

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

WAYNE R. GRAY,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 8:06-cv-01950-JSM-TGW
)	
NOVELL, INC.,)	
THE SCO GROUP, INC., and)	
X/OPEN COMPANY LIMITED,)	
)	
Defendants.)	
_____)	

MOTION OF MARK SOMMERS TO APPEAR *PRO HAC VICE*

Mark Sommers of the law firm of Finnegan, Henderson, Farabow, Garrett and Dunner, L.L.P., located at 901 New York Avenue, Washington, DC 20001-4413, hereby petitions this Court for permission to appear *pro hac vice* on behalf of Defendant X/Open Company Limited ("X/Open"). Petitioner states that he is a member in good standing of the Bar of the State of Illinois, the Bar of the State of Massachusetts, the Bar of the State of New York and the Bar of the District of Columbia, and is licensed to practice before the United States District Court for the Southern District of New York, the United States District Court of the Eastern District of New York, the United States District Court of the Northern District of Illinois, the United States District Court for the District of Columbia, the United States District Court of the Western District of Michigan, and the United States Court of Appeals for the Federal Circuit. Petitioner further states that William C. Guerrant, Jr. of the law firm of Hill, Ward & Henderson, P.A., have been designated as local counsel in this action.

Petitioner represents that he is not admitted to practice in the Middle District of Florida and does not maintain a regular practice of law in the State of Florida. Petitioner has reviewed and is familiar with the Local Rules of the Middle District of Florida and submits to the jurisdiction of this Court for discipline purposes.

Petitioner certifies that he has submitted to the Clerk's office a check representing the fee required pursuant to Local Rule 2.01(d).

WHEREFORE, Mark Sommers petitions the Court to allow him to appear *pro hac vice* on behalf of Defendant in this matter pursuant to Rule 2.02 of the Local Rules of the Middle District of Florida.

LOCAL RULE 3.01(g) CERTIFICATION

The undersigned has conferred with counsel for Plaintiff, who has advised that Plaintiff consents to the request for the relief sought herein.

Dated: January 4, 2007

Respectfully submitted,

s/William C. Guerrant, Jr.

William C. Guerrant, Jr.

Florida Bar No. 516058

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- and -

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Attorneys for Defendant
X/Open Company Limited

CERTIFICATE OF SERVICE

I **CERTIFY** that on January 4, 2007, I electronically filed this document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to Plaintiff's counsel, David L. Partlow, at dlppa@mindspring.org.

s/William C. Guerrant, Jr

Attorney