

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RALPH VARGAS and BLAND -

<b>G.</b>	Exhibit A of Anthony Ricigliano's Supplemental Declaration, "Drums of indefinite pitch," <i>The New Harvard Dictionary of Music</i>	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial
<b>H.</b>	Exhibit B of Anthony Ricigliano's Supplemental Declaration, Turek, <i>The Elements of Music: Concepts and Applications</i> Volume 1, selected pages	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial
<b>I.</b>	Fig. 1 of Dr. Richard Boulanger's Original Report	
<b>J.</b>	Fig. 2 of Dr. Richard Boulanger's Original Report	
<b>K.</b>	Fig. 3 of Dr. Richard Boulanger's Original Report	
<b>L.</b>	Fig. 4 of Dr. Richard Boulanger's Original Report	
<b>M.</b>	Fig. 5 of Dr. Richard Boulanger's Original Report	
<b>N.</b>	Fig. 6 of Dr. Richard Boulanger's Original Report	
<b>O.</b>	Fig. 7 of Dr. Richard Boulanger's Original Report	
<b>P.</b>	Fig. 8 of Dr. Richard Boulanger's Original Report	
<b>Q.</b>	Fig. 9 of Dr. Richard Boulanger's Original Report	
<b>R.</b>	Fig. 10 of Dr. Richard Boulanger's Original Report	
<b>S.</b>	Fig. 11 of Dr. Richard Boulanger's Original Report	
<b>T.</b>	Fig. 12 of Dr. Richard Boulanger's Original Report	
<b>U.</b>	Fig. 13 of Dr. Richard Boulanger's Original Report	
<b>V.</b>	Fig. 14 of Dr. Richard Boulanger's Original Report	

<b>W.</b>	Fig. 15 of Dr. Richard Boulanger's Original Report	
<b>X.</b>	Fig. 16 of Dr. Richard Boulanger's Original Report	
<b>Y.</b>	Fig. 17 of Dr. Richard Boulanger's Original Report	
<b>Z.</b>	Fig. 18 of Dr. Richard Boulanger's Original Report	
<b>AA.</b>	Fig. 19 of Dr. Richard Boulanger's Original Report	
<b>BB.</b>	Fig. 20 of Dr. Richard Boulanger's Original Report	
<b>CC.</b>	Fig. 21 of Dr. Richard Boulanger's Original Report	
<b>DD.</b>	Fig. 22 of Dr. Richard Boulanger's Original Report	
<b>EE.</b>	Fig. 23 of Dr. Richard Boulanger's Original Report	
<b>FF.</b>	Fig. 24 of Dr. Richard Boulanger's Original Report	
<b>GG.</b>	Fig. 25 of Dr. Richard Boulanger's Original Report	
<b>HH.</b>	Fig. 26 of Dr. Richard Boulanger's Original Report	
<b>II.</b>	Fig. 27 of Dr. Richard Boulanger's Original Report	
<b>JJ.</b>	Fig. 28 of Dr. Richard Boulanger's Original Report	
<b>KK.</b>	Fig. 29 of Dr. Richard Boulanger's Original Report	
<b>LL.</b>	Fig. 30 of Dr. Richard Boulanger's Original Report	
<b>MM.</b>	Fig. 31 of Dr. Richard Boulanger's Original Report	

<b>NN.</b>	Fig. 32 of Dr. Richard Boulanger's Original Report	
<b>OO.</b>	Fig. 33 of Dr. Richard Boulanger's Original Report	
<b>PP.</b>	Fig. 34 of Dr. Richard Boulanger's Original Report	
<b>QQ.</b>	Fig. 35 of Dr. Richard Boulanger's Original Report	
<b>RR.</b>	Fig. 36 of Dr. Richard Boulanger's Original Report	
<b>SS.</b>	Ex. 2 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>TT.</b>	Ex. 3 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>UU.</b>	Ex. 4 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>VV.</b>	Ex. 5 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>WW.</b>	Ex. 6 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>XX.</b>	Ex. 7 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>YY.</b>	Ex. 8 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>ZZ.</b>	Ex. 9 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>AAA.</b>	Ex. 10 of Dr. Richard Boulanger's Rebuttal Report	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>BBB.</b>	Audio Sample CD of Dr. Richard Boulanger's Rebuttal Report, tracks 1 - 52	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>CCC.</b>	<i>Breakz from the Nu Skool</i> (BT 00026 & 00027, two audio CDs)	Objection. Relevance. Only infringing composition should be admitted as evidence.

<b>DDD.</b>	<i>Aparthenonia</i> , master version as rendered from Logic (BT 00021, audio CD, one track)	Objection. Not produced during discovery. Motion in <i>Limine</i> to preclude introduction at trial.
<b>EEE.</b>	James Brown Funky Drummer Comparisons, audio CD, 4 tracks (BT 00028) (Defendant's Deposition Exhibit 4)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>FFF.</b>	Royalty Report for January 2003 - December 2004 re: BT (EW 007)	
<b>GGG.</b>	Royalty Report for June 2002 - December 2002 re: BT (EW 008)	
<b>HHH.</b>	Royalty Report for October 2001 - June 2002 (EW 009)	
<b>III.</b>	Agreement between Brian Transeau and East West Communications, dated 4/6/2001 (EW 001-006)	
<b>JJJ</b>	Confidential Settlement Agreement and General Release (FL 001 - FL 014)	Objection. Not produced during discovery. Inadmissible. Motion in <i>Limine</i> to preclude introduction at trial.
<b>KKK.</b>	Audio CD Edan, <i>Sound of The Funky Drummer</i> , with track list (BT 00022 - 00024)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>LLL.</b>	LL Cool J, <i>Mama Said Knock You Out</i> , from the album <i>All World: Greatest Hits</i> (BT 00025, audio CD Track 1)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>MMM.</b>	Pop Will Eat Itself, <i>Not Now James, We're Busy</i> , from the album <i>This Is the Day...This Is the Hour...This Is This!!</i> (BT 00025, audio CD Track 2)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>NNN.</b>	Sinéad O'Connor, <i>I Am Stretched Out on Your Grave</i> , from the album <i>I Do Not Want What I Haven't Got</i> (BT 00025, audio CD Track 3)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>OOO.</b>	New Order, <i>Ruined in a Day</i> , from the album <i>Republic</i> (US Release) (BT 00025, audio CD Track 4)	Objection. Not produced during discovery. No relevance

<b>PPP.</b>	Nine Inch Nails, <i>Piggy (Nothing Can Stop Me Now)</i> , from the album <i>Further Down the Spiral</i> (BT 00025, audio CD Track 5)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>QQQ.</b>	Fine Young Cannibals, <i>I'm Not the Man I Used to Be</i> , from the album <i>The Raw &amp; the Cooked</i> (BT 00025, audio CD Track 6)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>RRR.</b>	MC Frontalot, <i>Good Old Clyde</i> , from the album <i>Nerdcore Hiphop (demo)</i> (BT 00025, audio CD Track 7)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>SSS.</b>	Dr. Dre, <i>Let Me Ride</i> , from the album <i>The Chronic</i> (BT 00025, audio CD Track 8)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>TTT.</b>	Public Enemy, <i>Fight the Power</i> , from the album <i>20th Century Masters - The Millennium Collection: The Best of Public Enemy</i> (BT 00025, audio CD Track 9)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>UUU.</b>	Chubb Rock & Hitman Howie Tee, <i>Talkin' Loud, Ain't Sayin' Jack</i> , from the album <i>And the Winner Is?</i> (BT 00025, audio CD Track 10)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>VVV.</b>	The Pharcyde, <i>Officer</i> , from the album <i>Bizarre Ride II</i> (BT 00025, audio CD Track 11)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>WWW</b>	Elton John, <i>Little Jeanie</i> , from the album <i>Greatest Hits, Vol. III</i> (BT 00025, audio CD track 11)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>XXX</b>	Elton John, <i>Sad Songs Say so Much</i> , from the album <i>Greatest Hits, Vol. III</i> (BT 00029, audio CD track 2)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>YYY</b>	Billy Joel, <i>Big Shot</i> , from the album <i>Greatest Hits, Vol. II</i> (BT 00029, audio CD track 3)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.

<b>ZZZ</b>	Chicago, <i>We Can't Stop the Hurtin'</i> , from the album <i>Chicago 17</i> (BT 00029, audio CD track 4)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>AAAA</b>	The Miracles, <i>Love Machine</i> , from the album <i>Love Machine</i> (BT 00029, audio CD track 5)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>BBBB</b>	James Brown, <i>Papa's Got a Brand New Bag</i> , from album <i>20 All Time Greatest Hits</i> (BT 00029, audio CD track 6)	Objection. Not produced during discovery. No relevance. Motion in <i>Limine</i> to preclude introduction at trial.
<b>CCCC</b>	Plaintiffs' Responses and Objections to Fluid Music's Document Requests (7/24/2005)	
<b>DDDD</b>	Plaintiffs' Responses and Objections to Fluid Music's Interrogatories (7/24/2005)	
<b>EEEE</b>	Plaintiffs' Responses and Objections to Fluid Music's Requests to Admit (7/24/2005)	
<b>FFFF</b>	Plaintiffs' Responses and Objections to Document Requests (Nov. 9, 2005)	
<b>GGGG</b>	Plaintiffs' Supplemental Responses and Objections to Document Requests (April 11, 2006)	
<b>HHHH</b>	Plaintiffs' Second Supplemental Response and Objections to Document Requests (7/26/2006)	
<b>III</b>	Plaintiffs' Responses and Objections to Interrogatories (11/9/2005)	
<b>JJJJ</b>	Plaintiffs' Supplemental Responses and Objections to Interrogatories (7/26/2006) (with Roberts's verification dated 7/28/2006 and Vargas's verification dated 7/28/2006)	Objection. Cumulative. Defendants are already producing this document. Motion in <i>Limine</i> to preclude introduction at trial.
<b>KKKK</b>	7/26/2006 Letter from Paul Chin to Julie Ahrens re discovery	Objection. Neither Plaintiffs' counsel nor Defendants' counsel will be witnesses at trial
<b>LLLL</b>	8/28/2006 Letter from Julie Ahrens to Paul Chin re discovery	Objection. Neither Plaintiffs' counsel nor Defendants' counsel will be witnesses at trial