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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

In Re: Zappos.com, Inc., Customer Data Security Breach Litigation
Plaintiff(s),
vs.
Defendant(s).

Case # 12-cv-00325-RCJ-CLB

**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**

FILING FEE IS \$250.00

Todd S. Garber, Petitioner, respectfully represents to the Court:
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of
Finkelstein, Blankinship, Frei-Pearson & Garber, LLP
(firm name)

with offices at 445 Hamilton Avenue, Suite 605
(street address)

White Plains, New York, 10601
(city) (state) (zip code)

914-298-3283, tgarber@fbglaw.com
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by
Dahlia Habashy, Patti Hasner, Stephanie Prier, Robert Ree, Denise Relethford, Shari Simon, Theresa D. Stevens, Kathryn Vorhoff to provide legal representation in connection with
[client(s)]

the above-entitled case now pending before this Court.

Attachment

Court	Date Admitted	Bar Number
State of Connecticut	11/4/2002	420720
U.S.D.C. –Southern District of New York	7/31/2003	TSG4620
U.S.D.C. –Eastern District of New York	8/30/2003	TSG4620
U.S.D.C. –Western District of New York	9/23/2013	No ID #
U.S.D.C. –Northern District of New York	1/12/2016	519821
Court of Appeals – 1 st Circuit	2/19/2014	1112854
Court of Appeals – 2 nd Circuit	4/26/2010	
Court of Appeals – 11 th Circuit	9/25/2015	

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

3 None.
4
5

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 New York State Bar and Connecticut State Bar
8
9

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
None.			

19 (If necessary, please attach a statement of additional applications)

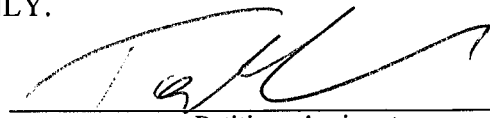
20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.

27
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1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

3
4 
Petitioner's signature

5 STATE OF New York)
6 COUNTY OF Westchester)

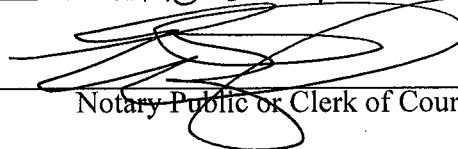
7 Todd S. Garber, Petitioner, being first duly sworn, deposes and says:

8 That the foregoing statements are true.

9 
Petitioner's signature

10 Subscribed and sworn to before me this

11 3rd day of December, 2019.

12 
Notary Public or Clerk of Court

EVELYN L. OZUNA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OZ6351420
Qualified in Bronx County
My Commission Expires 12-05-2020

15
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**
17 **THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
19 believes it to be in the best interests of the client(s) to designate David C. O'Mara,
20 (name of local counsel)
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
22 above-entitled Court as associate resident counsel in this action. The address and email address of
23 said designated Nevada counsel is:

24 311 E. Liberty Street
(street address)
25 Reno, Nevada, 89501
(city) (state) (zip code)
26 775-323-1321, david@omaralaw.net
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.
4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**
6

7 The undersigned party(ies) appoint(s) David C. O'Mara as
8 his/her/their Designated Resident Nevada Counsel in this case.
9

10 Stephanie Huppert (Preira)
11 (party's signature)

12 Stephanie Huppert (Preira)
13 (type or print party name, title)

14 _____
15 (party's signature)

16 _____
17 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.
19

20 David O'Mara
21 Designated Resident Nevada Counsel's signature

22 8599 david@omaralaw.net
23 Bar number Email address

24 APPROVED: _____

25 Dated: this 6th day of December, 2019.

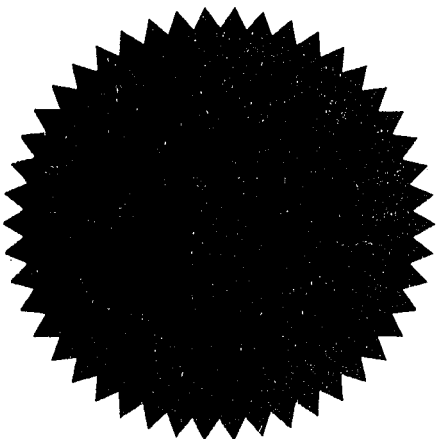
26 R. Jones
27 UNITED STATES DISTRICT JUDGE



**Appellate Division of the Supreme Court
of the State of New York
Second Judicial Department**

I, Aprilanne Agostino, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Todd Seth Garber** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the 28th day of **May 2003**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on November 12, 2019.



Aprilanne Agostino

Clerk of the Court

State of Connecticut
Supreme Court

I, Carolyn C. Ziogas, Chief Clerk of the Supreme Court of the State of Connecticut and keeper of the Seal thereof,

Do hereby certify, that, in the Supreme Court at **Hartford**
on the **4th** *day of* **November, 2002**

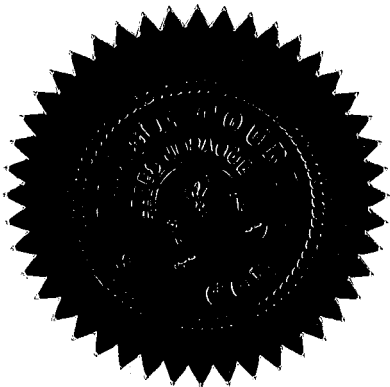
Todd Seth Garber


of

Weston, Connecticut

having been examined and found duly qualified, was sworn as an attorney and admitted to practice before all courts of this state, and that said attorney is a member of in good standing of the Bar of this State pursuant to Practice Book §2-65.

In Testimony Whereof, I have hereunto set my hand and affix the Seal of the Supreme Court of the State of Connecticut, at Hartford, this day **November 27, 2019**





Carolyn C. Ziogas
Chief Clerk