IN THE UNITED STATES DISTAN

FOR THE NORTHERN DISTRICT OF CALIFORNIA

Securities and Exchange Commission,

CASE NO. 4:11-cv-00137-WHA

Plaintiff,

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Kimon P. Daifotis and Randall Merk

Proposed ORDER GRANTING APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE

Defendant.

Susan Brune

, whose business address and telephone number is

Brune & Richard LLP One Battery Park Plaza

New York, NY 10004 tel: (212) 668-1900

and who is an active member in good standing of the bar of the New York Court of Appeals having applied in the above-entitled action for admission to practice in the Northern District of California on a pro hac vice basis, representing Randall Merk

IT IS HEREBY ORDERED THAT the application is granted, subject to the terms and conditions of Civil L.R. 11-3. All papers filed by the attorney must indicate appearance pro hac vice. Service of papers upon and communication with co-counsel designated in the application will constitute notice to the party. All future filings in this action are subject to the requirements

contained in General Order No. 45, Electronic Case Filing. 24

Dated: January 21, 2011.

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