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4 IN THE UNITED STATES DISTRICT COURT  
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6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 NETWORK PROTECTION SCIENCES,  
9 LLC,

No. C 12-01106 WHA

10 Plaintiff,

11 v.

12 FORTINET, INC.,

13 Defendant.  
14 \_\_\_\_\_/

**ORDER DENYING *PRO HAC*  
*VICE* APPLICATION OF  
ATTORNEY ANDREW  
MACARTHUR**

15 Attorney Andrew MacArthur, an associate working under the supervision of lead  
16 attorney *pro hac vice* Michael Cukor, moves for admission *pro hac vice* (Dkt. Nos. 208, 210).  
17 Defendant objects, and plaintiff admits, that Attorney MacArthur appeared in three depositions  
18 in this action prior to filing his application. Attorney MacArthur, Attorney Cukor, and local  
19 counsel Jill Kopeikin have submitted sworn declarations apologizing to the Court and stating  
20 that Attorney MacArthur's failure to timely seek admission was inadvertent (Dkt. Nos. 210-  
21 1-210-3).

22 Attorney MacArthur's conduct violated Local Rules 11-1 and 11-3. Nevertheless, on the  
23 present record, Attorney MacArthur's conduct does not rise to a level that warrants a referral to  
24 the standing committee or other sanction under Local Rule 11-8. Attorney MacArthur's *pro hac*  
25 *vice* application, however, shall be **DENIED**.

26 **IT IS SO ORDERED.**

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28 Dated: June 21, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE