

Deposition of Bryan Pringle - August 24, 2011

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

BRYAN PRINGLE, an)	
individual,)	
)	
Plaintiff,)	
)	
v.)	Case No.
)	8:10-cv-01656-JST-RZ
WILLIAM ADAMS, JR.;)	
STACY FERGUSON; ALLAN)	
PINEDA; and JAIME)	
GOMEZ, all)	
individually and)	
collectively as the)	
music group the Black)	
Eyed Peas; DAVID)	
GUETTA; FREDERICK)	
RIESTERER; UMG)	
RECORDINGS, INC.;)	
INTERSCOPE RECORDS;)	
EMI APRIL MUSIC,)	
INC.; HEADPHONE)	
JUNKIE PUBLISHING,)	
LLC; WILL.I.AM MUSIC,)	
LLC; JEEPNEY MUSIC,)	
INC.; TAB MAGNETIC)	
PUBLISHING; CHERRY)	
RIVER MUSIC CO.;)	
SQUARE RIVOLI)	
PUBLISHING;)	
RISTER EDITIONS;)	
and SHAPIRO,)	
BERNSTEIN & CO.,)	
)	
Defendants.)	

VIDEOTAPED DEPOSITION OF
BRYAN PRINGLE

Wednesday, August 24, 2011

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1 your home. It's not a separate studio
2 address at a different location.

3 A. Yes.

4 Q. Now, you have filed a lawsuit
5 against a number of defendants concerning the
6 song "I Gotta Feeling." Is that correct?

7 A. Yes. That's part of it.

8 Q. That's part of it?

9 A. Yes, that's part of the
10 lawsuit.

11 Q. What's the other part?

12 A. The other songs.

13 Q. What other songs is that, sir?

14 A. Well, offhand, without an
15 exhaustive list, "Meet Me Halfway,"
16 "Showdown," "Someday," "Best One Yet," "Where
17 Them Girls At," "Love Is Gone," "If We Ever."

18 Oh, there's a couple other Dave
19 Guetta songs where he steals riffs. I'd have
20 to look at an exhaustive -- I think it's
21 roughly about 10 songs, but I'd have to look
22 at the list. There's another song, I can't
23 recall what it is. "One Love." Yeah, it's
24 "One Love."

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1 A. Well, starting around -- I
2 don't know the specific dates that his "Songs
3 About Girls" album was released, but again
4 this is just my personal -- you're asking me
5 a question, so I'm giving you my opinion, and
6 I investigated multiple songs on Will Adams'
7 "Songs About Girls" album and also "The
8 Beginning" album and also "The E.N.D." album
9 and I'm giving you my opinion as a composer
10 and as a musician, a songwriter that's been
11 writing since I was 13 years old.

12 I examined multiple songs, and
13 it is incredibly obvious that Mr. Adams took
14 my songs, in my opinion, and constructed his
15 songs, including "Invisible," "I Gotta
16 Feeling," "Meet Me Halfway."

17 There's even some loose --
18 there's a song, I can't remember -- well,
19 photograph -- my song "Photograph", there's a
20 sample from my song in his song "Showdown."
21 There's also what appears to be a sample from
22 my song "King For a Day" which rhymes with
23 their song "Meet Me Halfway."

24 There's a specific wind sound

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1 that I have located inside "Meet Me Halfway"
2 that, in my opinion, was obviously ran
3 through an effects processor and sampled from
4 my song.

5 There's multiple songs that
6 I've seen on "Songs About Girls," "The
7 Beginning" and "The E.N.D." So I would say
8 yes, there is -- I believe it was
9 confirmation and indication that he did
10 access my music.

11 And I would say that I can't
12 recall exactly how many songs, but it was
13 like something like 20 different songs that
14 either had extremely loose musical structure
15 or that I indicated that I -- I found what I
16 believed to be samples.

17 So yes, I would say that there
18 is evidence and I would say that there's
19 communication at least to me on a musical
20 level.

21 Q. All right. So other than that,
22 do you have any other information that
23 indicates that Mr. Adams had access to any of
24 your music?

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1 it.

2 And I did this a lot. This is
3 not just with Joachim Gaurraud and Dave
4 Guetta. This was something -- it was
5 standard, I didn't think much of it about --
6 I figure they'll play it in the club and I've
7 heard stuff of mine played in the clubs
8 and --

9 Q. My question was pretty basic
10 and pretty simple. Did they send you a
11 letter asking for you to send them specific
12 tracks?

13 A. I don't recall the exact -- the
14 specific what was written in a letter almost
15 10 years ago. That's my response.

16 Q. This was the 2001 to 2003 time
17 frame, that's your recollection?

18 A. Well, that's not what I said,
19 but it was roughly around 2001, 2004. That's
20 my recollection, but I don't specifically
21 recall who signed the letter, what exactly it
22 said, and if there was a specific request.

23 But I know that I sent that,
24 because they were DJ's, and I said this could

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1 be very cool to have DJ's in Paris playing my
2 stuff and also if you're a professional DJ,
3 they usually travel around and go to other
4 clubs. So I took it upon myself to send the
5 tracks.

6 But as far as what was
7 specifically said in the letter, I don't
8 know. And it might have been in French, too.
9 I mean --

10 Q. You read French?

11 A. I don't read French, but you
12 can go on the Internet, there are different
13 websites. You can put in the French words
14 and my brother Jeff reads French and he has
15 interpreted letters for me. It's possible he
16 interpreted that letter. He also speaks
17 German. I've gotten letters from Germany.
18 So no, I don't speak French but I do have
19 available to me the necessary tools to
20 interpret things.

21 Q. Where does Jeffrey Pringle,
22 your brother, live today?

23 A. I don't know the exact address,
24 but he lives somewhere -- I believe it's

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1 Q. Did you receive a handwritten
2 letter from Joachim Gaurraud?

3 A. That I don't recall. I mean,
4 that was like 2001, 2003. I don't recall.
5 As a matter of fact -- well, I don't recall
6 that.

7 Q. Do you recall receiving a
8 handwritten letter from David Guetta?

9 A. Well, no. The letter that
10 we're referring to, I don't recall if it was
11 typed or if it was handwritten.

12 Q. Do you -- are you familiar with
13 an individual, Fred Riesterer?

14 MR. DICKIE: Objection, asked
15 and answered.

16 THE WITNESS: Do you want me to
17 answer that?

18 MR. DICKIE: Yes. Yes, please.

19 A. Yes.

20 BY MS. CENAR:

21 Q. Who is he?

22 A. You want my opinion of who he
23 is?

24 Q. Who is he, sir?

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1 adjourn the deposition and seek a
2 protective order.

3 BY MS. CENAR:

4 Q. You can answer my question,
5 sir.

6 MR. DICKIE: You need not, it's
7 privileged and it's personal.

8 BY MS. CENAR:

9 Q. Are you going to follow that
10 instruction?

11 A. Hmm. He's got the law degree.
12 I'm just a musician, man. I mean, I --

13 Q. Do you own any properties in
14 the state of California?

15 A. No.

16 Q. Do you have any assets in the
17 state of California?

18 A. Hmm. That's a loaded one,
19 because -- I mean, I'm making a claim against
20 someone who has intellectual property in the
21 state of California so I would say maybe,
22 yes, I do. I feel like I do, but I don't
23 have any real property in California, no.

24 Q. Do you -- can you tell me, are

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1 you aware that there is a provision under the
2 copyright statute that if you do not prevail,
3 you could be liable for the attorneys' fees
4 of the defendants?

5 A. Yep. I know that one.

6 Q. Do you have the means to pay
7 for the attorneys' fees if you do not prevail
8 in this case?

9 A. Well, it depends how much it
10 is, but I'll tell you what I understand is,
11 because I've actually talked to another --
12 another plaintiff that didn't prevail. I
13 think it's about \$200,000 is the average, and
14 am I liquid to pay that, no. I would
15 basically file Chapter 7 bankruptcy and
16 probably go work at Taco Bell or something.

17 Q. And are you currently employed?

18 THE WITNESS: Do you want me to
19 answer that, Dean?

20 MR. DICKIE: You can answer
21 that question.

22 A. No, I'm not currently employed.

23 BY MS. CENAR:

24 Q. Do you have any means by which

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1 BY MS. CENAR:

2 Q. What parts were filled out by
3 you, sir?

4 A. That I don't recall.

5 Q. Uh-huh. The "Nation of First
6 Publication" is United States. Was the "Take
7 a Dive" Dance Version not on the radio before
8 December 1st, 1999, in France?

9 A. Yeah, it's possible. But like
10 I said before, I didn't realize what
11 publication was, and this -- although I can't
12 disclose what was said because it's
13 attorney-client privileged, this particular
14 application and date of first publication
15 may -- may be incorrect, but it certainly
16 wasn't intentional. I actually have to go
17 back and talk to the person that assisted me
18 with this.

19 Q. And who is that?

20 A. My attorney, Ryan.

21 Q. Which one?

22 A. Ryan Greely. This is -- as a
23 matter of fact, I'll even go further to say
24 that this was not my idea to file this. As a

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1 over your signature exists. Do you see where
2 I'm referring to, sir?

3 A. The next page, PL0028?

4 Q. 27.

5 A. Okay, yeah.

6 Q. All right. The first paragraph
7 of the e-mail that's under your signature
8 says, "I wrote the entire 'Take a Dive'
9 (Dance version) song. I made an original
10 version of 'Take a Dive' (copyrighted in
11 1998); about a year later in 1999, I made the
12 'Take a Dive' (Dance Version), in which I
13 only added the 'Guitar Twang Sequence' to the
14 original version of 'Take a Dive' and
15 slightly changed the bass drum placement
16 (from 2 to 4 hits per measure)."

17 Is that a truthful
18 representation?

19 A. This was written by Ryan
20 Greely, but let me read it.

21 (Witness reviews document(s).)

22 A. That I don't know, that would
23 call for a legal conclusion. But also, I'll
24 be frank with you. I didn't read most of

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1 what Ryan did because I didn't particularly
2 agree with this copyright. I didn't think it
3 was necessary, and unfortunately I probably
4 should have read what he was writing here
5 because I don't agree with it.

6 BY MS. CENAR:

7 Q. I asked you with the first
8 sentence I just read in the record, was that
9 statement a truthful statement?

10 A. Are you saying that -- are
11 you -- I'd have to understand where you're
12 coming from. Are you saying that I wrote
13 this statement or are you saying it was a
14 truthful statement when Ryan Greely wrote it?
15 Because I don't know what his frame of mind
16 was.

17 Q. Sir, are the facts in the
18 sentence that I just read accurate or not?

19 A. Well, I don't know.

20 MR. DICKIE: She's only talking
21 about the first sentence and the
22 second sentence.

23 A. Oh, I'm sorry. You're talking
24 about I wrote the "Take a Dive" song and I

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1 the 'Guitar Twang Sequence.'"

2 Do you see that, sir?

3 A. Yeah, and I've already answered
4 it. I didn't write that.

5 Q. Is that not a -- is that not
6 your understanding?

7 MR. DICKIE: Objection. Asked
8 and answered.

9 A. Ma'am, I've already -- no, I
10 want to answer this.

11 Ma'am, I've already answered
12 it. My copyright registration in 1998, which
13 was what, 11 years before the Black Eyed Peas
14 came out with "I Gotta Feeling," not to
15 mention the numerous songs that they've also
16 infringed on, do you want to talk about that?

17 Why the hell would I care about
18 a sound recording copyright in 2010 when I've
19 got upwards of 10 to 15 songs that they've
20 infringed on? I couldn't care less about
21 this.

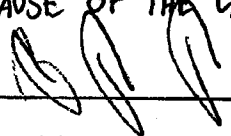
22 And like I said before,
23 Mr. Greely and the law firm was the one that
24 was pushing this. I didn't agree with it.

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1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 SOUTHERN DIVISION

4 BRYAN PRINGLE, an)
5 individual,)
6 Plaintiff,) Case No.
7 v.) 8:10-cv-01656-JST-RZ
8 WILLIAM ADAMS, JR.,)
9 et al.)
10 Defendants.)

11 I, BRYAN PRINGLE, have read ^{ONLY} ^{SPECIFIC} ^{PAGES} ^{OF} the
12 foregoing deposition and hereby affix my
13 signature that same ~~is~~ ^{ONLY SPECIFIC PAGES ARE} true and correct. ^(THAT I CORRECTED)
14 except as I have so indicated on the
15 errata sheets provided herein. I ^{ENOUGH TIME} DIDN'T HAVE TO READ ALL OF
16 THE DEPOSITION, BECAUSE OF THE LATE DATE THAT I RECEIVED IT.



17 _____
18 BRYAN PRINGLE

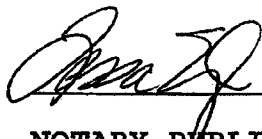
19 No corrections (Please initial) _____
20 Number of errata sheets submitted 1 (pgs)

21
22 THE STATE OF TEXAS)
23 Before me, TESSA EARLY ^{JC} _____, on
24 this day personally appeared BRYAN PRINGLE,

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1 known to me (or proved to me under oath or
 2 through TX DL 12482203) (description of
 3 identity card or other document) to be the
 4 person whose name is subscribed to the
 5 foregoing instrument and acknowledged to me
 6 that they executed same for the purposes and
 7 consideration therein expressed.

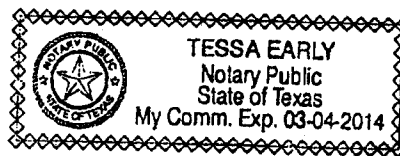
8 Given under my hand and seal of office
 9 on this 23RD day of SEPTEMBER,
 10 2011.

11
 12
 13 

14 NOTARY PUBLIC IN AND FOR

15 THE STATE OF TEXAS

16 My Commission Expires: 03/04/2014



ERRATA

Page: 18 Line: 13 Change: "1998" → "TO THE PRESENT DATE"
Reason: ADDITIONAL CLARIFICATION

Page: 110 Line: 11 Change: D, E, & F → "D SHAPP, D AND F"
Reason: CORRECTION: GTR TWANG UP 3 KEYS IS
D, SHAPP, D, AND F

Page: 110 Line: 12 Change: "E" → "D"
Reason: CORRECTION: GTR TWANG UP 3 KEYS IS
D, SHAPP, D, AND F

Page: 112 Line: 21 Change: "NO" → "I RECEIVED A LETTER FROM MARTIN KIERZNER
+ STEPHANE GERNON AT A PERFORM INTERSCOPE/CHERRY TREE"
Reason: MEMORY REFRESHED

Page: 128 Line: 116 Change: "NO" → "I DON'T RECALL ALL OF THE INDIVIDUALS
THAT I GAVE DEMO CD'S TO IN FRANCE"
Reason: MEMORY REFRESHED

Page: 127 Line: 22 Change: ADD: "I ALSO WENT TO NUMEROUS CLUBS TO GIVE OUT
MY DEMO CD'S IN FRANCE"
Reason: MEMORY REFRESHED & CLARIFICATION

Page: _____ Line: _____ Change: _____
Reason: _____

Page: _____ Line: _____ Change: _____
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Reason: _____


Signature

9/23/11
Date

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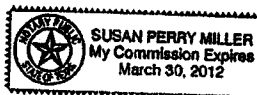
REPORTER'S CERTIFICATION

I, SUSAN PERRY MILLER, CSR-TX, CCR-LA, CLR, CRR, RDR, Notary Public in and for the State of Texas, hereby certify that the witness was duly sworn and that this transcript is a true record of the testimony given by the witness;

That pursuant to Rule 30 of the Federal Rules of Civil Procedure, signature of the witness was requested by the witness or other party before the conclusion of the deposition;

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken. Further, I am not a relative or employee of any attorney of record in this cause, nor am I financially or otherwise interested in the outcome of the action.

Subscribed and sworn to by me this day, the 26th day of August, 2011.



Susan Perry Miller, CSR-TX, CCR-LA
Certified Realtime Reporter
Registered Diplomate Reporter
NCRA Realtime Systems Administrator
Certified LiveNote™ Reporter
Notary Public, State of Texas
My Commission Expires 03/30/2012