

**ORIGINAL**

*PAULEY, J.*

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
RAPLH VARGAS, and  
BLAND-RICKY ROBERTS

Plaintiffs,

-against-

PFIZER INC., PUBLICIS, INC., FLUID MUSIC,  
EAST WEST COMMUNICATIONS, INC. and  
BRIAN TRANSEAU a/k/a "BT"

Defendants.  
----- X

CASE NO.: 04 CV 9772 (WHP)

ECF CASE

**STIPULATION DISMISSING WITH PREJUDICE COUNTS THREE AND  
FOUR OF THE AMENDED COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED by and among undersigned  
counsel for Plaintiffs Ralph Vargas and Bland-Ricky Roberts, and Defendants Pfizer,  
Inc., Publicis, Inc., Alanda Music, Ltd. d/b/a Fluid Music, East West Communications,  
Inc., and Brian Transeau that, pursuant to the conference held before the Honorable  
William H. Pauley III on March 18, 2005, and Rule 41(a)(1)(ii) of the Federal Rules of  
Civil Procedure, Count III (Lanham Act) and Count IV (unfair competition) of Plaintiffs'  
First Amended Complaint, dated February 8, 2005, are hereby DISMISSED WITH  
PREJUDICE as against all Defendants.

21914349v6

**SO ORDERED:**

*William H. Pauley III*  
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WILLIAM H. PAULEY III U.S.D.J.

Dated: New York, New York  
April 27, 2005

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LAW OFFICES OF PAUL A. CHIN

By: 

Paul A. Chin, Esq. (PC 9656)  
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Attorneys for Plaintiffs

SO ORDERED:

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William H. Pauley III  
United States District Judge

