

# LAW OFFICES OF PAUL A. CHIN

MEMBER NEW YORK & MARYLAND BARS

October 10, 2006

**VIA FAX (212) 805-6390**

The Honorable William H. Pauley III  
U.S. District Court Judge  
U.S. District Court for the Southern District of New York  
500 Pearl Street, Chambers 2210  
New York, NY 10007

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**Re: Request for an extension of time to file Plaintiffs' Opposition to Defendant's Motion for Summary Judgment  
Vargas, et. al. v. Pfizer, Inc., et. al.  
U.S. District Court for the Southern District of New York  
Case No.: 04 CV 9772 (WHP)**

Dear Judge Pauley:

This firm represents Plaintiffs in the above referenced matter. As a result of a recurring medical condition, I was unable to timely file Plaintiffs' opposition to Defendant Brian Transeau's ("Defendant BT") motion for summary judgment on Monday, October 9, 2006. For the reasons stated below, Plaintiffs respectfully request that they be allowed to file their opposition to Defendant BT's motion for summary judgment on Wednesday, October 11, 2006.

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Pursuant to Defendant BT's request for an extension to file his motion for summary judgment, this Court extended the deadline for Defendant BT's motion for summary judgment from September 22, 2006 to September 25, 2006. As a result, Plaintiffs' opposition papers were due on October 9, 2006.

On Saturday, October 7, 2006, I suffered a gout attack which required immediate medication (colchicine and indomethacin). I am required to continue on the medication for at least three days, during this period I am partially bed-ridden and the medication has side-effects including drowsiness. As a result, I was unable to file and serve Plaintiffs' opposition papers on Monday, October 9, 2006. Today is the last day that I will be on this medication.

This morning I telephoned the attorneys representing Defendant BT but was unable to reach either of them (Ms. Julie Ahrens and Mr. David Olson are both located in San Francisco, California). I sent both attorneys a letter, via e-mail, this morning indicating that I would be seeking a short extension of time to submit Plaintiffs' opposition and the reasons therefore. A copy of this letter is attached hereto.

Application granted.  
SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.  
October 11, 2006

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**FACSIMILE TRANSMITTAL SHEET**

TO: The Honorable William H. Pauley, III.	FROM: Paul A. Chin, Esq.
COMPANY U.S. District Court for the Southern District of New York	DATE: 10/10/2006
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RE: <u><b>Vargas et. al. v. Pfizer, Inc. et. al.</b></u> <b>Case No: 04 CV 9772 (WHP)</b>	YOUR REFERENCE NUMBER: N/A

URGENT   
  FOR REVIEW   
  PLEASE COMMENT   
  PLEASE REPLY   
  PLEASE RECYCLE

NOTES/COMMENTS

SUBMITTED BY FAX UPON COURT APPROVAL.