

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

American Casino and Entertainment Properties,
LLC

Case # 2:11-CV-00222-JCM-LRL

Plaintiff,

vs.

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

Modern Housing, LLC

Defendant(s).

EFFECTIVE JUNE 1, 2004
FILING FEE IS \$175.00

Anthony Giaccio

, Petitioner, respectfully represents to the Court:

1. That Petitioner resides at New York
(city)
Richmond, New York
(county) (state)

2. That Petitioner is an attorney at law and a member of the law firm of
Kenyon & Kenyon LLP with offices at
One Broadway
New York (street address) 10004 (112) 425-7200.
(city) (zip code) (area code + telephone number)
agiaccio@kenyon.com
(Email address)

1 3. That Petitioner has been retained personally or as a member of the law firm by
2 Modern Housing, LLC to provide legal representation in connection with
3 [client(s)]
4 the above-entitled case now pending before this Court.

5 4. That since 04/15/1992 , Petitioner has been and presently is a member
6 (date)
7 in good standing of the bar of the highest Court of the State of New York
8 (state)
9 where Petitioner regularly practices law.

10 5. That Petitioner was admitted to practice before the following United States District
11 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
12 of other States on the dates indicated for each, and that Petitioner is presently a member in good
13 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
U.S. District Court for the Southern District of New York	08/1992	
U.S. District Court for the Eastern District of New York	08/1992	
State Bar of New York	04/15/1992	2449833
U.S. District Court for the Northern District of New York	09/13/2010	
U.S. Court of Appeals for the Federal Circuit	10/07/2008	

14 6. That there are or have been no disciplinary proceedings instituted against Petitioner,
15 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
16 or administrative body, or any resignation or termination in order to avoid disciplinary or
17 disbarment proceedings, except as described in detail below:

18 Not Applicable
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1 7. Has Petitioner ever been denied admission to the State Bar of Nevada?. (If yes,
2 give particulars of every denied admission):

3 No
4
5

6 8. That Petitioner is a member of good standing in the following Bar Associations:

7 American Bar Association
8 New York State Bar Association
9 New York Intellectual Property Law Association
10 Hon. William C. Conner Inn of Court
11 Intellectual Property and Innovation American Inn of Court

12 9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more
13 than one city) with which Petitioner is associated has/have filed application(s) to appear as counsel
14 under Local Rule IA 10-2 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
	See Attached		

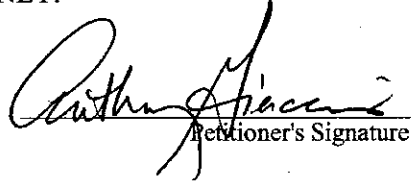
19
20 (If necessary, please attach a statement of additional applications)

21 10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
22 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
23 extent as a member of the State Bar of Nevada.

24 11. Petitioner agrees to comply with the standards of professional conduct required of
25 the members of the bar of this court.

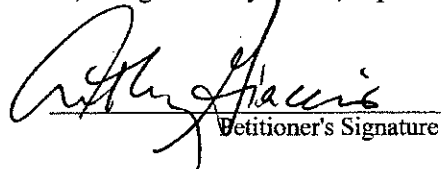
26 12. Petitioner has disclosed in writing to the client that the applicant is not admitted to
27 practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

3
4 
5 Petitioner's Signature


6 STATE OF New York }
7 COUNTY OF New York }

8 Anthony Giaccio, Petitioner, being first duly sworn, deposes and says:
9 That the foregoing statements are true.

10 
11 Petitioner's Signature

12 Subscribed and sworn to before me this

13 18th day of May, 2011.

14 
15 Notary public or Clerk of Court

16 LIAT VASHDI-BONANNO
Notary Public - State of New York
Qualified in Queens County
NO. 01VA6163821
Commission Expires April 2, 2016

17
18 **DESIGNATION OF RESIDENT ATTORNEY**
19 **ADMITTED TO THE BAR OF THIS COURT**
20 **AND CONSENT THERETO.**

21 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
22 believes it to be in the best interests of the client(s) to designate William R. Urga,
23 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
24 above-entitled Court as associate residence counsel in this action. The address of said designated
25 Nevada counsel is:

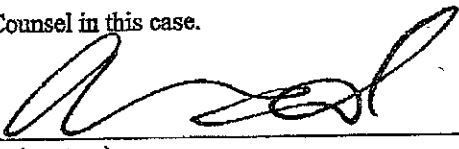
26 Jolley Urga Wirth Woodbury & Standish,
27 3800 Howard Hughes Parkway, Sixteenth Floor,
28 Las Vegas, Nevada 89169, Telephone: (702) 699-7500

(Street, City, State, Zip Code and Telephone No.)

1
2 By this designation the Petitioner and undersigned party(ies) agree that this designation
3 constitutes agreement and authorization for the designated resident admitted counsel to sign
4 stipulations binding on all of us.
5

6 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

7
8 The undersigned party(ies) appoints William R. Urga as
9 his/her/their Designated Resident Nevada Counsel in this case.

10
11 
12 _____
(Party signature)

13 _____
(Party signature)

14 _____
(Party signature)
15

16 **CONSENT OF DESIGNEE**

17
18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.
19

20
21 _____
Designated Resident Nevada Counsel's Signature Bar number

22
23 APPROVED:

24 Dated: this _____ day of _____, 20____.

25
26 _____
27 UNITED STATES DISTRICT JUDGE
28

1
2 By this designation the Petitioner and undersigned party(ies) agree that this designation
3 constitutes agreement and authorization for the designated resident admitted counsel to sign
4 stipulations binding on all of us.
5

6 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

7
8 The undersigned party(ies) appoints William R. Urga as
9 his/her/their Designated Resident Nevada Counsel in this case.
10

11 _____
12 (Party signature)

13 _____
14 (Party signature)

15 _____
16 (Party signature)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.
19

20 Will R. Urga 1195
21 Designated Resident Nevada Counsel's Signature Bar number
22

23 APPROVED:

24 Dated: this 25th day of July, 2011.

25
26 James C. Mahan
27 UNITED STATES DISTRICT JUDGE
28

Statement of Additional Application(s)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
05/30/2007	Molex v. Fci Americas (07cv39)	District of Nevada	Granted
12/10/2010	Bosch v. Corea (10cv1924)	District of Nevada	Granted
12/10/2010	Bosch v. Corea (10cv1924)	District of Nevada	Granted
12/10/2010	Bosch v. Corea (10cv1924)	District of Nevada	Granted
02/07/2011	Bosch v. Corea (10cv1924)	District of Nevada	Granted
12/10/2010	Bosch v. Chin Pech (10cv1925)	District of Nevada	Granted
12/10/2010	Bosch v. Chin Pech (10cv1925)	District of Nevada	Granted
12/10/2010	Bosch v. Chin Pech (10cv1925)	District of Nevada	Granted
12/10/2010	Bosch v. Jiujiang (10cv1926)	District of Nevada	Granted
12/10/2010	Bosch v. Jiujiang (10cv1926)	District of Nevada	Granted
12/10/2010	Bosch v. Jiujiang (10cv1926)	District of Nevada	Granted
12/10/2010	Bosch v. Ningbo (10cv1927)	District of Nevada	Granted
12/10/2010	Bosch v. Ningbo (10cv1927)	District of Nevada	Granted
12/10/2010	Bosch v. Ningbo (10cv1927)	District of Nevada	Granted
12/10/2010	Bosch v. Ocean (10cv1928)	District of Nevada	Granted
12/10/2010	Bosch v. Ocean (10cv1928)	District of Nevada	Granted
12/10/2010	Bosch v. Ocean (10cv1928)	District of Nevada	Granted
12/10/2010	Bosch v. Shb Intl (10cv1929)	District of Nevada	Granted
12/10/2010	Bosch v. Shb Intl (10cv1929)	District of Nevada	Granted
12/10/2010	Bosch v. Shb Intl (10cv1929)	District of Nevada	Granted
12/10/2010	Bosch v. Adm21 (10cv1930)	District of Nevada	Granted
12/10/2010	Bosch v. Adm21 (10cv1930)	District of Nevada	Granted
12/10/2010	Bosch v. Adm21 (10cv1930)	District of Nevada	Granted
12/10/2010	Bosch v. Zhejiang (10cv1931)	District of Nevada	Granted
12/10/2010	Bosch v. Zhejiang (10cv1931)	District of Nevada	Granted
12/10/2010	Bosch v. Zhejiang (10cv1931)	District of Nevada	Granted
12/10/2010	Bosch v. Unipoint (10cv1932)	District of Nevada	Granted
12/10/2010	Bosch v. Unipoint (10cv1932)	District of Nevada	Granted
12/10/2010	Bosch v. Unipoint (10cv1932)	District of Nevada	Granted
12/10/2010	Bosch v. Transbec (10cv1933)	District of Nevada	Granted
12/10/2010	Bosch v. Transbec (10cv1933)	District of Nevada	Granted
12/10/2010	Bosch v. Transbec (10cv1933)	District of Nevada	Granted

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AMERICAN CASINO AND ENTERTAINMENT
PROPERTIES LLC,
a Delaware limited liability company,
Plaintiff,

v.

MODERN HOUSING, LLC,
a Washington limited liability company,
Defendant.

Case No. 2:11-cv-0222-JCM-LRL

AFFIDAVIT OF ANTHONY GIACCIO

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Being first duly sworn, ANTHONY GIACCIO deposes and states that:

1. I make this affidavit in support of my Verified Petition for Permission to Practice in This Case Only by an Attorney Not Admitted to the Bar of this Court ("Verified Petition"). I have personal knowledge of the matters stated here and would be competent to testify to them if called upon to do so.

2. I am a partner in the law firm of Kenyon & Kenyon LLP located in its New York office.

3. I have never before been admitted to practice before this Court.

4. I am a member in good standing of the bar of the State of New York.

5. I have been retained by defendant, Modern Housing, LLC, an existing client of Kenyon & Kenyon LLP, to provide legal representation in connection with the above-entitled case now pending before this Court.

6. William R. Urga of the law firm Jolley Urga Wirth Woodbury & Standish has been retained as designated Nevada counsel by Modern Housing, LLC.

7. Local Rule IA 10-2(h)(i)(1) provides that, "it shall be presumed in civil...cases, absent special circumstances, and only upon a showing of good cause, that more than five (5) appearances by any attorney or firm of attorneys in the same office location granted under this rule in a three (3) year period is excessive use of this rule." Local Rule IA 10-2(h)(2) further provides, "the attorneys shall have the burden to establish special circumstances and good cause for an appearance in excess of limitations set forth in subsection (h)(1) of this rule." This affidavit is submitted pursuant to Local Rule IA 10-2(h)(i)(2).

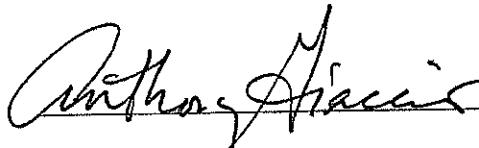
8. On June 14, this Court granted the Verified Petition of Jonathan D. Reichman in this action.

9. On November 3, 2010, Robert Bosch LLC ("Bosch"), represented by its existing counsel Kenyon & Kenyon LLP and designated Nevada counsel Lionel Sawyer & Collins, filed ten complaints against various entities alleging patent infringement in this District as Case Nos. 2:10-cv-1924 through 1933.

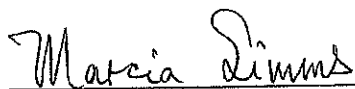
10. Each complaint alleges patent infringement against similar products. Because of the similar nature of the claims in each case, Bosch filed, in each case, a Motion for Transfer or Reassignment of case so each of these matters would be handled by the same judge. The pending cases have been so reassigned.

11. Verified Petitions were granted for three attorneys from the New York office of Kenyon & Kenyon LLP in the ten cases. A Verified Petition for a fourth attorney from the New York office of Kenyon & Kenyon LLP was granted in one of the ten cases. Of the thirty-two (32) Verified Petitions granted on behalf of attorneys from the New York office of Kenyon & Kenyon LLP in the last three years, thirty-one (31) were in these 10 cases.

12. For the reasons stated above, I respectfully submit that special circumstances exist in this case and good cause exists for the admission of myself in the above-entitled case.


ANTHONY GIACCIO

SUBSCRIBED and SWORN to before
me this 14th day of July, 2011



NOTARY PUBLIC

in and for said County and State.

MARCIA SIMMS
Notary Public, State of New York
No. 01516123479
Qualified in Kings County
Commission Expires March 7, 2013