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LAW OFFICES OF PAUL A. CHIN

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January 2, 2007

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CHAMBERS OF
WILLIAM H. PAULEY

VIA HAND DELIVERY

The Honorable William H. Pauley III
U.S. District Court Judge
U.S. District Court for the Southern District of New York
500 Pearl Street, Chambers 2210
New York, NY 10007

**Re: Request for Extension of Time to Submit Plaintiffs' Rebuttal Report
Vargas, et. al. v. Pfizer, Inc., et. al.
U.S. District Court for the Southern District of New York
Case No.: 04 CV 9772 (WHP)**

Dear Judge Pauley:

This firm represents Plaintiffs in the above referenced matter. Plaintiffs respectfully request that the Court grant Plaintiffs an extension of time in order to submit their rebuttal report to Defendant Brian Transeau's ("Defendant Transeau") supplemental expert report submitted in support of Defendant Transeau's second motion for summary judgment.

Vargas et al v. Pfizer Inc. et al

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On November 3, 2006, this Court entered an order allowing Defendant Transeau to conduct a re-creation, and subsequent fast fourier transform ("FFT") spectral analysis, of *Aparthenonia* utilizing the same materials Defendant Transeau claimed to have used during his initial creation of *Aparthenonia*. Pursuant to the Court's order, Plaintiffs were required to submit a rebuttal report by January 5, 2007. However, as a result of the holiday season, Plaintiffs will be unable to complete their rebuttal report by January 5, 2007. Therefore, Plaintiffs are requesting an additional fourteen (14) days within which to prepare and submit their rebuttal report. Defendant Transeau's attorneys have consented to Plaintiffs' request for this extension of time.

For the reasons stated herein, Plaintiffs respectfully request that the Court extend the time in which Plaintiffs may prepare and submit their rebuttal expert reports to January 14, 2007.

SO ORDERED:

application granted. Plaintiffs shall file and serve new rebuttal report, if any, by January 14, 2007.

Respectfully submitted,

Paul A. Chin

WILLIAM H. PAULEY III U.S.D.J.

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