

Exhibit X

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----x
RALPH VARGAS and BLAND-RICKY ROBERTS,

Plaintiffs,

Civil Action

No.

-against- 04CV 9772 (JCF)

PFIZER, INC., PUBLICIS, INC.,
FLUID MUSIC, EAST WEST
COMMUNICATIONS, INC. and
BRIAN Transeau p/k/a "BT",

CERTIFIED COPY

Defendants
-----x

August 9, 2006

9:15 a.m.

Videotaped Deposition of

IVAN A. RODRIGUEZ, taken by Defendants,
pursuant to Notice, at the offices of Kirkland
& Ellis, 153 East 53rd Street, New York, New
York, before TAMMEY M. PASTOR, a Registered
Professional Reporter, Certified LiveNote
Reporter and Notary Public within and for the
State of New York.



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1 IVAN A. RODRIGUEZ - CONFIDENTIAL

2 I remember. Otherwise, no.

3 Q. When you say when Mr. Vargas
4 showed it to you are you referring to in
5 relation to this case?

6 A. Yes.

7 Q. Now, you said that Mr. Vargas
8 mentioned to you he may want you to testify
9 about something. And perhaps April of 2004;
10 correct?

11 A. Yes.

12 Q. What happened next in regard to
13 the matters at issue in this case?

14 A. After the once or twice we
15 touched on it, it was in passing, it wasn't
16 like a conversation I need to discuss. Then
17 he approached me, I believe it was prior to
18 July. It was maybe June. Then he spoke to me
19 about it. Then I said, okay, bring the
20 material to me, we will sit down.

21 I sat with him. I asked him to
22 give me quiet, not to say anything while I am
23 listening about is this, is this, is that. I
24 said just let me study it. I think I studied
25 it for ten minutes. I responded to him. I

1 IVAN A. RODRIGUEZ - CONFIDENTIAL

2 said this is absolutely your material.

3 Q. That was based just on
4 listening to it; is that correct?

5 A. Correct.

6 Q. How were you listening to it?

7 A. Through, let me think,
8 Cambridge Soundworks Clock Radio.

9 Q. When you say clock radio, am I
10 thinking of like the kind I have besides my
11 bed with a clock on it and also a radio?

12 A. No. This is more like the Bose
13 system where it is actually a full system
14 coming out of a small box, sub woofer, when
15 you close your eyes you think it is a stereo.

16 Q. Is it in stereo?

17 A. Yes, it is.

18 Q. So what format did Mr. Vargas
19 bring in the pieces he wanted you to listen
20 to?

21 A. The initial examples came in on
22 CD.

23 Q. Both of them on CD?

24 A. I believe it was three.

25 Q. Three?

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C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF NEW YORK)

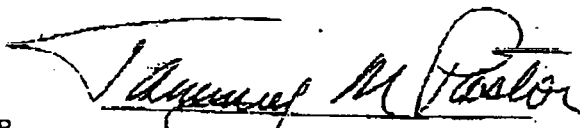
I, TAMMEY M. PASTOR, a Registered Professional Reporter and Notary Public within and for the State of New York, do hereby certify:

That TIMOTHY M. YESSMAN, the witness whose deposition is hereinbefore set forth, was duly sworn by me and that such deposition is a true record of the testimony given by the witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of August, 2006.

TAMMEY M. PASTOR,



TAMMEY M. PASTOR, RPR