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6 Attorneys for Defendants  
 UMG RECORDINGS, INC. and  
 7 INTERSCOPE RECORDS

8 **UNITED STATES DISTRICT COURT**  
 9 **CENTRAL DISTRICT OF CALIFORNIA**  
 10 **SOUTHERN DIVISION**

12 BRYAN PRINGLE, an individual,  
 13 Plaintiff,  
 14 v.

Case No. SACV 10-1656 JST (RZx)

15 WILLIAM ADAMS, JR.; STACY  
 16 FERGUSON; ALAN PINEDA; and  
 JAIME GOMEZ, all individually and  
 17 collectivley as the music group the  
 Black Eyed Peas; DAVID GUETTA;  
 18 FREDERICK RIESTERER; UMG  
 RECORDINGS, INC.; INTERSCOPE  
 19 RECORDS; EMI APRIL MUSIC,  
 INC.; HEAPHONE JUNKIE  
 20 PUBLISHING, LLC.; WILLIAM  
 MUSIC, LLC; JEEPNEY MUSIC,  
 21 INC.; TAB MAGNETIC  
 PUBLISHING; CHERRY RIVER  
 22 MUSIC, CO.; SQUARE RIVOLI  
 PUBLISHING; RISTER EDITIONS;  
 23 and SHAPIRO, BERNSTEIN & CO.,

**DECLARATION OF LINDA  
 BURROW IN SUPPORT OF  
 JOINDER TO OPPOSITION AND  
 OPPOSITION TO EX PARTE  
 APPLICATION FOR TEMPORARY  
 RESTRAINING ORDER AND TO  
 SHOW CAUSE RE PRELIMINARY  
 INJUNCTION**

Trial Date: None Set

24 Defendants.

1 **DECLARATION OF LINDA M. BURROW**

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3 I, LINDA M. BURROW, declare and state as follows:

4 1. I am an attorney admitted to practice in the State of California and a  
5 member of the bar of this Court. I am an attorney at the law firm of Caldwell Leslie  
6 & Proctor, PC, counsel for Universal Music Group, Inc. and Interscope Records  
7 (collectively, “UMG”). I submit this declaration in opposition to Plaintiff Bryan  
8 Pringle’s *Ex Parte* Application for a Temporary Restraining Order and to Show  
9 Good Cause re Preliminary Injunction. I have personal knowledge of the facts  
10 stated herein unless otherwise specified, and could and would testify competently  
11 thereto if called as a witness in this matter.

12 2. On May 12, 2010 I received an email from Plaintiff Bryan Pringle’s  
13 counsel, Ira Gould, stating Plaintiff alleged that the Black Eyed Peas copied and/or  
14 sampled his song “Take a Dive” without permission in the song “I Gotta Feeling”.  
15 A true and correct copy of that email is attached hereto as Exhibit A. Although Mr.  
16 Gould does not state in that email when Mr. Pringle first learned of the alleged  
17 infringement, there is no dispute that he was aware of the potential for infringement  
18 no later than the second week of May of this year.

19 3. Following that email, Mr. Gould and Kara Cenar, counsel for the Black  
20 Eyed Peas defendants, entered into discussions aimed at settling the case. Based  
21 upon communications I saw from Mr. Gould concerning these negotiations, the  
22 potential for injunctive relief was not part of Mr. Pringle’s settlement demand.  
23 Settlement negotiations broke down in early September, 2010.

24 4. Plaintiff filed his original Complaint in this action October 28, 2010. I  
25 am informed that he served both UMG Recordings, Inc and Interscope Records on  
26 November 5, 2010. Plaintiff’s declaration attaches a First Amended Complaint that,  
27 according to the Court’s docket, was filed on November 19, 2010. To my  
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1 knowledge, Plaintiff has not served either UMG Recordings, Inc. or Interscope  
2 Records with his First Amended Complaint. Indeed, none of the attorneys  
3 representing Plaintiff has ever sent me a copy of the First Amended Complaint. Nor  
4 did any of the attorneys representing the Plaintiff ever contact me to discuss the  
5 basis for Plaintiff's *ex parte* application.

6 I declare under penalty of perjury under the laws of the United States of  
7 America that the foregoing is true and correct.

8 Executed on November 23, 2010, at Los Angeles, California.

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/s/  
LINDA M. BURROW