file Verified Petitions for Admission to this Court Pro Hac Vice. The Court will, however, suspend the Local Rule requirement that counsel for Pricepoint Accessories d/b/a/ Section 8, Inc. and JGR Copa LLC retain local counsel. DATED: August 4, 2011. Phip m. On PHILIP M. PRO United States District Judge 



Three World Financial Center New York, NY 10261 Telephone: 212-415-8600 Fax. 212-303-2754 www.lockelord.com

Gaston Kroub Direct Telephone, 212-415-8585 Direct Fax: 646-224-9665 gkroub@lockelord.com

August 3, 2011

Hon. Judge Philip M. Pro U.S. District Court for the District of Nevada 333 S. Las Vegas Blvd. Las Vegas, NV 89101

BY FACSIMILE WITH PERMISSION TO: (702) 464.5511

Re: Fifty-Six Hope Road, et al v. A.V.E.L.A., Inc., et al Case No. 2:08-cv-00105-PMP-GWF

Dear Judge Pro:

We are counsel for Pricepoint Accessories d/b/a Section 8, Inc. ("Section 8"), and write the Court with respect to Docket Entry No. 344 in the above styled case, namely Plaintiff's Motion for Contempt. This letter is submitted by Section 8 on behalf of itself, and JGR Copa LLC ("JGR"). The other so-named "contempt licensees" identified in Plaintiff's Motion are Dada Entertainment ("Dada"), Funko, LLC ("Funko"), and C&D Visionary, Inc. ("C&D"). Funko and C&D are represented by Defendant AVELA's counsel for purposes of responding to the Plaintiff's Motion, and JGR is represented by Robert Kain of Kain & Associates in Fort Lauderdale, Florida. Dada's counsel information remains unknown. Section 8 and JGR seek the Court's guidance regarding the Court's preferred procedure for their respective oppositions to Plaintiff's Motion.

As for a brief background, Fifty-Six Hope Road ("Hope Road") filed a Motion in this action on July 12, 2011, seeking, inter alia, to hold AVELA and several of its licensees in contempt for alleged violations of an injunction previously issued by this Court. After service of the Motion on the alleged contempt licensees, a question arose, since Section 8, Dada, Funko, JGR, and C&D are not parties to the above-referenced action, yet they, together with defendant AVELA, wish to file and serve briefs in response to the motion for contempt. All identified counsel (both for the parties and the licensees) have already agreed to a briefing schedule for responding to Plaintiff's Motion, which the Court endorsed yesterday.

(Continued Over)

Also yesterday, the undersigned counsel for Section 8, Gaston Kroub, of Locke Lord Bissell & Liddell, telephoned the Court to discuss the alleged contempt licensees' responses to Plaintiff's Motion. It was suggested that this letter be submitted to your Honor, which would prompt the Court to enter a Minute Order, that to provide direction to Section 8 and JGR concerning their permission to file, via ECF or other means at the Court's convenience, their briefs in response to the motion. Counsel for both Section 8 and JGR would also seek to participate in oral argument on Plaintiff's motion, should the Court be inclined to hear them.

In sum, Section 8 and JGR, respectfully request the Court's further guidance on whether it believes a limited appearance should be entered by counsel (and if so in what form) for the sole purpose of responding to the instant motion, as they are not parties to the instant action. Additionally, it is believed that the most efficient and cost-sparing way for the non-party licensees to respond would be if the Court eliminated the need for the non-party licensees to engage local counsel.

We respectfully await the Court's guidance, and are available at the Court's convenience for further discussion.

Sincerely,

Gaston Kroub

CC: All Counsel



3 World Fatancial Central 18KUL YA YUK MAN Telephone: 212-315-8500 Fax: 212-502-2784

www.logseloid.com

Gaston Noville

Direct Telephone 912 415 8561

gkroub@locksloid part

## **Fax Cover Sheet**

August 3, 2011

To:

Organization:

Fax Number:

Phone Number:

Hon. Judge Philip M. Pro

U.S. District Court for the

District of Nevada

(702) 464-5511

Total Pages (including coversheet): 3
If you do not receive all pages, please call . (212) 415-8600

Message:

This message is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.