

1 Richard Fama (SBN 2624054)  
 2 COZEN O'CONNOR  
 3 45 Broadway  
 4 New York, New York 10006  
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 Email: rfama@cozen.com

5 Attorneys for Defendant  
 6 DEL MONTE FOODS COMPANY

7  
 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE DISTRICT OF NEVADA**

10 MARGARET PICUS, an individual; on behalf of  
 herself, and on behalf of all others similarly  
 11 situated,

12 Plaintiff,

13 vs.

14 WAL-MART STORES, INC., MENU FOODS,  
 INC.; DEL MONTE FOODS COMPANY;  
 15 SUNSHINE MILLS, INC.; CHEMNUTRA,  
 INC.,

16 Defendants.

Case No. 2:07-cv-00689-RLH-RJJ

**VERIFIED PETITION FOR PERMISSION  
 TO PRACTICE IN THIS CASE ONLY BY  
 ATTORNEY NOT ADMITTED TO THE  
 BAR OF THIS COURT AND  
 DESIGNATION OF LOCAL COUNSEL**

17 Richard Fama, Petitioner, respectfully represents to the Court:

- 18 1. That Petitioner resides at 52 Robin Lane, Plainview, New York, 11803.  
 19 2. That Petitioner is an attorney at law and a member of the law firm of Cozen  
 20 O'Connor with offices at 45 Broadway New York, New York 10006.  
 21 3. The Petitioner has been retained personally or as a member of the law firm by Del  
 22 Monte Foods Company to provide legal representation in connection with the above-entitled case  
 23 now pending before this Court.  
 24 4. That since June of 1994 Petitioner has been and presently is a member in good  
 25 standing of the bar of the highest Court of the State of New York where Petitioner regularly  
 26 practices law.  
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VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY THE ATTORNEY NOT  
 ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL Case No. 2:07-cv-00689-RLH-RJJ

1           5.       That Petitioner was admitted to practice before the following United States District  
 2 Courts, United States Circuit Courts of Appeal, the supreme Court of the United Sates and Courts of  
 3 other State on the dates indicated for each and, and that Petitioner is presently a member in good  
 4 standing of the bars of said Courts.

Court	Date Admitted	<i>Bar Number</i>
USDC/EDNY	8/6/99	5358
USDC/SDNY	8/11/98	5358

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 11           6.       That there are or have been no disciplinary proceedings instituted against Petitioner  
 12 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or  
 13 administrative body, or any registration or termination in order to avoid disciplinary or disbarment  
 14 proceedings.

15  
 16           7.       Has Petitioner ever been denied admission to the State Bar of Nevada? (If yes, give  
 17 particulars of every denied admission). No.

18           8.       That petitioner is a member of good standing in the following Bar Associations:

- 19 New York State Bar Associations
- 20 American Bar Association
- 21 Defense Research Institute
- 22 Defense Association of New York

23  
 24           9.       Petitioner or any member of petitioner's firm located in the New York office of  
 25 Cozen O'Connor with which Petitioner is associated has/have filed application(s) to appear as  
 26  
 27  
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1 counsel under Local Rule 1A 10-2 during the past three (3) years in the following matters:

Applicant's Name	Date of Application	Cause	Title of Court or Administrative Body or Arbitrator	Was Application Granted or Denied?
Christopher Raleigh	05/1/07	Generadores Mexicanos, S.A. DE C.V., a Mexican Corporation v. Hess Microgen, LLC, a Delaware limited liability company	United States District Court/District of Nevada	Granted
Geoffrey Ferrer	05/1/07	Generadores Mexicanos, S.A. DE C.V., a Mexican Corporation v. Hess Microgen, LLC, a Delaware limited liability company	United States District Court/District of Nevada	Granted

15 (if necessary, please attach a statement of additional applications)

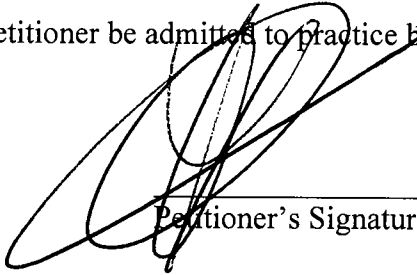
16  
 17 10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
 18 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
 19 extent as a member of the State Bar of Nevada.

20 11. Petitioner agrees to comply with the standards of professional conduct required of the  
 21 members of the bar of this court.

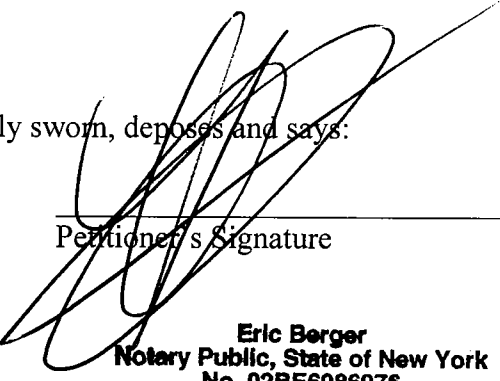
22 12. Petitioner has disclosed in writing to the client that the applicant is not admitted to the  
 23 practice in this jurisdiction and that the client has consented to such representation.  
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1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court FOR THE  
2 PURPOSES OF THIS CASE ONLY.

3  
4 State of New York )  
5 )  
6 County of New York )

  
\_\_\_\_\_  
Petitioner's Signature

7 Richard Fama, Petitioner, being first dully sworn, deposes and says:  
8 That the foregoing statements are true.

  
\_\_\_\_\_  
Petitioner's Signature

9 Subscribed and sworn to before me this  
10 26<sup>th</sup> day of June, 2007

11 \_\_\_\_\_  
Notary Public or clerk of the Court

**Eric Berger**  
Notary Public, State of New York  
No. 02BE6086976  
Qualified in New York County  
Commission Expires Feb. 3, 2011

13 **DESIGNATION OF RESIDENT ATTORNEY**  
14 **ADMITTED TO THE BAR OF THIS COURT AND**  
15 **CONSENT THERETO**

16 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
17 believes it to be in the best interests of the client(s) to designate Nicholas Salerno  
18 Attorney at Law, member of the State Bar of Nevada and previously admitted to practice before the  
19 above-entitled Court as associate residence counsel in this action. The address of said designated  
20 Nevada counsel is:

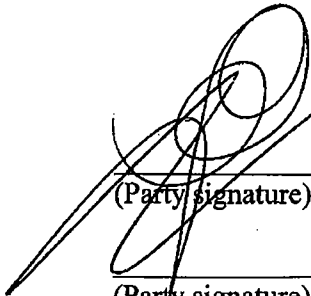
21 2300 West Sahara Avenue, Suite 300, Las Vegas, Nevada 89102, 702.257.1997

22 By designation the Petitioner and undersigned party(ies) agree that this designation  
23 constitutes agreement and authorization for the designated resident admitted counsel to sign  
24 stipulations binding on all of us.  
25

26 **APPOINTMENT OF DESIGNATED NEVADA COUNSEL**

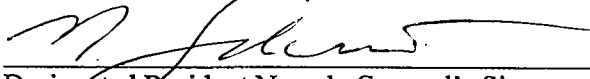
27 The undersigned party(ies) appoints Nicholas Salerno as his/her/their Designated Resident  
28 Nevada Counsel in this case.

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(Party signature)  
\_\_\_\_\_  
(Party signature)  
\_\_\_\_\_  
(Party signature)

**CONSENT OF DESIGNEE**

The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

  
\_\_\_\_\_  
Designated Resident Nevada Counsel's Signature, Bar No. 6118

APPROVED:

Dated: this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE