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16 Attorneys for Plaintiff  
BRYAN PRINGLE  
17

18 **UNITED STATES DISTRICT COURT**  
19 **CENTRAL DISTRICT OF CALIFORNIA**  
20 **SOUTHERN DIVISION**

21 BRYAN PRINGLE, an individual,  
22 Plaintiff,  
23 v.  
24 WILLIAM ADAMS, JR.; STACY  
25 FERGUSON; ALLAN PINEDA; and  
26 JAIME GOMEZ, all individually and  
collectively as the music group The Black  
Eyed Peas, *et al.*,  
27 Defendants.

) Case No. SACV 10-1656 JST(RZx)  
) **PLAINTIFF'S RULE 26**  
) **DISCLOSURES**

28

1 Plaintiff Bryan Pringle (“Plaintiff”) pursuant to Federal Rule of Civil  
2 Procedure 26(a), submits these Initial Disclosures. The Initial Disclosures are based  
3 on information reasonably available to Plaintiff to date. Plaintiff may not yet have  
4 discovered witnesses or documents, or inadvertently may have omitted witnesses or  
5 documents from his Initial Disclosures, which later may be deemed relevant.  
6 Plaintiff reserves the right to make use of such information and documents as they  
7 are discovered and to supplement these Initial Disclosures if desired or necessary.  
8 Plaintiff incorporates into these disclosures all allegations and claims asserted in his  
9 operative Complaint.

10 Subject to the foregoing, Plaintiff submits the following Rule 26 Initial  
11 Disclosures:

12 **1. Rule 26(a)(1)(A)(i): The name and, if known, the address and**  
13 **telephone number of each individual likely to have discoverable information—**  
14 **along with the subjects of that information— that the disclosing party may use**  
15 **to support its claims or defenses, unless solely for impeachment, identifying the**  
16 **subjects of information:**

- 17 a. Bryan Pringle. Mr. Pringle is available through counsel. He has knowledge of  
18 the writing and creation of the song “Take a Dive,” including each of the  
19 derivative versions of it, its submission to the various Defendants, and the facts  
20 and allegations contained within the Amended Complaint.
- 21 b. David Guetta. Mr. Guetta has knowledge of the manner in which Defendants  
22 obtained “Take a Dive,” Defendants’ use of “Take a Dive” in creating “I Gotta  
23 Feeling,” Defendants’ other instances of intentional copying, and the facts and  
24 allegations contained within the Amended Complaint.
- 25 c. Frederick Riesterer. Mr. Riesterer has knowledge of the manner in which  
26 Defendants obtained “Take a Dive,” Defendants’ use of “Take a Dive” in  
27 creating “I Gotta Feeling,” Defendants’ other instances of intentional copying,  
28 and the facts and allegations contained within the Amended Complaint.

- 1 d. William Adams, Jr. Defendant Adams has knowledge of his role as an A&R at  
2 Interscope, the manner in which Defendants obtained “Take a Dive,”  
3 Defendants’ use of “Take a Dive” in creating “I Gotta Feeling,” Defendants’  
4 other instances of intentional copying, and the facts and allegations contained  
5 within the Amended Complaint.
- 6 e. Stacy Ferguson. Defendant Ferguson has knowledge of the manner in which  
7 Defendants obtained “Take a Dive,” Defendants’ use of “Take a Dive” in  
8 creating “I Gotta Feeling,” Defendants’ other instances of intentional copying,  
9 and the facts and allegations contained within the Amended Complaint.
- 10 f. Allan Pineda. Mr. Pineda has knowledge of the manner in which Defendants  
11 obtained “Take a Dive,” Defendants’ use of “Take a Dive” in creating “I Gotta  
12 Feeling,” Defendants’ other instances of intentional copying, and the facts and  
13 allegations contained within the Amended Complaint.
- 14 g. Jaime Gomez. Mr. Gomez has knowledge of the manner in which Defendants  
15 obtained “Take a Dive,” Defendants use of “Take a Dive” in creating “I Gotta  
16 Feeling,” Defendants’ other instances of intentional copying, and the facts and  
17 allegations contained within the Amended Complaint.
- 18 h. Ike Youseff. Mr. Youseff has knowledge of the profits earned by Defendants  
19 from the sale and distribution of “I Gotta Feeling.”
- 20 i. UMG Recordings, Inc.’s corporate representative with knowledge of the facts  
21 and circumstances regarding the creation, publication, and distribution of “I  
22 Gotta Feeling.”
- 23 j. Interscope Records’ corporate representative with knowledge of the facts and  
24 circumstances regarding the creation, publication, and distribution of “I Gotta  
25 Feeling.”
- 26 k. EMI April Music, Inc.’s corporate representative with knowledge of the facts  
27 and circumstances regarding the creation, publication, and distribution of “I  
28 Gotta Feeling.”

- 1 l. Headphone Junkie Publishing, LLC’s corporate representative with knowledge  
2 of the facts and circumstances regarding the creation, publication, and  
3 distribution of “I Gotta Feeling.”
- 4 m. will.i.am music, llc’s corporate representative with knowledge of the facts and  
5 circumstances regarding the creation, publication, and distribution of “I Gotta  
6 Feeling.”
- 7 n. Jeepney Music, Inc.’s corporate representative with knowledge of the facts and  
8 circumstances regarding the creation, publication, and distribution of “I Gotta  
9 Feeling.”
- 10 o. Tab Magnetic Publishing’s corporate representative with knowledge of the  
11 facts and circumstances regarding the creation, publication, and distribution of  
12 “I Gotta Feeling.”
- 13 p. Cherry River Music Co.’s corporate representative with knowledge of the facts  
14 and circumstances regarding the creation, publication, and distribution of “I  
15 Gotta Feeling.”
- 16 q. Shapiro, Bernstein & Co., Inc.’s corporate representative with knowledge of the  
17 facts and circumstances regarding the creation, publication, and distribution of  
18 “I Gotta Feeling.”
- 19 r. Rister Editions’ corporate representative with knowledge of the facts and  
20 circumstances regarding the creation, publication, and distribution of “I Gotta  
21 Feeling.”
- 22 s. Square Rivoli Publishing’s corporate representative with knowledge of the  
23 facts and circumstances regarding the creation, publication, and distribution of  
24 “I Gotta Feeling.”
- 25 t. Grounded Music, Inc.’s corporate representative with knowledge of the facts  
26 and circumstances regarding Defendants’ other instances of intentional  
27 copying.  
28

- 1 u. Adam Freeland. Mr. Freeland has knowledge of Defendants' other instances of  
2 intentional copying.
- 3 v. George Clinton. Mr. Clinton has knowledge of Defendants' other instances of  
4 intentional copying.
- 5 w. Plaintiff's investigation is ongoing. Plaintiff will attempt to identify through  
6 discovery and investigation the names of other individuals and business entities  
7 who may have knowledge regarding their claims and defenses. Thus, Plaintiff  
8 reserves the right to supplement these disclosures and promptly disclose the  
9 identities of these persons as they become known to Plaintiff in accordance  
10 with Fed. R. Civ. P. 26(a),(e).

11 **2. Rule 26(a)(1)(A)(ii): A copy— or description by category and location**  
12 **of— all documents, electronically stored information, and tangible things that**  
13 **the disclosing party has in its possession, custody, or control and may use to**  
14 **support its claims or defenses, unless the use would be solely for impeachment:**

- 15 a. Documents regarding the creation, publication, distribution, and copyright of “I  
16 Gotta Feeling.”
- 17 b. Communications with Defendants.
- 18 c. Plaintiff's investigation is ongoing and Plaintiff will identify additional  
19 categories of documents as they come into Plaintiff's possession in accordance  
20 with Fed. R. Civ. P. 26(a),(e).

21 **3. Rule 26(a)(1)(A)(iii): A computation of any category of damages**  
22 **claimed by the disclosing party, making available for inspection and copying as**  
23 **under Rule 34 the documents or other evidentiary material, not privileged or**  
24 **protected from disclosure, on which such computation is based, including**  
25 **materials bearing on the nature and extent of injuries suffered:**

26 Plaintiff seeks injunctive relief and monetary recovery from the Defendants in  
27 the form of Plaintiff's lost profits, royalties and songwriting credit, and/or  
28 Defendants' profits. These damages will be provided by Plaintiff's damages expert



1 pursuant to 17 U.S.C. § 504 and 505. The calculations shall be provided in  
2 accordance with Rule 26(a)(2) and this Court's Scheduling and Case Management  
3 Order. The documents and other material, not privileged or protected from  
4 disclosure, on which such computation is based, will be produced in accordance with  
5 Rule 26(a)(2) and this Court's Scheduling and Case Management Order. Plaintiff  
6 specifically incorporates any and all such reports to be provided by its damages  
7 experts, and reserves the right to supplement these disclosures and promptly disclose  
8 this information as it becomes known to Plaintiff in accordance with Fed. R. Civ. P.  
9 26(a),(e). Plaintiff further seeks recovery of his attorneys' fees.

10 **4. Rule 26(a)(1)(A)(iv): For inspection and copying as under Rule 34 any**  
11 **insurance agreement under which any person carrying on an insurance business**  
12 **may be liable to satisfy part or all of a judgment which may be entered in the**  
13 **action or to indemnify or reimburse for payments made to satisfy the judgment:**

14 None.

15  
16 Dated: February 28, 2011

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23 By:   
24 Attorneys for Plaintiff Bryan Pringle