

# EXHIBIT A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RALPH VARGAS AND BLAND RICKY  
ROBERTS,

Plaintiffs,

v.

PFIZER INC., PUBLICIS, INC., FLUID MUSIC,  
EAST WEST COMMUNICATIONS, INC., AND  
BRIAN TRANSEAU P/K/A "BT",

Defendants.

04 CV 9772 (WHP)  
ECF CASE

**DECLARATION OF CHRISTOPHER W. KEEGAN  
IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

1. I, Christopher W. Keegan am an attorney licensed by the state of California and the state of Illinois and admitted to practice before this Court.

2. I am an associate at the firm of Kirkland & Ellis LLP and make the following declaration based upon my own personal knowledge:

3. Attached as Exhibit B to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Ralph Vargas, taken on July 31, 2006 and continued on August 10, 2006.

4. Attached as Exhibit C to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Bland-Ricky Roberts, taken on August 2, 2006.

5. Attached as Exhibit D to Defendants' Motion for Summary Judgment is a true and correct copy of Defendants' Deposition Exhibit 8, Plaintiffs' Document Bates Labelled 00017.

6. Attached as Exhibit E to Defendants' Motion for Summary Judgment is a true and correct copy of Dr. Richard Boulanger's Declaration, dated September 22, 2006.

7. Attached as Exhibit F to Defendant's Motion for Summary Judgment is a true and correct copy of the rebuttal report submitted by Dr. Richard Boulanger on behalf of Brian Transeau.

8. Attached as Exhibit G to Defendant's Motion for Summary Judgment is a true and correct copy of Brian Transeau's Declaration in Support of Defendant's First Motion for Summary Judgment.

9. Attached as Exhibit H to Defendants' Motion for Summary Judgment is a true and correct copy of Brian Transeau's Supplemental Declaration in Support of Defendants' Motion for Summary Judgment, dated September 22, 2006.

10. Attached as Exhibit I to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Brian Transeau, taken on August 16, 2006.

11. Attached as Exhibit J to Defendant's Motion for Summary Judgment is a true and correct copy of the Declaration by Anthony Ricigliano on behalf of the Defendants, June 30, 2005.

12. Attached as Exhibit K to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Mathew Ritter, taken on August 10, 2006.

13. Attached as Exhibit L to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Steven Smith, taken on August 15, 2006.

14. Attached as Exhibit M to Defendant's Motion for Summary Judgment is a true and correct copy of the expert report submitted by Dr. Steven Smith on behalf of Plaintiffs.

15. Attached as Exhibit N to Defendant's Motion for Summary Judgment is a true and correct copy of the expert report submitted by Dr. Richard Boulanger on behalf of Brian Transeau.

16. Attached as Exhibit O to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Ivan A. Rodriguez, taken on August 9, 2006.

17. Attached as Exhibit P to Defendant's Motion for Summary Judgment is a true and correct copy of the Second Amended Complaint filed by Plaintiffs.

18. Attached as Exhibit Q to Defendant's Motion for Summary Judgment is a true and correct copy of Plaintiffs' Supplemental Responses and Objections to Defendants' Interrogatories, dated July 26, 2006.

19. Attached as Exhibit R to Defendant's Motion for Summary Judgment is a true and correct copy of the declaration of Carlos Vasquez, dated September 22, 2006.

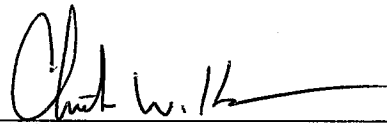
20. Attached as Exhibit S to Defendant's Motion for Summary Judgment is a true and correct copy of Plaintiffs' document production, document bates labeled 00003.

21. Attached as Exhibit T to Defendant's Motion for Summary Judgment is a true and correct copy of the declaration of Michael DiMittia, dated September 22, 2006.

22. Attached as Exhibit U to Defendant's Motion for Summary Judgment is a true and correct copy of excerpts of the deposition of Matthew Ritter, taken on August 10, 2006.

23. Attached as Exhibit V to Defendant's Motion for Summary Judgment is a true and correct copy of the declaration submitted by Ivan Rodriquez on behalf of Plaintiffs.

Dated: September 25, 2006



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Christopher W. Keegan

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