

Anthony T Falzone

VIA FEDEX

February 5, 2007

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

Re: Vargas, et. al. v. Pfizer, Inc., et. al. Case No.: 04 CV 9772 (WHP)

Dear Judge Pauley:

During the last Case Management Conference, the Court set a tentative trial date of March 5 but cautioned that the trail date in this matter trails another significant matter on the Court's trial calendar. While defendants' summary judgment motion remains under submission, the proximity of the March 5 trial date compels us to ask the Court for further guidance as to whether the parties should be prepared to try this matter on March 5. Any such guidance would be appreciated very much.

Thank you for your continued attention to this matter.

Sincerely yours,

Anthony T. Falzene

cc: Paul Chin

The trial of this action is adjourned sine die.

SO ORDERED:

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

February 9, 2007