

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

FILE NO.: 04 CV 9772 (WHP)

RALPH VARGAS and
BLAND-RICKY ROBERTS

Plaintiffs

vs.

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

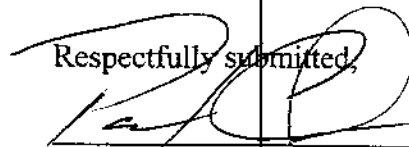
Defendants

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiffs Ralph Vargas and Bland-Ricky Roberts, by and through their undersigned attorneys, hereby appeal to the United States Court of Appeals for the Second Circuit from the decision and order of the Honorable William H. Pauley, III (United States District Court Judge) rendered on May 9, 2007, and the final judgment entered by the Clerk of the Court for the Southern District of New York on May 18, 2007, granting Defendants East West Communications, Inc. and Brian Transeau's second motion for summary judgment and from the order of the Honorable William H. Pauley, III, rendered on September 11, 2007 and entered on September 14, 2007, granting Defendant East West Communications, Inc. and Brian Transeau's motion for attorneys' fees pursuant to 17 U.S.C. §505 but reserving decision as to the amount of attorneys' fees to be awarded.

PLEASE TAKE FURTHER NOTICE, that Plaintiffs' Notice of Appeal in this matter is timely given the extension of time provided to Plaintiffs in which to file their appeal by order of this Court, dated May 22, 2007, pursuant to Federal Rules of Appellate Procedure 4(a)(4)(A)(iii). *See, Exhibit A attached hereto.*

Dated: New York, New York
September 20, 2007

Respectfully submitted,


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