas settle the  
 3 lawsuit with Mr. Toliver in 2011 with the payment of  
 4 money?  
 5 MS. CENAR: Same objections and the  
 6 same instruction.  
 7 THE DEPONENT: I don't know.  
 8 BY MR. DICKIE:  
 9 Q. You don't know?  
 10 A. No.  
 11 Q. So as I sit here, you have no  
 12 knowledge as to whether, first, The Black Eyed Peas  
 13 were sued for improper sampling by Mr. Toliver; is  
 14 that correct?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 And the same privilege instructions,  
 18 sir.  
 19 THE DEPONENT: I don't know.  
 20 BY MR. DICKIE:  
 21 Q. Well, are you aware of The Black Eyed  
 22 Peas being sued for improper sampling of the song "My  
 23 Humps"?  
 24 MS. CENAR: Objection; form,  
 25 foundation.

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1 And the same privilege instruction,  
 2 sir.  
 3 THE DEPONENT: I can't recall.  
 4 BY MR. DICKIE:  
 5 Q. And is it your testimony, sir, here  
 6 under oath that you have no knowledge as to whether  
 7 The Black Eyed Peas settled the improper sampling  
 8 claim of Mr. Toliver as recently as June of 2011?  
 9 MS. CENAR: Objection; form,  
 10 foundation.  
 11 And the same privilege instructions.  
 12 THE DEPONENT: I don't remember,  
 13 sir.  
 14 BY MR. DICKIE:  
 15 Q. Now, were you personally involved in a  
 16 lawsuit regarding a song called "I Need A Freak"?  
 17 MS. CENAR: Objection; form,  
 18 foundation.  
 19 And the same privilege instructions,  
 20 sir.  
 21 THE DEPONENT: I never heard that.  
 22 BY MR. DICKIE:  
 23 Q. You never heard of that?  
 24 Wasn't "I Need A Freak" the song which  
 25 was the basis of the improper sampling as used in the

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1 song "My Humps"?  
 2 MS. CENAR: Objection.  
 3 BY MR. DICKIE:  
 4 Q. Are you telling me you didn't know  
 5 that either?  
 6 MS. CENAR: Objection; form,  
 7 foundation, and same privilege instructions.  
 8 THE DEPONENT: I don't know.  
 9 BY MR. DICKIE:  
 10 Q. Do you know how many times The Black  
 11 Eyed Peas have been sued for copyright  
 12 infringement?  
 13 MS. CENAR: Objection; form,  
 14 foundation and same privilege instructions here.  
 15 THE DEPONENT: Nope.  
 16 BY MR. DICKIE:  
 17 Q. Do you know how many times The Black  
 18 Eyed Peas had paid money -- have paid money for the  
 19 violations of improper copyright infringement?  
 20 MS. CENAR: Objection; form,  
 21 foundation and same privilege instruction.  
 22 THE DEPONENT: Nope.  
 23 BY MR. DICKIE:  
 24 Q. By the way, you -- I want to ask you a  
 25 few questions about some people and see if you have

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1 any experience with them.  
 2 Do you know an individual by the name  
 3 of Flo Rida, R-i-d-a?  
 4 A. Do I know him personally?  
 5 Q. Do you know who that is?  
 6 A. Yes.  
 7 Q. Who is it?  
 8 A. A rapper.  
 9 Q. Have you ever exchanged any material  
 10 with Mr. Rida?  
 11 A. No.  
 12 Q. Have you ever talked to him?  
 13 A. Nope.  
 14 Q. Do you know an individual by the name  
 15 of Joachim Gerard?  
 16 MS. CENAR: Objection; form.  
 17 THE DEPONENT: No.  
 18 BY MR. DICKIE:  
 19 Q. Are you familiar with a band called  
 20 Laroux, L-a-r-o-u-x?  
 21 A. Yes.  
 22 Q. And do you know some of the members of  
 23 that band?  
 24 A. Nope.  
 25 Q. Do you know whether any of the -- your

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1 colleagues at The Black Eyed Peas know members of the  
 2 band Laroux?  
 3 MS. CENAR: Objection; form and  
 4 foundation.  
 5 THE DEPONENT: No.  
 6 BY MR. DICKIE:  
 7 Q. Have you ever met anybody from the  
 8 band Laroux?  
 9 A. I don't -- I don't remember.  
 10 Q. Do you know whether Laroux as a band  
 11 has any kind of relationship or agreement with  
 12 Interscope?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: Nope.  
 16 BY MR. DICKIE:  
 17 Q. Have you ever met Martin Kierszenbaum?  
 18 A. Yes.  
 19 Q. On how many occasions?  
 20 A. Several.  
 21 Q. And have you ever had any  
 22 conversations with him or visited with him in any  
 23 recording studio?  
 24 MS. CENAR: Objection; form.  
 25 THE DEPONENT: Yes.

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1 BY MR. DICKIE:  
 2 Q. And when was the first time that you  
 3 visited with Mr. Kierszenbaum in a recording  
 4 studio?  
 5 A. 2004.  
 6 Q. And from time to time since 2004,  
 7 you've interacted or seen him in recording studios?  
 8 MS. CENAR: Objection; form,  
 9 foundation.  
 10 THE DEPONENT: Not just in recording  
 11 studios.  
 12 BY MR. DICKIE:  
 13 Q. In other places as well?  
 14 A. Un-huh.  
 15 Q. So from time to time since 2004,  
 16 you've seen Mr. Kierszenbaum in recording studios and  
 17 other places from time to time --  
 18 MS. CENAR: Objection --  
 19 BY MR. DICKIE:  
 20 Q. -- is that fair?  
 21 MS. CENAR: Objection to the form.  
 22 THE DEPONENT: Yes.  
 23 BY MR. DICKIE:  
 24 Q. What's Mr. Kierszenbaum's position?  
 25 MS. CENAR: Objection; form and

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1 foundation.  
 2 THE DEPONENT: I don't the title. I  
 3 don't know exactly like --  
 4 BY MR. DICKIE:  
 5 Q. Is he involved with Interscope?  
 6 A. Yes.  
 7 Q. Is he involved and had something to do  
 8 with international activities of Interscope?  
 9 MS. CENAR: Objection; form and  
 10 foundation.  
 11 THE DEPONENT: Yes.  
 12 BY MR. DICKIE:  
 13 Q. And do you have any recollection of  
 14 any specific interaction with Mr. Kierszenbaum, which  
 15 you've had since 2004, in any recording studio?  
 16 MS. CENAR: Objection; form,  
 17 foundation.  
 18 THE DEPONENT: No.  
 19 BY MR. DICKIE:  
 20 Q. Now, are you acquainted with a Swedish  
 21 songwriter by the name of Max Martin?  
 22 A. Uh-uh. No.  
 23 Q. Do you know an individual by the name  
 24 of Ryan Tedder?  
 25 A. Yes.

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1 Q. Who is Mr. Tedder?  
 2 A. The lead singer of One Republic.  
 3 Q. And have you ever met Mr. Tedder?  
 4 A. Yes.  
 5 Q. And have other members of The Black  
 6 Eyed Peas met Mr. Tedder?  
 7 MS. CENAR: Objection; form,  
 8 foundation.  
 9 THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11 Q. Well, were you ever with Mr. Tedder  
 12 with other members of The Black Eyed Peas?  
 13 MS. CENAR: Objection; form.  
 14 THE DEPONENT: No.  
 15 BY MR. DICKIE:  
 16 Q. Did you ever work with Mr. Tedder on  
 17 anything?  
 18 A. No.  
 19 Q. How do you know him?  
 20 A. Met him at the Teen Choice Awards.  
 21 Q. At the what?  
 22 A. Teen Choice Awards.  
 23 Q. And when was that?  
 24 A. Actually, Billboard Awards.  
 25 Sorry about that. We do so many

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1 awards ceremonies.  
 2 Billboard Awards. It was in Las Vegas  
 3 on -- I don't know -- don't know the exact date.  
 4 Q. How about what year?  
 5 A. This year.  
 6 Q. Do you know a gentleman by the name  
 7 of Lukasz Guttwald, known professionally as  
 8 Dr. Luke?  
 9 A. No.  
 10 Q. And do you know a person by the name  
 11 of Printz Board?  
 12 A. Yes.  
 13 Q. Who is that?  
 14 A. It's our musical director.  
 15 Q. When did Mr. Printz Board -- when you  
 16 say "our musical director," are you talking about  
 17 The Black Eyed Peas?  
 18 A. Yes.  
 19 Q. And how long has Mr. Printz Board been  
 20 The Black Eyed Peas' musical director?  
 21 A. Since -- I want to say 2000.  
 22 Q. And what is it that Mr. Board does for  
 23 The Black Eyed Peas?  
 24 MS. CENAR: Objection; form,  
 25 foundation.

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1 THE DEPONENT: He makes sure that the  
 2 band is -- is tight.  
 3 BY MR. DICKIE:  
 4 Q. What does that mean?  
 5 A. Make sure that the band knows the  
 6 songs.  
 7 Q. Does he travel with the band?  
 8 A. Yes.  
 9 Q. And does he participate in recording  
 10 sessions or jam sessions with the band?  
 11 MS. CENAR: Objection; form,  
 12 foundation.  
 13 THE DEPONENT: Can you be more  
 14 specific?  
 15 BY MR. DICKIE:  
 16 Q. Well, when you are doing -- working on  
 17 and creating music, does he participate in that  
 18 process?  
 19 MS. CENAR: Objection; form.  
 20 THE DEPONENT: Sometimes.  
 21 BY MR. DICKIE:  
 22 Q. And does he sometimes attend the  
 23 recording sessions?  
 24 MS. CENAR: Objection; form.  
 25 THE DEPONENT: Yes.

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1 BY MR. DICKIE:  
 2 Q. And when he's working with the band,  
 3 he's offering ideas and suggestions about the music  
 4 and the performance; isn't that right?  
 5 MS. CENAR: Objection; form,  
 6 foundation.  
 7 THE DEPONENT: I'm not clear.  
 8 BY MR. DICKIE:  
 9 Q. Well, what does he do to keep the band  
 10 tight?  
 11 MS. CENAR: Objection; form and  
 12 foundation.  
 13 THE DEPONENT: He -- he practices with  
 14 them.  
 15 BY MR. DICKIE:  
 16 Q. When you say he "practices with them,"  
 17 you mean he practices with the band?  
 18 A. Uh-huh.  
 19 Q. And does he practice with The Black  
 20 Eyed Peas while you're there?  
 21 MS. CENAR: Objection; form.  
 22 BY MR. DICKIE:  
 23 Q. You used the word "them." So are you  
 24 suggesting that he practices with some but not all of  
 25 the members of the band?

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1 A. Bucky Johnson is the band.  
 2 Q. And who is Bucky Johnson?  
 3 A. Keith Harris, George Pajon, and  
 4 Tim Izo.  
 5 Q. And who are they?  
 6 A. They are the background band.  
 7 Q. Were all these individuals --  
 8 Bucky, Harris, and all the guy that you just  
 9 identified --  
 10 A. Uh-huh.  
 11 Q. -- were they all part of The Black  
 12 Eyed Peas started in 1995?  
 13 MS. CENAR: Objection; form --  
 14 THE DEPONENT: No.  
 15 MS. CENAR: -- foundation.  
 16 BY MR. DICKIE:  
 17 Q. When were they added to The Black Eyed  
 18 Peas?  
 19 MS. CENAR: Objection to the form.  
 20 THE DEPONENT: They all came at  
 21 different times.  
 22 BY MR. DICKIE:  
 23 Q. Over what period of time? What would  
 24 be the range? When did the first one come?  
 25 MS. CENAR: Objection to the form.

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1 THE DEPONENT: Well, they are not part  
 2 of The Black Eyed Peas; they are just our back-up  
 3 band.  
 4 BY MR. DICKIE:  
 5 Q. Do they travel with The Black Eyed  
 6 Peas?  
 7 A. Yes.  
 8 Q. And the band that provides the music  
 9 when you perform; isn't that right?  
 10 A. Uh-huh.  
 11 Q. Do they have a separate agreement with  
 12 The Black Eyed Peas?  
 13 MS. CENAR: Objection; form,  
 14 foundation.  
 15 THE DEPONENT: I'm not sure. Don't  
 16 know.  
 17 BY MR. DICKIE:  
 18 Q. How are they compensated?  
 19 MS. CENAR: Objection; form,  
 20 foundation.  
 21 THE DEPONENT: Don't know.  
 22 BY MR. DICKIE:  
 23 Q. Are they the individuals that were  
 24 involved in the recording of the tracks that appeared  
 25 on the album "The E.N.D."?

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1 MS. CENAR: Objection; form,  
 2 foundation.  
 3 THE DEPONENT: Yes.  
 4 BY MR. DICKIE:  
 5 Q. Now, have you ever worked with  
 6 Taylor Swift?  
 7 A. No.  
 8 Q. Have you ever worked with  
 9 Troy Tomlinson from Sony/ATV?  
 10 A. Don't know that name.  
 11 Q. Have you ever worked with a group  
 12 called Espionage? Do you know them?  
 13 A. Uh-uh. Nope.  
 14 Q. Now, were you involved in any way with  
 15 the creation of a song called "Meet Me Halfway"?  
 16 MS. CENAR: Objection; form.  
 17 THE DEPONENT: What do you mean  
 18 "involved"?  
 19 BY MR. DICKIE:  
 20 Q. Are you familiar with the song?  
 21 A. Yes.  
 22 Q. What's the basis of your knowledge of  
 23 the song?  
 24 MS. CENAR: Objection to the form.  
 25 THE DEPONENT: I don't understand "the

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1 basis."  
 2 BY MR. DICKIE:  
 3 Q. Well, how do you know about the  
 4 song?  
 5 MS. CENAR: Objection to form.  
 6 THE DEPONENT: I was part of the  
 7 song.  
 8 BY MR. DICKIE:  
 9 Q. And did you provide any creative  
 10 contribution do that song?  
 11 A. The bridge.  
 12 Q. The vocal bridge?  
 13 A. Yeah, the vocal bridge. Vocal bridge.  
 14 Q. And can you tell me where the  
 15 inspiration for the vocal bridge came?  
 16 A. My wife.  
 17 MS. CENAR: Objection; form.  
 18 BY MR. DICKIE:  
 19 Q. Is there a musical bridge?  
 20 MS. CENAR: Objection.  
 21 THE DEPONENT: I don't know.  
 22 BY MR. DICKIE:  
 23 Q. Now, in connection with "Meet Me  
 24 Halfway," did -- strike that.  
 25 Who else was involved in writing of

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1 the song "Meet Me Halfway"?  
 2 MS. CENAR: Objection to form,  
 3 foundation.  
 4 THE DEPONENT: Will, Apl, Fergie, and  
 5 Keith Harris.  
 6 BY MR. DICKIE:  
 7 Q. Do you know whether anyone sampled  
 8 another song to create the wind sound effect that is  
 9 on that song?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: No.  
 13 BY MR. DICKIE:  
 14 Q. Now, is there a vocal hook line  
 15 sequence in "Meet Me Halfway"?  
 16 A. I don't know what you mean by that.  
 17 Q. Well, earlier today we talked about  
 18 hooks, and you said you only knew about vocal hooks;  
 19 we explored that.  
 20 Is there a vocal hook, as you used the  
 21 term, in the song "Meet Me Halfway"?  
 22 MS. CENAR: Objection; form,  
 23 foundation.  
 24 THE DEPONENT: Yes.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. And where in the song, in terms of  
 3 sequence -- the beginning, the middle or the end --  
 4 is that hook found?  
 5 MS. CENAR: Objection; form.  
 6 THE DEPONENT: I can't remember. I  
 7 got blank on that. I can't remember the song, how it  
 8 starts.  
 9 BY MR. DICKIE:  
 10 Q. Do you know --  
 11 MS. CENAR: Do you want your attorney  
 12 to sing it?  
 13 THE DEPONENT: Yeah, please.  
 14 BY MR. DICKIE:  
 15 Q. Do you know whether that hook sequence  
 16 that Ms. Ferguson sings come from the sampling of a  
 17 tune called "King For A Day"?  
 18 MS. CENAR: Objection; form,  
 19 foundation.  
 20 THE DEPONENT: Don't know.  
 21 BY MR. DICKIE:  
 22 Q. Have you ever heard the song "King For  
 23 A Day"?  
 24 A. Nope.  
 25 Q. By the way, are you aware of a

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1 copyright infringement suit against Will.i.am and  
 2 Stacy Ferguson arising out of a song called "Voodoo  
 3 Doll"?  
 4 MS. CENAR: Objection; form,  
 5 foundation.  
 6 And same privilege instruction.  
 7 THE DEPONENT: No.  
 8 BY MR. DICKIE:  
 9 Q. Are you familiar with a group called  
 10 Groundation?  
 11 A. Nope.  
 12 Q. You've never had any discussion or  
 13 heard of any kind of infringement song arising out  
 14 of Stacy Ferguson's album "The Dutchess"?  
 15 MS. CENAR: Objection; form,  
 16 foundation, and the same privilege instruction.  
 17 THE DEPONENT: I wasn't involved in  
 18 that.  
 19 BY MR. DICKIE:  
 20 Q. By the way, have you ever been asked  
 21 to do anything or provide any -- or to perform on  
 22 Will.i.am's Music Group label?  
 23 MS. CENAR: Objection; form.  
 24 THE DEPONENT: Nope.  
 25 ///

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1 BY MR. DICKIE:  
 2 Q. Now, are you familiar with a song  
 3 called "Showdown"?  
 4 A. Yes.  
 5 Q. You know it because it's a Black Eyed  
 6 Peas' song?  
 7 A. Yes.  
 8 Q. And did you receive a share as a  
 9 songwriter for that song?  
 10 MS. CENAR: Objection; form.  
 11 THE DEPONENT: Yes.  
 12 BY MR. DICKIE:  
 13 Q. And there's a guitar scrape that's in  
 14 song; isn't that right?  
 15 MS. CENAR: Objection; form,  
 16 foundation.  
 17 THE DEPONENT: I didn't understand the  
 18 question, sir.  
 19 BY MR. DICKIE:  
 20 Q. Well, is there -- is a guitar used in  
 21 that song?  
 22 MS. CENAR: Objection; form.  
 23 THE DEPONENT: Hum, hum, hum, hum.  
 24 I can't remember the music. I just know the lyrics.  
 25 Damn.

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1           When you tell me to sing my own song,  
 2 it's like -- or remember my own song, it's kind of --  
 3 I got so many them that I can't remember that one.  
 4 BY MR. DICKIE:  
 5           Q. Do you know from where the music as  
 6 opposed to the lyrics for that song came?  
 7           MS. CENAR: Objection; form,  
 8 foundation.  
 9           THE DEPONENT: No.  
 10 BY MR. DICKIE:  
 11          Q. Do you know who created the guitar  
 12 scrape vamp within the song?  
 13          MS. CENAR: Objection; form,  
 14 foundation.  
 15          THE DEPONENT: No.  
 16 BY MR. DICKIE:  
 17          Q. Do you know who wrote the music and  
 18 lyrics for the song?  
 19          MS. CENAR: Objection; form.  
 20          THE DEPONENT: No.  
 21 BY MR. DICKIE:  
 22          Q. Can you identify for me what the  
 23 musical inspiration for the primary musical melody of  
 24 "Showdown" is?  
 25          MS. CENAR: Objection; form,

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1 foundation.  
 2          THE DEPONENT: Don't know.  
 3 BY MR. DICKIE:  
 4          Q. Do you know whether The Black Eyed  
 5 Peas, anyone in the group or working for them,  
 6 sampled the copyrighted song called "Photograph" in  
 7 producing "Showdown"?  
 8          MS. CENAR: Objection; form,  
 9 foundation.  
 10          THE DEPONENT: Can you repeat the  
 11 question?  
 12          MR. DICKIE: Yep.  
 13 BY MR. DICKIE:  
 14          Q. Do you know whether The Black Eyed  
 15 Peas or anyone in the group working for them sampled  
 16 a song called "Photograph" in producing "Showdown"?  
 17          MS. CENAR: Objection; form,  
 18 foundation, and same privilege instruction.  
 19          THE DEPONENT: I don't know.  
 20 BY MR. DICKIE:  
 21          Q. Do you know the song "Best One Yet"?  
 22          A. Yes.  
 23          Q. And what was your contribution to that  
 24 song?  
 25          A. Four lines.

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1           Q. Which four lines?  
 2           A. "Save this one for a photograph.  
 3 Let's make this one last like the best one we ever  
 4 had."  
 5           Q. And what was the source of the musical  
 6 inspiration for that song? Do you know?  
 7           MS. CENAR: Objection; form,  
 8 foundation.  
 9           THE DEPONENT: I don't know.  
 10 BY MR. DICKIE:  
 11          Q. When was that song created?  
 12          MS. CENAR: Objection; form.  
 13          THE DEPONENT: Don't remember.  
 14 BY MR. DICKIE:  
 15          Q. Were you -- at the -- from the  
 16 inception of the creation of that song, were you  
 17 involved?  
 18          MS. CENAR: Objection; form.  
 19          THE DEPONENT: No.  
 20 BY MR. DICKIE:  
 21          Q. Was Will.i.am involved at the outset  
 22 in the creation of that song?  
 23          MS. CENAR: Objection; form,  
 24 foundation.  
 25          THE DEPONENT: I'm not sure. Don't

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1 know.  
 2 BY MR. DICKIE:  
 3          Q. Do you have any understanding of who  
 4 was involved at the beginning for the creation of  
 5 that song?  
 6          A. Nope.  
 7          MS. CENAR: Objection; form.  
 8 BY MR. DICKIE:  
 9          Q. Have you ever witnessed Mr. Adams or  
 10 any other member of The Black Eyed Peas sample songs  
 11 of other artists?  
 12          MS. CENAR: Objection; form,  
 13 foundation.  
 14          THE DEPONENT: No.  
 15 BY MR. DICKIE:  
 16          Q. Have you ever been present when anyone  
 17 sampled songs of other artists?  
 18          MS. CENAR: Objection; form,  
 19 foundation.  
 20          THE DEPONENT: No.  
 21 BY MR. DICKIE:  
 22          Q. Mr. Gomez, tell me, what impact,  
 23 if any, did the song "I Gotta Feeling" have on the  
 24 career of The Black Eyed Peas?  
 25          MS. CENAR: Objection; form,

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1 foundation.  
 2 THE DEPONENT: Can you be more  
 3 specific about "impact"?  
 4 BY MR. DICKIE:  
 5 Q. Do you know what the word "impact"  
 6 means?  
 7 A. Yes.  
 8 Q. Using your understanding of the word  
 9 impact, did it have one or not?  
 10 MS. CENAR: Objection; form,  
 11 foundation.  
 12 THE DEPONENT: Nah. We were already  
 13 set. We were already established way before that  
 14 song.  
 15 BY MR. DICKIE:  
 16 Q. So did the song "I Gotta Feeling"  
 17 have a substantial financial benefit to The Black  
 18 Eyed Peas?  
 19 MS. CENAR: Objection; form,  
 20 foundation.  
 21 THE DEPONENT: We've been selling  
 22 records way before that song came out.  
 23 BY MR. DICKIE:  
 24 Q. So can you tell me what other  
 25 Black Eyed Peas downloaded song had more than 7

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1 million downloads?  
 2 A. Well --  
 3 Q. Can you tell me another song that had  
 4 that?  
 5 A. No.  
 6 Q. Okay. Can you tell me another  
 7 Black Eyed Peas' song that had more than 6 million  
 8 downloads?  
 9 A. No.  
 10 Q. Can you tell me another Black Eyed  
 11 Peas' song that had more than 5 million downloads?  
 12 MS. CENAR: Objection; form,  
 13 foundation.  
 14 THE DEPONENT: I don't know.  
 15 BY MR. DICKIE:  
 16 Q. Would you agree with me, sir, that the  
 17 song "I Gotta Feeling" in terms of commercial success  
 18 is the largest selling, highest grossing song The  
 19 Black Eyed Peas had ever put out?  
 20 MS. CENAR: Objection; form,  
 21 foundation.  
 22 THE DEPONENT: Yes.  
 23 BY MR. DICKIE:  
 24 Q. And as a musician, did you ever submit  
 25 samples -- before you joined The Black Eyed Peas, did

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1 you ever submit samples of things you were doing in  
 2 the music business to record companies?  
 3 MS. CENAR: Objection to form.  
 4 THE DEPONENT: No.  
 5 MR. DICKIE: Thank you, Mr. Gomez.  
 6 I have no further questions of you  
 7 today.  
 8 THE DEPONENT: Thank you.  
 9 MS. CENAR: Let me take a break. I  
 10 want to check my notes.  
 11 THE VIDEOGRAPHER: We are now going  
 12 off the record. The time is 5:11 p.m.  
 13 (WHEREUPON, A RECESS WAS HELD  
 14 FROM 5:11 P.M. TO 5:32 P.M.)  
 15 THE VIDEOGRAPHER: We are now going  
 16 back on the record. The time is 5:32 p.m. We went  
 17 on break at 5:11 p.m.  
 18 MS. CENAR: Okay. We're going to  
 19 reserve cross-examination, and the witness is free to  
 20 go.  
 21 Can we have a stipulation he can sign  
 22 before any notary?  
 23 MR. DICKIE: Cross-examination is not  
 24 what you get when it's your client.  
 25 And we'll have this transcript handled

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1 by the Federal rules, which provides the procedure by  
 2 which the transcript will be handled.  
 3 MS. CENAR: So you're not going to  
 4 stipulate that the witness can sign before any  
 5 notary?  
 6 MR. DICKIE: What I'm saying is that  
 7 the witness and that you will follow the procedure  
 8 throughout the deposition, which is to follow the  
 9 federal rules. Whatever they provide is what they  
 10 provide. And I'm sure that the witness will have  
 11 whatever opportunity, if he wants, to examine the  
 12 transcript.  
 13 MS. CENAR: No. The witness has a  
 14 right to read and examine the transcript.  
 15 My question to you, sir: Will you  
 16 stipulate that this witness can read and sign before  
 17 any notary?  
 18 It's a "yes" or "no."  
 19 MR. DICKIE: If it's so provided in  
 20 the federal rules, yes; if not, no.  
 21 MS. CENAR: Okay.  
 22 MR. DICKIE: Okay.  
 23 THE VIDEOGRAPHER: Is that it?  
 24 MS. CENAR: Yes.  
 25 Thank you, Mr. Gomez.



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1 THE VIDEOGRAPHER: Let me conclude the  
 2 video, then.  
 3 This is the end of Tape Number  
 4 Four and concludes the videotaped deposition of  
 5 Jaime Gomez in the matter of "Bryan Pringle v.  
 6 William Adams, Jr., et al."  
 7 The master tapes of today's testimony  
 8 will remain in the custody of Tracy Fox & Associates.  
 9 We are now going off the record. The  
 10 time is 5:34 p.m.  
 11 Thank you.  
 12 DEPOSITION OFFICER: Would you like a  
 13 copy, Counsel?  
 14 MS. CENAR: Yes.  
 15 MR. DICKIE: Thank you.  
 16 THE DEPONENT: Thank you.  
 17 MS. CENAR: And when -- when will you  
 18 have the final in final form?  
 19 DEPOSITION OFFICER: The "final"  
 20 final?  
 21 MS. CENAR: Yes.  
 22 DEPOSITION OFFICER: Regular  
 23 turnaround unless --  
 24 MS. CENAR: No. Expedited.  
 25 Let me let him go and then I'll be

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1 back and talk to you.  
 2 DEPOSITION OFFICER: Great.  
 3 Off the stenographic record.  
 4  
 5 \* \* \*  
 6 (WHEREUPON, AT 5:34 P.M., THE  
 7 DEPOSITION PROCEEDINGS WERE CONCLUDED.)  
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1 ---o0o---  
 2  
 3 DEPONENT'S SIGNATURE  
 4  
 5 Please be advised I, \_\_\_\_\_,  
 6 have read the foregoing deposition pages \_\_\_\_\_  
 7 through \_\_\_\_\_, inclusive. I hereby state  
 8 there are:  
 9  
 10 (CHECK ONE):  
 11 \_\_\_\_\_ NO CORRECTIONS.  
 12 \_\_\_\_\_ CORRECTIONS PER ATTACHED.  
 13  
 14  
 15 \_\_\_\_\_  
 16 (SIGNATURE OF THE DEPONENT)  
 17  
 18 ---o0o---  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 DEPONENT'S CHANGES OR CORRECTIONS  
 2 NOTE: If you are adding to your testimony, print the  
 3 exact words you want to add. If you are deleting  
 4 from your testimony, print the exact words you want  
 5 to delete. Specify with "Add" or "Delete" and sign  
 6 this form.  
 7 DEPOSITION OF: JAIME GOMEZ  
 8 CASE TITLE: BRYAN PRINGLE vs. WILLIAM ADAMS, et al.  
 9 DATE OF DEPOSITION: FRIDAY, JULY 22, 2011  
 10 I, \_\_\_\_\_,  
 11 have the following corrections to make to my  
 12 deposition:  
 13 PAGE LINE CHANGE/ADD/DELETE  
 14 \_\_\_\_\_  
 15 \_\_\_\_\_  
 16 \_\_\_\_\_  
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