

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Index No. 09 CV 9712

RALPH VARGAS
BLAND - RICKY ROBERTS

Plaintiff(s) Petitioner(s)

Clerks No.
AFFIDAVIT
OF
SERVICE

against

Pfizer, Inc.; Publicis, Inc.; Fluid Music; and
STATE OF NEW YORK COUNTY OF NEW YORK ss:

Defendant(s) Respondent(s)

The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides at County of New York

On February 28, 2005 at 3:56 PM, at 532 BROADWAY 5TH FL, NY, NY 10012

deponent served the within summons with notice summons, Spanish summons and complaint, the language required by NYCRR 2800.2(e), (f) & (h) was set forth on the face of the summons(es)
 summons and complaint notice of petition and petition
 subpoens duces tecum subpoens
 citation SUMMONS and FIRST AMENDED COMPLAINT

00 FLUID MUSIC c/o DAVID SHAPIRO - Assoc. to defendant witness { hereinafter called } therein the recipient named
PROD. respondent witness { hereinafter called } therein the recipient named

- INDIVIDUAL 1. said recipient therein.
- CORPORATION 2. corporation, by delivering thereto a true copy of each to personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be
- SUITABLE AGE PERSON 3. by delivering thereto a true copy of each to discretion. Said premises is recipient's actual place of business dwelling place usual place of abode within the state.
- APPROX TO DOOR, ETC. 4. by affixing a true copy of each to the door of said premises, which is recipient's actual place of business dwelling place usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereto, having called there

- MAILING TO RESIDENCE USE WITH 1 OR 4 SA. Deponent talked to at said premises who stated that recipient lived worked there. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient and deposited at recipient's last known residence, at said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.
- MAILING TO BUSINESS USE WITH 3 OR 4 SB. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to recipient at recipient's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service

DESCRIPTION

within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.
 Male White Skin Black Hair White Hair 14-20 Yrs. Under 5' Under 100 Lbs.
 Female Black Skin Brown Hair Balding 21-35 Yrs. 5'0"-5'3" 100-130 Lbs.
 Yellow Skin Blonde Hair Mustache 36-50 Yrs. 5'4"-5'8" 131-160 Lbs.
 Brown Skin Gray Hair Beard 51-65 Yrs. 5'9"-6'0" 161-200 Lbs.
 Red Skin Red Hair Glasses Over 65 Yrs. Over 6' Over 200 Lbs.

Other identifying features: _____

- WITNESS FEES 5 the authorized traveling expenses was paid (tendered) to the recipient and one day's witness fee: was mailed to the witness with subpoena copy.
- MILITARY SERVICE I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 3/2/05

[Signature]
OSARTS M. RODRIGUEZ
Notary Public, State of New York
Qualified in New York County
Commission Expires Feb. 19, 20 06

[Signature] License No. 1009485