

appeared on the album "Funky Drummer, Volume II," which was released and distributed by Plaintiff Bland-Ricky Roberts' record company JBR Records.

5. Sometime in 1993 or 1994, I decided that I wanted to produce an album which contained edgy but smooth drum beats that stood out. My goal was to produce drum tracks that would attract music producers, especially in the hip-hop world. – With the intent that they would license the material from me.

6. When I created "Bust Dat Groove" I wanted to give it a raw but controlled sound with energy. Although most hip-hop drum beats were produced on drum machines or other digital equipment, I decided to play "Bust Dat Groove" live on my own drum set. I also decided not to use any crashes, tom-toms or drum fills. I tried to create new sounds by experimenting with the tuning of the snare drum and different ways of striking the snare. I also tried different ways of playing the high hat. For example, .

7. I also tried to play the soft snare in a way that blended with the full snare. Most of all I tried to incorporate my own personality and feelings into "Bust Dat Groove."

8. I believed that by trying to create new sounds and using my own style of drumming, I was able to give "Bust Dat Groove" a sound and a feel that was unlike other drum beats.

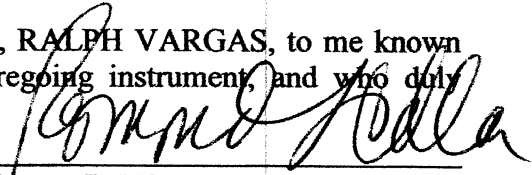
9. In creating "Bust Dat Groove" I did not copy from any other music and I did not use any drum books or other guidelines.

7/22/05
Date


RALPH VARGAS

STATE OF NEW YORK }
 } ss.:
COUNTY OF NEW YORK }

On this 20th day of July, 2005, before me personally, RALPH VARGAS, to me known and known to be the person who executed the foregoing instrument, and who duly acknowledged to me that he executed the same.



Notary Public

RAYMOND L. COLON
Notary Public, State of New York
No. 4971702
Qualified in New York County
Commission Expires ~~09-10-~~

11-13-06