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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 FRIEDA MAE ROGERS, et al.,

12 Plaintiffs,

13 v.

14 WILMINGTON TRUST COMPANY, et al.,

15 Defendants.

Case No. 1:17-cv-00392-AWI-SAB

ORDER RE PRO HAC VICE APPLICATION
OF THOMAS L. ALLEN

RESPONSE DUE JULY 7, 2017

(ECF No. 20)

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17 The court has read and considered the application of Thomas L. Allen, attorney for
18 Defendants, for admission to practice pro hac vice under the provisions of Local Rule 180(b)(2)
19 of the Local Rules of Practice of the United States District Court for this District. (ECF No. 20.)
20 Mr. Allen’s application indicates that he was admitted to practice in Pennsylvania on December
21 17, 1980, and in California on July 29, 2003. (ECF No. 20 at 2.)¹ The application indicates that
22 Mr. Allen resides in Pittsburgh, Pennsylvania, and his business address is in Pittsburgh,
23 Pennsylvania. (ECF No. 20 at 1.) Mr. Allen attached a certificate of good standing from the
24 court in his state of primary practice, Pennsylvania. (ECF No. 20-1.)

25 Local Rule 180(b) states, “(e)xcept as otherwise provided herein, only members of the
26 Bar of this Court shall practice in this Court.” Admission to the Bar of this Court is limited to

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28 ¹ A review of the State Bar of California’s website indicates that Mr. Allen is active and may practice law in California. See <http://members.calbar.ca.gov/fal/Member/Detail/226179>.

1 attorneys who are active members in good standing of the State Bar of California. L.R. 180(a).
2 For admission, an application must submit a petition for admission, proof of bar membership, the
3 oath, and the prescribed fee.² L.R. 180(a)(1)-(3). However, attorneys who are not members of
4 this Court's Bar may appear pro hac vice. Local Rule 180(b)(2) provides:

5 (2) Attorneys Pro Hac Vice. An attorney who is a member in good standing of,
6 and eligible to practice before, the Bar of any United States Court or of the
7 highest Court of any State, or of any Territory or Insular Possession of the United
8 States, and who has been retained to appear in this Court may, upon application
9 and in the discretion of the Court, be permitted to appear and participate in a
10 particular case. Unless authorized by the Constitution of the United States or an
11 Act of Congress, an attorney is not eligible to practice pursuant to (b)(2) if any
12 one or more of the following apply: (i) the attorney resides in California, (ii) the
13 attorney is regularly employed in California, or (iii) the attorney is regularly
14 engaged in professional activities in California.

11 L.R. 180(b)(2).

12 It is unclear to the Court why an attorney who is an active member of the State Bar of
13 California and eligible to practice law in California would seek or be eligible for admission pro
14 hac vice in this case instead of seeking admission to the Bar of this Court.

15 Accordingly, IT IS HEREBY ORDERED that Thomas L. Allen shall file a response **on**
16 **or before July 7, 2017**, indicating whether he still seeks admission pro hac vice in this case, and
17 if so, why he is seeking admission pro hac vice in this case instead of seeking admission to the
18 Bar of this Court.

19 IT IS SO ORDERED.

20 Dated: June 29, 2017

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23 UNITED STATES MAGISTRATE JUDGE
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27 ² The Court notes that the fee for admission to practice in the United States District Court for the Eastern District of
28 California is \$200.00 and the fee for a pro hac vice application is \$225.00.