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17 Attorneys for Plaintiff
BRYAN PRINGLE

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

22 BRYAN PRINGLE, an individual,) Case No. SACV 10-1656 JST(RZx)
23 Plaintiff,) **PLAINTIFF'S RESPONSE TO**
24 v.) **DEFENDANT DAVID**
25 WILLIAM ADAMS, JR.; STACY) **GUETTA'S FIRST SET OF**
26 FERGUSON; ALLAN PINEDA; and) **INTERROGATORIES**
27 JAIME GOMEZ, all individually and)
collectively as the music group The Black)
Eyed Peas, *et al.*,)
28 Defendants.)

1 PROPOUNDING PARTY: Defendant DAVID GUETTA
2 RESPONDING PARTY: Plaintiff BRYAN PRINGLE
3 SET NO.: One

4 Plaintiff Bryan Pringle submits this Response to Defendant David Guetta's
5 ("Guetta") First Set of Interrogatories (the "Interrogatories").
6

7 **GENERAL OBJECTIONS**

8 1. Plaintiff objects to each Interrogatory insofar as it is vague, overly
9 broad, not limited in time and scope, oppressive, harassing or vexatious, imposes
10 burden or expense that outweighs the likely benefit, seeks legal conclusions, and/or
11 seeks information not relevant to the lawsuit nor reasonably calculated to lead to the
12 discovery of admissible evidence.

13 2. Plaintiff objects to the extent that these Interrogatories seek information
14 protected by the attorney/client or the work product privilege. Plaintiff will not
15 provide any such privileged information.
16

17 3. The following answers are given based upon the information and
18 documents of which Plaintiff's counsel is currently aware. Plaintiff's investigation
19 continues and Plaintiff specifically reserves the right to supplement the following
20 answers as this litigation proceeds. The following answers are given herein without
21 prejudice to Plaintiff's right to supplement or change his answers or objections and to
22 produce evidence of additional facts.

23 4. Plaintiff's answers are not an admission that any such information is
24 relevant or admissible.

25 5. Plaintiff objects to each Interrogatory, instruction or definition that
26 purports to impose any obligation greater than or different from those required under
27 the Federal Rules of Civil Procedure and Local Orders of the Court.
28

- 1 6. Plaintiff objects to each Interrogatory regarding “Defendants” as being
- 2 in violation of Rule 33(a)(1).
- 3 7. Plaintiff objects to each Interrogatory to the extent it seeks information
- 4 which is properly the subject of expert testimony.
- 5 8. Plaintiff specifically reserves the right to assert additional objections.

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12 **DEFINITIONS AND INSTRUCTIONS**

13 Plaintiff objects to each and every definition and instruction as set forth in
14 Defendant’s Interrogatories because each purports to impose an obligation greater
15 than or different from those required under the Federal Rules of Civil Procedure and
16 Local Orders of the Court.
17

18 **INTERROGATORIES**

19 **INTERROGATORY NO. 1:** Identify the specific source from which YOU
20 obtained the sound recording that was attached as Audio Exhibit 3 (“Bryan Pringle,
21 ‘Take a Dive’--Piano Twang Sequence”) to the Declaration of Mark Rubel filed in
22 this action, and describe with particularity the circumstances under which YOU
23 obtained said sound recording and under which said sound recording was transmitted
24 to Mark Rubel.
25

26 **RESPONSE:** Objection. Plaintiff cannot identify from the statement
27 what it is that he is being asked to describe with particularity. Until and
28 unless he is able to review that which is being referred to specifically by
the Defendants as “Audio Exhibit 3,” he is unable to answer this
interrogatory. Without reviewing the specific sound recording that was
attached to the Declaration of Mark Rubel as Audio Exhibit 3 to which
Dave Guetta is referring in Interrogatory No. 1, Plaintiff cannot
accurately provide any further information as he has not compared that
which was attached to the declaration of Mark Rubel as Audio Exhibit 3

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1 to the data and image files which have been maintained by Dave
2 Gallant. Plaintiff did not prepare any Mark Rubel Exhibits.

3 **INTERROGATORY NO. 2:** State whether the NRG disc YOU relied upon in
4 connection with YOUR motion for a temporary restraining order contains (i) “Take a
5 Dive,” (ii) “Take a Dive” (Dance Version) or (iii) the guitar twang sequence
6 referenced in YOUR First Amended Complaint. If you answered in the affirmative
7 to any portion of the preceding sentence, describe with specificity why YOU stated
8 in connection with YOUR motion for a preliminary injunction that said NRG disc
9 was not the correct disc and contained the “wrong file.”

10 **RESPONSE:** Objection. *See* Answer to Interrogatory No. 1. In
11 further answer to Interrogatory No.2, Plaintiff states that he has not
12 compared the disc referenced by his attorneys in the Motion for
13 Temporary Restraining Order with the image files maintained by Dave
14 Gallant and therefore is unable to answer the question presented
15 accurately. At the time the Preliminary Injunction Motion was filed,
16 Plaintiff relied upon counsel to use the image file maintained by Dave
17 Gallant. Until and unless he has an opportunity to compare that to
18 which Dave Guetta has referenced with that which has been maintained
19 by Dave Gallant, Plaintiff is unable to provide a specific detailed
20 response to the question. Plaintiff is in the process of securing a copy of
21 what was filed with the Court and referenced in this interrogatory in
22 order to perform the comparison. Defendant Guetta did not attach to
23 this Interrogatory the specific sound recording to which he refers and as
24 a consequence, Plaintiff is unable to state with particularity anything
25 factual regarding the sound recording referred to in these two
26 Interrogatories.

27
28 //

1 Dated: November 14, 2011

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9 By: 
10 _____
11 Attorneys for Plaintiff Bryan Pringle

1 **PROOF OF SERVICE**

2 I am employed in the County of Cook, State of Illinois. I am over the age of
3 18 and not a party to the within action. My business address is 225 West
4 Washington Street, Suite 2600, Chicago, Illinois 60606.

5 On this date, I served **PLAINTIFF'S RESPONSE TO DEFENDANT
6 DAVID GUETTA'S FIRST SET OF INTERROGATORIES** on all interested
7 parties in this action listed on the attached Service List as follows:

8 (BY MAIL) - I am "readily familiar" with the firm's practice of
9 collection and processing correspondence for mailing. Under that practice it would
10 be deposited with the U.S. Postal Service on the same day with postage thereon fully
11 prepaid at Chicago, Illinois in the ordinary course of business. I am aware that on
12 motion of the party served, service is presumed invalid if postal cancellation date or
13 postage meter date is more than one day after date of deposit for mailing on affidavit.

14 (BY FACSIMILE) - By transmitting a true copy thereof by facsimile
15 from facsimile number 312.460-4201 to the facsimile number(s) shown on the
16 attached Service List, for which electronic confirmation was received from the
17 facsimile machine that said document was successfully transmitted without error.

18 (BY OVERNIGHT DELIVERY) - By depositing the above
19 document(s) in a box or other facility regularly maintained by FedEx in an envelope
20 or package designated by FedEx with delivery fees paid.

21 (BY EMAIL) - By causing a true copy of the document(s) to be served
22 by electronic mail transmission at the time shown on each transmission, to each
23 interested party at the email address shown on the attached Service List. Each
24 transmission was reported as complete and without error.

25 (State) I declare under penalty of perjury under the laws of the state of
26 California that the foregoing is true and correct.

27 (Federal) I declare under penalty of perjury under the laws of the United
28 States that the foregoing is true and correct.

Executed on November 14, 2011, at Chicago, Illinois.



Merry Beth Seaton

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Service List
Bryan Pringle v. William Adams, Jr. et al.
Case Number: 8:10-cv-01656-JST –RZ

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VERIFICATION

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I, Bryan Pringle, state that I have knowledge of the foregoing events, and that the answers made to **Defendant David Guetta's First Set Of Interrogatories** are true and correct to the best of my knowledge.

I declare the foregoing to be true under penalty of perjury.



Bryan Pringle

November 14, 2011

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