

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MARK J. GAINOR,

Plaintiff,

v.

CASE NO.: 06-21748-Civ-Martinez

SIDLEY, AUSTIN, BROWN & WOOD, LLP,

Defendant.

| | |
|------------------------|--------------------|
| FILING FEE | |
| PAID | <i>[Signature]</i> |
| In Forma Pauperis | 545416 |
| Clarence Maddox, Clerk | |

NIGHT BOX
FILED

2006

CLARENCE MADDOX
CLERK, USDC / SD / FL / MIA

[Signature]

**MOTION TO APPEAR PRO HAC VICE
AND REQUEST FOR WAIVER OF
DESIGNATION OF LOCAL COUNSEL IN THE SOUTHERN DISTRICT**

In accordance with Local Rule 4B of the Special Rules Governing the Admission and Practice of Attorneys of the United States District Court for the Southern District of Florida, the undersigned respectfully moves for the admission of Richard W. Candelora, of counsel to Richard Benjamin Wilkes, P.A., 600 South Magnolia Avenue, Suite 200, Tampa, Florida 33606, (813) 254-6060, for the purpose of appearing on behalf of Mark J. Gainor, Plaintiff herein, in the above-styled case only.

Richard W. Candelora certifies herewith that he has studied the Local Rules of this Court and is a member in good standing of the Florida Bar and the United States District Court for the Middle District of Florida.

The undersigned hereby moves this Court for a waiver of the designation of an attorney admitted to the Southern District who maintains an office in the Southern District. As grounds for this request, Movant states as follows:

1. The law firm of Richard Benjamin Wilkes, P.A. is counsel of record for Plaintiff, Mark J.

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Gainor, in this case.

2. Movant is of counsel with the law firm of Richard Benjamin Wilkes, P.A.

3. Richard Benjamin Wilkes, the principal of Richard Benjamin Wilkes, P.A., has no partners or associates. Accordingly, Movant will need to appear and have the ability to sign pleadings on behalf of Plaintiff in the event Mr. Wilkes is unavailable.

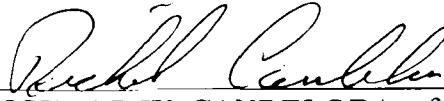
4. Richard Benjamin Wilkes, the principal of Richard Benjamin Wilkes, P.A., is a member of the United States District Court for the Southern District of Florida.

5. As a member of the bar of the Southern District, Mr. Wilkes is a person to whom the Court and counsel may readily communicate and upon which papers may be served, although his office is not located within the Southern District.

6. The undersigned may be contacted as follows:

Richard W. Candelora, of counsel
c/o RICHARD BENJAMIN WILKES, P.A.
600 South Magnolia Avenue
Suite 200
Tampa, Florida 33606
Telephone: (813) 254-6060
Facsimile: (813) 254-6088.

WHEREFORE, Richard W. Candelora, for the reasons stated above, hereby moves this Court for entry of an order allowing Richard W. Candelora to appear pro hac vice in this matter and waiving the local counsel designation set forth in Local Rule 4B of the Special Rules Governing the Admission and Practice of Attorneys of the United States District Court for the Southern District of Florida.



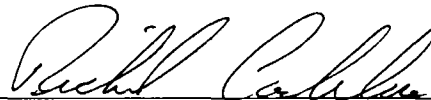
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Telephone: (813) 254-6060
Facsimile: (813) 254-6088

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on the 16th day of August, 2006, to:

Katherine W. Ezell, Esq.
Podhurst Orseck, P.A.
25 West Flagler Street, Suite 800
Miami, FL 33130

Jonathan E. Altman, Esq.
Aaron M. May, Esq.
Munger, Tolles & Olson, LLP
355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071



Attorney