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11	Attorneys for Defendants WILLIAM ADAMS; STACY FERGUSON; ALLAN PINEDA; and JAIME GOMEZ, all individually and collectively as the music		
12	PINEDA; and JAIME GOMEZ, all individually and collectively as the music group THE BLACK EYED PEAS; will.i.am music, llc; TAB MAGNETIC PUBLISHING; CHERRY RIVER MUSIC CO.; HEADPHONE JUNKIE		
13	PUBLISHING, LLC; JEEPNEY MUSIC, INC.; EMI APRIL MUSIC, INC.		
14	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION		
15	BRYAN PRINGLE, an individual,	Case No. SACV10	
16	Plaintiff,	Hon. Josephine Sta	,
17	V.	Courtroom 10A	
18	WILLIAM ADAMS, JR.; STACY	DECLARATION RIGHETTINI RI	OF JUSTIN E JOINDER OF
19	FERGUSON; ALLAN PINEDA; and JAIME GOMEZ, all individually and		DANTS TO REPLY
20	collectively as the music group the Black Eyed Peas; DAVID GUETTA;		SAINST PLAINTIFF SEL PURSUANT
21	FREDERICK RIESTERER; UMG RECORDINGS, INC.; INTERSCOPE	TO FED. R. CIV DEFENDANTS S	
22	RECORDS; EMI APRIL MUSIC, INC.; HEADPHONE JUNKIE	BERNSTEIN & C FREDERIC RIE	CO, INC., STERER AND
23	PUBLISHING, LLC; WILL.I.AM. MUSIC, LLC; JEEPNEY MUSIC,	DAVID GUETTA	A
	INC.; TAB MAGNETIC PUBLISHING; CHERRY RIVER	Date: Time:	April 16, 2012 10:00 A.M.
25	MUSIC CO.; ŚQUARE RIVOLI PUBLISHING; RISTER EDITIONS;	Dept.:	10A
26	and SHAPIRO, BERNSTEIN & CO.,	Complaint Filed: Trial date:	October 28, 2010 August 7, 2012
27	Defendants.		
28		-	

<u>DECLARATION OF JUSTIN RIGHETTINI</u>

I, Justin Righettini, declare:

- 1. I am an attorney duly licensed to practice law before the courts of the State of California and all federal courts in the State of California. I am an attorney with the law firm of Bryan Cave LLP, counsel of record for Defendants WILLIAM ADAMS; STACY FERGUSON; ALLAN PINEDA; and JAIME GOMEZ, all individually and collectively as the music group THE BLACK EYED PEAS; will.i.am music, llc; TAB MAGNETIC PUBLISHING; CHERRY RIVER MUSIC CO.; HEADPHONE JUNKIE PUBLISHING, LLC; JEEPNEY MUSIC, INC.; and EMI APRIL MUSIC, INC.
- 2. Attached hereto as Exhibit "1" is a true and correct copy of portions of the deposition transcript of Plaintiff Manfred Mohr, taken on August 11, 2011 in *Batts et al. v. Adams et al.*, CV 10-8123-JFW (RZx) (C.D. Cal. 2010), a case filed by the same attorneys who filed this action.
- 3. Attached hereto as Exhibit "2" is a true and correct copy of receipts from what appears to be a post office in San Antonio, Texas that were produced in this litigation by Plaintiff Bryan Pringle, bearing Bates Numbers PL0013-14.
- 4. Attached hereto as Exhibit "3" is a true and correct copy of an e-mail message from what purports to be the Artists & Repertoire Department of Columbia Records that was produced in this litigation by Plaintiff Bryan Pringle, bearing Bates Number PL0021.
- 5. Attached hereto as Exhibit "4" is a true and correct copy of the September 12, 2011 transcript of the hearing before the Honorable Ralph Zarefesky re Plaintiffs' Motion to Compel Production of Documents in *Batts et al. v. Adams et al.*, CV 10-8123-JFW (RZx) (C.D. Cal. 2010).
- 6. Attached hereto as Exhibit "5" is a true and correct copy of portions of the deposition transcript of Dr. Alexander Norris, taken on January 3, 2012 in

connection with this case.

7. On March 28, 2011, I used the application Shazam on my iPhone to test what result would obtain if I played the original version of *Take a Dive* into the phone's microphone. Shazam did not recognize the original version of *Take a Dive*, and the message that was displayed on my phone's screen as a result was: "Sorry, a match couldn't be found for your music."

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed this 2nd day of April, 2012, at Chicago, Illinois.

/s/ Justin Righettini Justin Righettini