

Name and address  
 James H. Berry, Jr. (State Bar No. 075834)  
 Kevin R. Lussier (State Bar No. 143821)  
 Esperanza V. Cervantes (State Bar No. 197953)  
 BERRY & PERKINS  
 A Professional Corporation  
 2049 Century Park East, Suite 950  
 Los Angeles, California 90067-3134

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

ENTREPRENEUR MEDIA, INC.,  Plaintiff(s)	CASE NUMBER  SACV08-0608 DOC (MLGx)
v.  EYGN Limited, ERNST & YOUNG LLP and ERNST & YOUNG ADVISORY INC.,  Defendant(s).	APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE

NOTICE: Effective June 1, 2004, the fee for *Pro Hac Vice* Appearance is \$185.00 for **each case** application. Please submit the fee with your application. Pursuant to Local Rule 83-2.4, submission of this application and the fee is waived for attorneys for the United States, its departments and agencies with Appointment Affidavits on file with the Clerk. If no Appointment Affidavit is on file, submission of the application is required.

I, David Donahue, hereby apply to the Court under Local Rule 83-2.8.2 for permission to appear and participate in the above-entitled action on behalf of  Plaintiff  Defendant: EYGN Limited, ERNST & YOUNG LLP and ERNST & YOUNG ADVISORY INC. by whom I have been retained.

My *out-of-state* business information is as follows:

Fross Zelnick Lehrman & Zissu, P.C.	
<i>Firm Name</i>	
866 United Nations Plaza	
<i>Street Address</i>	
New York, NY 10017	ddonahue@fzlj.com
<i>City, State, Zip</i>	<i>E-Mail Address</i>
212-813-5900	212-813-5901
<i>Telephone Number</i>	<i>Fax Number</i>

I am a member in good standing and eligible to practice before the following courts:

<i>Title of Court</i>	<i>Date of Admission</i>
<u>New York State</u>	<u>2000</u>
<u>Southern District of New York</u>	<u>2002</u>
<u>Eastern District of New York</u>	<u>2002</u>
<u>United States Court of Appeals for the Ninth Circuit</u>	<u>2005</u>

I am not a resident of, nor am I regularly employed, engaged in business, professional or other activities in the State of California. I am not currently suspended or disbarred in any court.

I have concurrently, or within three (3) years of this application, made *Pro Hac Vice* applications to this Court in the following actions:

<i>Case Number</i>	<i>Title of Action</i>	<i>Date of Application</i>	<i>Application Granted or Denied</i>

If any *Pro Hac Vice* applications submitted within three (3) years of this application have been denied by the Court, please explain:

NONE

I designate Kevin R. Lussier as local counsel, whose business information is as follows:

**BERRY & PERKINS**

*Firm Name*

2049 Century Park East, Suite 950

*Street Address*

Los Angeles, California 90067-3134

*City, State, Zip*  
(310) 557-8989

*Telephone Number*

klussier@berryperkins.com

*E-Mail Address*

(310) 788-0080

*Fax Number*

who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, as the attorney with whom the Court and opposing counsel may readily communicate regarding the conduct of this case, and upon whom papers may be served.

I declare under penalty of perjury that the foregoing is true and correct and that I am familiar with the Local Rules, the Local Criminal Rules, the F.R. Civ. P., the F.R. Crim. P., and the F.R. Evidence.

Dated July 31, 2008

David Donahue

*Applicant's Name (please print)*

*Applicant's Signature*

I hereby consent to the foregoing designation as local counsel.

Dated August 14, 2008

Kevin R. Lussier

*Designee's Name (please print)*

*Designee's Signature*

143821

*Designee's California State Bar Number*

**NOTE: COUNSEL AND PARTIES ARE REMINDED TO SUBMIT A COMPLETED ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE (G-64 ORDER) ALONG WITH THIS APPLICATION.**

1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of  
3 eighteen and not a party to the within action, and my business address is Berry & Perkins (the  
4 "business"), 2049 Century Park East, Suite 950, Los Angeles, California 90067.

5 On August 15, 2008, I caused the following document to be served: **APPLICATION**  
6 **OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE** on the interested  
7 parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope  
8 addressed as follows:

9 Michael R. Adele, Esq.  
10 ALLEN MATKINS LECK GAMBLE  
11 MALLORY & NATSIS LLP  
12 12348 High Bluff Drive, Suite 210  
13 San Diego, California 92130

14 X **BY REGULAR U.S. MAIL:** I am readily familiar with the business' practice for  
15 collection and processing of correspondence for mailing with the United States Postal  
16 Service; such correspondence would be deposited with the United States Postal Service  
17 the same day of deposit in the ordinary course of business. I know that the envelope was  
18 sealed and, with postage thereon fully prepaid, placed for collection and mailing on this  
19 date, following ordinary business practices, in the United States mail at Los Angeles,  
20 California.

21 — **BY FACSIMILE TRANSMISSION:** I sent a true and complete copy of the  
22 document(s) described above by facsimile transmission to the telephone number(s) set  
23 forth opposite the name(s) of the person(s) set forth above.

24 — **BY FEDERAL EXPRESS OVERNIGHT DELIVERY OR OTHER EXPRESS**  
25 **OVERNIGHT SERVICE:** I declare that the foregoing described document(s)  
26 was(were) deposited on the date indicated below in a box or other facility regularly  
27 maintained by the express service carrier, or delivered to an authorized courier or driver  
28 authorized by the express service carrier to receive documents, in an envelope or package  
designated by the express service carrier with delivery fees paid or provided for,  
addressed to the person(s) on whom it is to be served, at the address as last given by that  
person on any document filed in the cause and served on this office.

— **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the  
above address(es).

— **BY ELECTRONIC MAIL:** I caused such document to be delivered electronically to the  
e-mail address(es) above.

23 X **(Federal)** I declare that I am employed in the office of a member of the bar of this court  
24 at whose direction the service was made.

25 Executed on August 15, 2008, at Los Angeles, California.

26   
27 Kate E. Oyler  
28