

EXHIBIT E

DECLARATION OF DR. RICHARD BOULANGER

1. My name is Dr. Richard Boulanger and I have been hired as an expert witness in the *Vargas v. Pfizer* lawsuit on behalf of Brian Transeau.
2. I have provided an expert report in this litigation where I express my opinion that *Aparthenonia* is not a copy of *Bust Dat Groove* and is, in fact, substantially different.
3. Additionally, I have provided a rebuttal report after reviewing the reports from Plaintiffs' experts as well as their depositions, which took place in August 2006. My rebuttal report also is based upon analysis of the *Bust Dat Groove* track from the Funky Drummer Volume II album that was provided by Plaintiffs in August 2006.
4. Based upon the work I did in my expert reports, it is clear that *Bust Dat Groove* is a 1 bar loop and the 1 bar loop is repeated several times. Each 1 bar loop is identical. I explain my analysis further in my rebuttal report.

I declare under penalty of perjury that the above statement is true and correct to the best of my recollection as signed by me on 22nd day of September, 2006.

A handwritten signature in black ink, appearing to read "Dr. Richard Boulanger", with a long horizontal flourish extending to the right.

Dr. Richard Boulanger