

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

RED BEND LTD., and
RED BEND SOFTWARE INC.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 09-cv-11813-DPW

MOTION FOR ADMISSION OF ATTORNEYS *PRO HAC VICE*

Pursuant to Local Rule 83.5.3(b), Daniel J. Cloherty, a member of the bar of this Court and attorney for plaintiffs Red Bend Ltd. and Red Bend Software Inc., moves to admit attorneys Robert C. Scheinfeld, Eliot D. Williams, and Jennifer C. Tempesta to the bar of this Court *pro hac vice*.

In support of this Motion, the movant relies on the following:

(1) The Affidavit of Robert C. Scheinfeld, (attached as Exhibit A), which states that he is:

- (a) a member in good standing of the bar of New York State, as well as the United States Courts of Appeals for the Second, Third, Fifth and Federal Circuits, and the United States District Courts for the Northern, Southern, Eastern and Western Districts of New York and the Eastern District of Pennsylvania;
- (b) not currently the subject of any disciplinary proceedings as a member of any bar; and

- (c) familiar with the Local Rules of the United States District Court for the District of Massachusetts.
- (2) The Affidavit of Eliot D. Williams (attached as Exhibit B), which states that he is:
- (a) a member in good standing of the bar of New York State, as well as the United States District Court for the Southern District of New York, the United States Court of Appeals for the Fifth Circuit, the United States Court of Appeals for the Federal Circuit, and the United States Supreme Court;
 - (b) not currently the subject of any disciplinary proceedings as a member of any bar; and
 - (c) familiar with the Local Rules of the United States District Court for the District of Massachusetts.
- (3) The Affidavit of Jennifer C. Tempesta (attached as Exhibit C), which states that she is:
- (a) a member in good standing of the bar of New York State, as well as the United States Court of Appeals for the Federal Circuit, and the United States District Courts for the Southern and Eastern Districts of New York;
 - (b) not currently the subject of any disciplinary proceedings as a member of any bar; and
 - (c) familiar with the Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, Red Bend Ltd. and Red Bend Software Inc. request that the Court grant this motion to admit attorneys Robert C. Scheinfeld, Eliot D. Williams, and Jennifer C. Tempesta *pro hac vice*.

Respectfully submitted,

/s/ Daniel J. Cloherty
Daniel J. Cloherty (BBO #565772)
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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1(A)(2)

Undersigned counsel hereby certifies that he has attempted to confer in good faith with counsel for the Defendant regarding the issues raised in this motion and counsel for the Defendant indicated that it does not oppose this motion.

/s/ Daniel J. Cloherty

Dated: November 23, 2009

CERTIFICATE OF SERVICE

I, Daniel J. Cloherty, hereby certify that a true and correct copy of this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on November 23, 2009.

/s/ Daniel J. Cloherty