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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.

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.; WILL.I.AM  
MUSIC, LLC; JEEPNEY MUSIC,  
21 INC.; TAB MAGNETIC  
PUBLISHING; CHERRY RIVER  
22 MUSIC, CO.; SQUARE RIVOLI  
PUBLISHING; RISTER EDITIONS;  
23 and SHAPIRO, BERNSTEIN & CO.,

24 Defendants.

Case No. SACV 10-1656 JST (RZx)

**DECLARATION OF IKE YOUSSEF  
IN SUPPORT OF JOINDER TO  
OPPOSITION AND OPPOSITION  
BY DEFENDANTS UMG  
RECORDINGS, INC. AND  
INTERSCOPE RECORDS TO  
MOTION FOR PRELIMINARY  
INJUNCTION**

Hearing Date: January 31, 2011

Time: 10:00 a.m.

Courtroom 10A

Trial Date: None Set

**DECLARATION OF IKE YOUSSEF**

I, Ike Youssef declare and state as follows:

1. I am Chief Financial Officer of Interscope Records, a division of UMG Recordings, Inc.. I submit this declaration in support of the Opposition to Plaintiff's Motion for Preliminary Injunction filed by UMG Recordings, Inc. and Interscope Records (collectively, "UMG"). I have personal knowledge of the facts stated herein, and could and would testify competently thereto if called as a witness in this matter.

2. I understand that the Plaintiff, Bryan Pringle, alleges that the song "I Gotta Feeling" by the group the "Black Eyed Peas" (the "BEP") infringes his copyright in another, preexisting work. "I Gotta Feeling" was the second single from the BEP's album "The E.N.D (Energy Never Dies)" (the "Album"). While the Album was released on June 9, 2009, "I Gotta Feeling" was released several weeks earlier, on May 21, 2009.

3. If the Court were to enjoin further exploitation of "I Gotta Feeling," UMG would suffer at least hundreds of thousands of dollars in damage – even taking into account the Plaintiff's agreement that UMG need not remove physical product currently on retailers' shelves. UMG would need to revise the album artwork, remaster the Album, and manufacture new copies of the Album that omit "I Gotta Feeling." UMG would be prohibited from selling more than \$100,000 worth of existing, but yet undistributed, copies of the Album. Moreover, because "I Gotta Feeling" is by far the highest-selling single on the Album, a significant percentage of consumers would simply decline to purchase the Album, rather than purchase a copy that omits its most recognizable song. While it is nearly impossible to quantify this hypothetical loss of future album sales, the removal of "I Gotta Feeling" would unquestionably have a substantial negative effect.

1           4.       In addition to these financial losses, UMG would also suffer a  
2 substantial loss of goodwill with its retailers, which could have implications for its  
3 ability to place other product in record stores in the future.

4           5.       UMG would also incur overhead in working with on-line retailers, such  
5 as iTunes, to remove "I Gotta Feeling" from their inventory. Given the popularity  
6 of "I Gotta Feeling," pulling the song from these online retailers would negatively  
7 affect sales of digital copies of the Album and thus cause UMG to suffer additional  
8 losses.

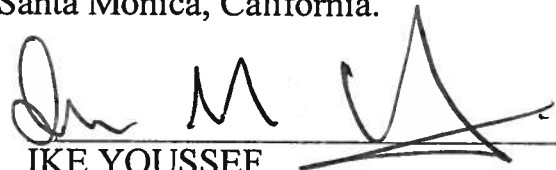
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10           I declare under penalty of perjury under the laws of the United States of  
11 America that the foregoing is true and correct.

12           Executed on January 10, 2011 at Santa Monica, California.

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IKE YOUSSEF

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