

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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.

Case No.: 04 CV 9772 (WHP)

ECF CASE

Judge William H. Pauley III

**PROPOSED ORDER**

Samuel L. Leaf (SL 0633)  
Eric M. Stahl  
Davis Wright Tremaine LLP  
1633 Broadway  
New York NY 10019-6708  
(212) 489-8230  
*Attorneys for Defendant East West  
Communications, Inc. and Brian Transeau*

Sara L. Edelman (SE 2540)  
Davis & Gilbert LLP  
1740 Broadway  
New York, NY 10019  
(212) 468-4800  
*Attorneys for Defendant Publicis, Inc.*

Bruce P. Keller BK 9300)  
Debevosie & Plimpton LLP  
919 Third Avenue  
New York, NY 10022  
(212) 909-6000  
*Attorneys for Defendant Pfizer, Inc.*

Edward P. Kelly (EK 8340)  
Tiajolloff & Kelly  
The Chrysler Building, 37<sup>th</sup> Fl.  
405 Lexington Avenue  
(212) 490-3285  
*Attorneys for Defendant Fluid Music*

The Court having fully considered Defendants' Joint Motion For Summary Judgment including the accompanying declarations and Plaintiffs response thereto and accompanying declarations and Defendants reply and accompanying declarations;

NOW THEREFORE, it is hereby ordered that Defendants' Joint Motion for Summary Judgment is granted and all claims of Plaintiffs are hereby dismissed with prejudice.

So Ordered,

Dated: June 30, 2005

---

U.S.D.J.