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 15 Corona del Mar, CA 92625  
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 16 Facsimile: 949.718.4580

17 Attorneys for Plaintiff  
 BRYAN PRINGLE

18 **UNITED STATES DISTRICT COURT**  
 19 **CENTRAL DISTRICT OF CALIFORNIA**  
 20 **WESTERN 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.  
 28

) Case No. SACV 10-1656 JST(RZx)

) **NOTICE OF DOCUMENT  
 SUBPOENA TO TAXI MUSIC  
 NETWORK**

HAMPTONHOLLEY LLP  
 2101 East Coast Highway, Suite 260  
 Corona del Mar, California 92625

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that the attached subpoena will be served on TAXI  
3 Music Network.  
4

5 Dated: June 23, 2011

6 Dean A. Dickie (appearing Pro Hac Vice)  
7 Kathleen E. Koppenhoefer (appearing Pro Hac Vice)  
8 Katharine N. Dunn (appearing Pro Hac Vice)  
9 MILLER, CANFIELD, PADDOCK AND STONE,  
10 P.L.C.

11 Ira Gould (appearing Pro Hac Vice)  
12 Ryan L. Greely (appearing Pro Hac Vice)  
13 GOULD LAW GROUP

14 George L. Hampton IV (State Bar No. 144433)  
15 Colin C. Holley (State Bar No. 191999)  
16 HAMPTONHOLLEY LLP

17 By:   
18 Attorneys for Plaintiff  
19 BRYAN PRINGLE  
20  
21  
22  
23  
24  
25  
26  
27  
28

HAMPTONHOLLEY LLP  
2101 East Coast Highway, Suite 280  
Corona del Mar, California 92626

**PROOF OF SERVICE**

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

On this date, I served the foregoing document on all interested parties in this action listed on the attached Service List as follows:

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

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

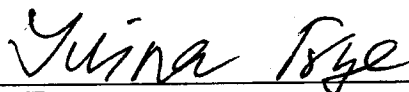
(BY OVERNIGHT DELIVERY) - By depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid.

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

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

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

Executed on June 23, 2011 at Chicago, Illinois.

  
\_\_\_\_\_  
Irina V. Frye

Service List

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

*Counsel for Defendants: William Adams, Jr., Allan Pineda, Jaime Gomez, Will.I.Am Music, LLC, Jeepney Music, Inc., Tab Magnetic Publishing, Cherry River Music Co., EMI April Music, Inc., and Headphone Junkie Publishing, LLC*

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UNITED STATES DISTRICT COURT

for the

Central District of California

BRYAN PRINGLE,

Plaintiff

v.

WILLIAM ADAMS, JR., et al.,

Defendant

Civil Action No. SACV 10-1656 JST(RZx)

(If the action is pending in another district, state where: )

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: TAXI Music Network, 5010 Parkway Calabasas Calabasas, CA 91302-2556

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See attached Exhibit A

Table with 2 columns: Place (HamptonHolley LLP, 2101 East Coast Highway, Suite 260, Corona del Mar, California, 92625) and Date and Time (07/07/2011 9:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 06/23/2011

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Handwritten signature of Katharine N. Dunn, Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Plaintiff BRYAN PRINGLE, who issues or requests this subpoena, are:

Katharine N. Dunn, Esq. MILLER, CANFIELD, PADDOCK AND STONE, P.L.C., 225 West Washington Street, Suite 2600 Chicago, Illinois 60606, Telephone: 312.460.4226 Email: dunn@millerandstone.com

Civil Action No. SACV 10-1656 JST(RZx)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)**

**(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney’s fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party’s officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert’s opinion or information that does not describe specific occurrences in dispute and results from the expert’s study that was not requested by a party; or

(iii) a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

**EXHIBIT A**  
**DOCUMENT RIDER**

**Definitions and Instructions**

1. The term "document" means any written, recorded, or graphic material of any kind, conveying information by mechanical, electronic, photographic or other means, whether in machine readable form or encarded, taped or coded electrostatically, electromagnetically or otherwise, whether prepared by you or by any other person, wherever located, that is in your possession, custody, or control, including but not limited to: memoranda, reports, letters, telegrams, electronic correspondence, e-mail and other communications recorded in any form or medium; notes, minutes, and transcripts of conferences, meetings and telephone or other communications; contracts and other agreements; statements, ledgers, and other records of financial matters or commercial transactions; notebooks and physical, electronic or computerized diaries; diagrams, graphs, charts and other drawings, blue prints; plans and specifications; publications; photographs; photocopies; microfilm, and other copies or reproductions; tape, disk, and other electronic recordings; and computer printouts. The term includes all drafts of a Document; the original Document (or a copy thereof if the original is not available); and all copies that differ in any way from the original (including any notations or other markings). The term also includes information stored in, or accessible through, computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret such data compilations.
  
2. The terms "you" or "your" refer to TAXI Music Network.

**Requests**

Please produce the following items and documents that are in your file, custody or control:

1. All documents identifying, mentioning, relating to or concerning "Bryan Pringle," "spanky\_@hotmail.com," or the account bearing Taxi ID: G-2298-9837.
  
2. All documents identifying, mentioning, relating to or concerning anyone who has visited and/or listened to music that has been posted to the profile page of "Bryan Pringle," Taxi ID: G-2298-9837. Please include the name, member name, internet provider (IP) address, mailing address, email address, telephone number and date of contact for all persons identified as having visited and/or listened to music that has been posted to the referenced profile page.
  
3. All documents identifying, mentioning, relating to or concerning the song "Take a Dive," including but not limited to the name, member name, internet provider (IP) address, mailing address, email address, telephone number and date of contact for all persons identified as having listened to and/or downloaded the song "Take a Dive."



# • Submission History

FC

# TAXI Tape List

L

MF

Find  
By Song

P

Member #	Firstname	Lastname	#	Listing	Location	Critique Status
G-2298-9837	Bryan	Pringle	111	Y060818SS	Return	
	HEAVEN	SOMETIMES				3
G-2298-9837	Bryan	Pringle	225	S060815IP	Return	
	HERE SHE COMES					3
G-2298-9837	Bryan	Pringle	229	S060828MR	Return	
	HERE SHE COMES	UNTIL THE END OF TIME				3
G-2298-9837	Bryan	Pringle	226	S060831IR	Return	
	HOLLYWOOD BABYLON	SWEET 16				3
G-2298-9837	Bryan	Pringle	92	S060912MR	Return	
	HERE SHE COMES					3
G-2298-9837	Bryan	Pringle	169	S060913PR	Return	
	SALTY KISS	RAGDOLL				3
G-2298-9837	Bryan	Pringle	223	S060915MR	Return	
	HOLLYWOOD BABYLON	HERE SHE COMES				3
G-2298-9837	Bryan	Pringle	212	S060913CO	Return	
	SOMETIMES					3
G-2298-9837	Bryan	Pringle	211	Y060918RR	Return	
	HOLLYWOOD BABYLON					3
G-2298-9837	Bryan	Pringle	223	S060922MR	Return	
	HOLLYWOOD BABYLON					3
G-2298-9837	Bryan	Pringle	216	Y061002MR	Return	
	HERE SHE COMES					3
G-2298-9837	Bryan	Pringle	216	Y061002MR	Return	
	EVERYBODY WANTS YOU					3
G-2298-9837	Bryan	Pringle	216	Y061002MR	Return	
	HOLLYWOOD BABYLON					3
G-2298-9837	Bryan	Pringle	211	S060927MR	Return	
	HOLLYWOOD BABYLON	CHINA DOLL				3
G-2298-9837	Bryan	Pringle	244	S061011AR	Return	
	SWEET 16	CHINA DOLL				3
G-2298-9837	Bryan	Pringle	223	S061003IP	Return	
	SWEET 16	DON'T LOOK BACK				3
G-2298-9837	Bryan	Pringle	242	S061011AR	Return	
	SWEET 16	HOLLYWOOD BABYLON				3
G-2298-9837	Bryan	Pringle	225	S061003IP	Return	
	SWEET 16	DON'T LOOK BACK				3

TAXI 0002

FC

# TAXI Tape List

L

MF

Find By Song

P

Member #	Firstname	Lastname	#	Listing	Location	Critique Status
G-2298-9837	Bryan	Pringle	27	Y061003DA	Catalyst	
	SWEET 16					3
G-2298-9837	Bryan	Pringle	213	S060927SS	Return	
	RAGDOLL		SOMETIMES			3
G-2298-9837	Bryan	Pringle	244	S060927SS	Return	
	SWEET 16		RAGDOLL			3
G-2298-9837	Bryan	Pringle	168	S061017RK	Return	
	BIG MISTAKE		BAD PORNOGRAPHY			3
G-2298-9837	Bryan	Pringle	194	Y061019RK	Return	
	HOLLYWOOD BABYLON					3
G-2298-9837	Bryan	Pringle	194	Y061019RK	Return	
	PHOTOGRAPH					3
G-2298-9837	Bryan	Pringle	194	Y061019RK	Return	
	CHINA DOLL					3
G-2298-9837	Bryan	Pringle	194	Y061019RK	Return	
	DON'T LOOK BACK					3
G-2298-9837	Bryan	Pringle	180	Y061019RK	Return	
	SALTY KISS					3
G-2298-9837	Bryan	Pringle	211	S061020MR	Return	
	HOLLYWOOD BABYLON		EVERYBODY WANTS YOU			3
G-2298-9837	Bryan	Pringle	111	S061023MP	Return	
	SWEET 16		HERE SHE COMES			3
G-2298-9837	Bryan	Pringle	211	S061020MR	Return	
	SWEET 16		HOLLYWOOD BABYLON			3
G-2298-9837	Bryan	Pringle	111	S061023MP	Return	
	SWEET 16		EVERYBODY WANTS YOU			3
G-2298-9837	Bryan	Pringle	213	S061026AC	Return	
	RAGDOLL		SOMETIMES			3
G-2298-9837	Bryan	Pringle	41	S061019EL	Return	
	SWEET 16		SALTY KISS			3
G-2298-9837	Bryan	Pringle	92	S061026AC	Return	
	ANYTHING FOR YOU		HEAVEN (ACOUSTIC)			3
G-2298-9837	Bryan	Pringle	223	S061024IR	Return	
	HERE SHE COMES		DON'T LOOK BACK			3
G-2298-9837	Bryan	Pringle	244	S061024IR	Return	
	HERE SHE COMES		EVERYBODY WANTS YOU			3

FC

# TAXI Tape List

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MF

Find By Song

P

Member #	Firstname	Lastname	Listing	Location	Critique Status
G-2298-9837	Bryan	Pringle	226	S061113AA	Return
	HERE SHE COMES	EVERYBODY WANTS YOU			

3

Public Hosting Site

# TAXI

## Altared State

### Artist Pictures



**Hometown:** San Antonio, Texas  
**Country:** United States of America  
**Genre:** AAA/Alternative/Modern Rock  
**Website:** <http://www.broadjam.com/altaredstate>

### Bio

#### Bio

Average losers chasin' after a nut. Granny digs it, and the guys at arby's think we rock. Dj Spanky writes, performs, and produces all the music. Future collaborations with Barry Manilow and Milli Vanilli are in the works. Altared State's "SuperLoser Tour" was a big success, tens of thousands of fans didn't attend. Altared State's long term goal is to quit the job at "Dinky Mart" and pursue music full time. Also, Dj Spanky would like to upgrade the bus pass to a "Gold Membership". Altared State is currently in San Antonio, Texas. Starting out as an

industrial band and moving on to dance music, Altared State has now come full circle to a blend of rock and electronica. Altared State released an album under the now defunct Dekonstruktion Records label and has had material played on the radio in the U.S., several European countries, and Canada. Dj Spanky has also previously sold material for film. New material is in the works and suicide has been temporarily postponed.

**Interview**

This user hasn't been interviewed yet.

**Artist Songs**

Anything For You	<a href="#">Play</a>	<a href="#">Download</a>
Bad Pornography (Instrumental)	<a href="#">Play</a>	<a href="#">Download</a>
Big Mistake (Instrumental)	<a href="#">Play</a>	<a href="#">Download</a>
China Doll	<a href="#">Play</a>	<a href="#">Download</a>
Don't Look Back	<a href="#">Play</a>	<a href="#">Download</a>
Everybody Wants You	<a href="#">Play</a>	<a href="#">Download</a>
Heaven	<a href="#">Play</a>	<a href="#">Download</a>
Here She Comes	<a href="#">Play</a>	<a href="#">Download</a>
Hollywood Babylon	<a href="#">Play</a>	<a href="#">Download</a>
Photograph	<a href="#">Play</a>	<a href="#">Download</a>
Ragdoll	<a href="#">Play</a>	<a href="#">Download</a>
Salty Kiss	<a href="#">Play</a>	<a href="#">Download</a>
Sometimes	<a href="#">Play</a>	<a href="#">Download</a>
Sweet 16	<a href="#">Play</a>	<a href="#">Download</a>

**Gigs**

There are no gigs currently listed.

[View](#)**Fans**

This artist has no fans. Be a sport and sign up! [Click here to become a fan.](#)

Public Song  
Selection Example





Edit A Song

You may upload a new mp3 if you wish

File

Browse...

Title

Anything For You

Genre

AAA/Alternative/Modern Rock

Public

Lyrics

I want you, I want you  
if you only knew  
I'd do anything for you

I'll go down so low to reach so high

Save

Cancel

Undo Changes

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TAXI 0009

Database Membership  
Record

# TAXI MEMBERS

Inq  Member  Inactive  Refund  Prob  Mvd  Mail  AOL  Fax  Inter'ntl

Band Name

Disp. Mem. Profile

Disp. Fee Calc.

**Forms** **Referrals** **Letters** **Labels** **Inquiries**

FirstName:  LastName:  **First Inquiry**

Co./Address:  **Current Start Date**

Street/Apt./Ste.:  **Member Since:**

City, State, Zip:    Country:  **Entry Date:**

Home Phone:  E-mail:  **Exp. Date**

Bus. Phone:  Email2:  **Mod. Date**

Fax Phone:  Source:

Referral ID#  Find Referral #

Refund Date

Initials

Member #  SS#  Genre  Deadbeat Status:  Rally  Website User ID

**Companies** **Screeners** **Studios** **Tapes** **Listings** **Deals** **Rally** **Rsvp**

### Comments

1/31/2007 - Updated phone number per email. - CS

### Memberships

Entry Date	Amount Paid	Payment Type	Initials	Start Date	Exp. Date	Comp
8/9/2006	1 Yr.	\$299.95	Mail/visa/mc	8/9/2006	Renewal	8/9/2007

### Dispatch

Dispatch Member Since

Entry Date	Amount Paid	Payment Type	Initials	Exp. Date	Member Since	Status	Comp

### Hosting

Entry Date	Amount Paid	Payment Type	Initials	Exp. Date	Comp
8/9/2006	0.00	Mail/visa/mc		08-09-2007	

Yes

Subscriber Id