

LAW OFFICES OF PAUL A. CHIN

MEMBER NEW YORK & MARYLAND BARS

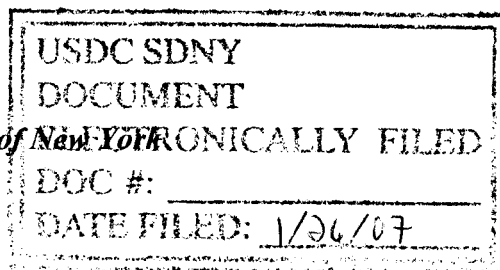
January 22, 2007

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

JAN 23 2007
 CHAMBERS OF
 WILLIAM H. PAULEY III

Re: Plaintiffs' Rebuttal Expert 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 were required to submit their rebuttal expert report, analyzing Defendant Transeau's recreation of the musical composition entitled *Aparthenonia*, on Friday, January 19, 2007. For the reasons stated below, Plaintiffs respectfully request that they be allowed to submit their rebuttal expert report on Tuesday, January 23, 2007.

On or about January 8, 2007, this firm contacted Defendant Brian Transeau's attorneys and informed them that Plaintiffs' experts could not play the compact disc containing Defendant Transeau's recreated versions of *Aparthenonia*. On the same day, a discussion was held between this firm and Defendant Transeau's attorney (Ms. Julie Ahrens) regarding the compact disc and we informed Defendant Transeau's attorney that our experts would try to play the compact disc on their computer; however, if we were still unable to play the compact disc we would request another copy of the compact disc which could be played on a standard compact disc player or on a computer.

On or about January 10, 2007, we contacted Defendant Transeau's attorney and informed them that while we were able to play the compact disc on our computer, Plaintiffs' expert informed us that they could not play the compact disc in a standard compact disc recorder. We then requested that another, properly formatted compact disc, be sent to this office. Defendant Transeau's attorneys complied with this request and sent another copy of the compact disc to our offices via overnight mail. I then forwarded the new compact disc to Plaintiffs' expert.

On January 18, 2007 I received an e-mail from Plaintiffs' expert indicating that he was still unable to play the new compact disc on his compact disc recorder. On the same day, I responded to this e-mail by asking Plaintiffs' expert if he could play the new compact

Application granted.
SO ORDERED:

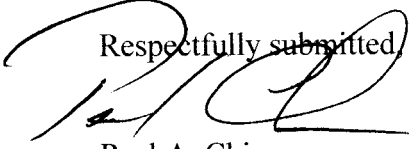

 WILLIAM H. PAULEY III U.S.D.J.

January 25, 2007

disc using his computer. On Monday, January 22, 2007, I received a response from Plaintiffs' expert to my e-mail dated January 18, 2007, in which Plaintiffs' expert informed me that he has been able to play the new compact disc on his computer and will have his rebuttal report ready by Tuesday, January 23, 2007.

This morning I sent a letter to Defendant Transeau's attorneys explaining the foregoing and requesting that they consent to Plaintiffs' request that the Court allow Plaintiffs to submit their rebuttal expert report on Tuesday, January 23, 2007. Defendant Transeau's attorneys have consented to this short extension. This extension will not delay any of the other deadlines in this case.

For the reasons stated herein, Plaintiffs respectfully request that the Court extend the time in which Plaintiffs may submit their rebuttal expert report to Tuesday, January 23, 2007.

Respectfully submitted,

Paul A. Chin

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