

David Lazer (DL7441)
Lazer, Aptheke, Rosella & Yedid, P.C.
Melville Law Center, 225 Old Country Road
Melville, NY 11747-2712
Telephone: (631) 761-0800

Attorneys for Plaintiff Rates Technology Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

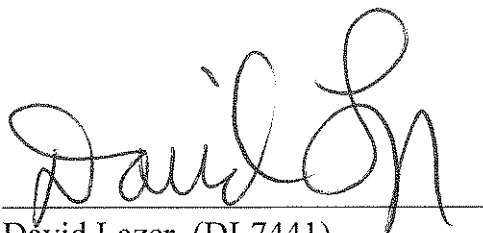
RATES TECHNOLOGY INC.,	:	
	:	CASE NO. 05 CV 4703 (ADS)(ETB)
Plaintiff,	:	
- against -	:	AMENDED NOTICE OF MOTION TO
	:	ADMIT COUNSEL PRO HAC VICE
GOOGLE INC.,	:	
	:	
Defendant.	:	ECF CASE

TO: Google Inc.
1440 Broadway, 21st Floor,
New York, New York 10018

PLEASE TAKE NOTICE that upon the annexed declaration of James B. Hicks and the Certificate of Good Standing annexed thereto I will move this Court before the Honorable Arthur D. Spatt at the United States Courthouse for the Eastern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of James B. Hicks, a member of the firm of Ervin, Cohen & Jessup, LLP and a member in good standing of the Bar of the State California, as attorney *pro hac vice* to argue or try this case in whole or in

part as counsel. Defendant, Google, Inc. has not yet been served with summons and complaint in this action and therefore has not appeared. There are no pending disciplinary proceedings against me in any State or Federal Court.

Dated: November 9, 2005

A handwritten signature in black ink, appearing to read "David Lazer", written over a horizontal line.

David Lazer (DL7441)

Lazer, Aptheker, Rosella & Yedid, P.C.

Attorneys for Plaintiff

Melville Law Center

225 Old Country Road

Melville, New York 11747

Telephone: (631) 761-0800

David Lazer (DL7441)
Lazer, Aptheker, Rosella & Yedid, P.C.
Melville Law Center, 225 Old Country Road
Melville, NY 11747-2712
Telephone: (631) 761-0800

Attorneys for Plaintiff Rates Technology Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RATES TECHNOLOGY INC.,	:	
	:	CASE NO. 05 CV 4703 (ADS)(ETB)
Plaintiff,	:	
- against -	:	ADMISSION TO PRACTICE
	:	PRO HAC VICE
GOOGLE INC.,	:	
	:	ECF CASE
Defendant.	:	

The motion for admission *pro hac vice* in the above captioned matter is granted. The admitted attorney, James B. Hicks, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated:

U.S.D.J.

cc: James B. Hicks, Esq.

ERVIN, COHEN & JESSUP LLP
9401 Wilshire Blvd., 9th floor
Beverly Hills, CA 90212
Telephone: (310) 273-6333
James B. Hicks (JH7861), of counsel

LAZER, APTHEKER, ROSELLA & YEDID, P.C.
Melville Law Center, 225 Old Country Road
Melville, NY 11747-2712
Telephone: (631) 761-0800
David Lazer (DL7441), of counsel

Attorneys for Plaintiff Rates Technology Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RATES TECHNOLOGY INC.,	X	
	:	AFFIDAVIT OF JAMES B. HICKS
	:	IN SUPPORT OF MOTION TO
Plaintiff,	:	ADMIT COUNSEL PRO HAC VICE
	:	
vs.	:	Civil Action No. 05-4703 ADS ETB
	:	
GOOGLE INC.	:	ECF CASE
	:	
Defendant.	:	
	X	

State of New York)
) ss:
County of New York)

JAMES B. HICKS, being sworn, herby deposes and says as follows:

1. I am an partner with the law firm of Ervin, Cohen & Jessup.
2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above-captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California.

4. There are no pending disciplinary proceedings against me in any State or Federal court.

5. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate pro hac vice in this one case.

By: 

James B. Hicks
Ervin, Cohen & Jessup
9401 Wilshire Boulevard, Ninth Floor
Beverly Hills, CA 90212
jhicks@ecjlaw.com
(310) 273-6333

Dated:

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, SHERRI R. CARTER, Clerk of this Court, certify that

James B. Hicks, Bar No. 109117

was duly admitted to practice in this Court on June 22, 1998

DATE


and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California

on November 1, 2005

DATE

SHERRI R. CARTER, CLERK


By Brenda J. Brannon
Brenda J. Brannon, Deputy Clerk