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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH M. BENNARDI d/b/a )  
NEDMAC ASSOCIATES, INC. and )  
JOSEPH M BENNARDI d/b/a )  
BUILDING SUPERS OF CAMDEN, )  
INC., On Behalf of Themselves and All )  
Others Similarly Situated, )

Plaintiffs, )

v. )

CASE NO.: 04-cv-01178

UNITED TECHNOLOGIES )  
CORPORATION, OTIS ELEVATOR )  
CO.,KONE CORPORATION, KONE )  
INC., SCHINDLER HOLDING )  
LTD.,SCHINDLER ELEVATOR )  
CORPORATION THYSSENKRUPP )  
AG and THYSSEN ELEVATOR )  
CAPITAL CORP. )

In re Elevator Antitrust Litigation )

Defendants. )

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Doc. 79

NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE

TO: ALL COUNSEL OF RECORD ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that upon the annexed Affidavit of Stephen E. Connolly in support of this motion and the Certificate of Good Standing annexed thereto, we will move this Court before the Honorable Thomas T. Griesa at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District

Courts for the Southern and Eastern Districts of New York for an order allowing the admission of Stephen E. Connolly, an associate of the law firm of Schiffrin & Barroway, LLP, member in good standing of the bar of the Commonwealth of Pennsylvania, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel on behalf of plaintiff Joseph M. Bennardi.

There are no pending disciplinary proceedings against Stephen E. Connolly in any state or federal court.

Dated: November 16, 2005

Respectfully submitted,

**WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ, LLP**

By: 

270 West Madison Avenue  
New York, NY 10016  
(212) 545-4600

**SCHIFFRIN & BARROWAY, LLP**  
Stephen E. Connolly  
280 King of Prussia Road  
Radnor, PA 19087  
(610) 667-7706

***Counsel for Joseph M. Bennardi***

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH M. BENNARDI d/b/a )  
NEDMAC ASSOCIATES, INC. )  
and JOSEPH M BENNARDI d/b/a )  
BUILDING SUPERS OF CAMDEN, )  
INC., On Behalf of Themselves and All )  
Others Similarly Situated, )

Civil Action No.04-cv-01178

Plaintiffs, )

v. )

UNITED TECHNOLOGIES )  
CORPORATION, OTIS ELEVATOR )  
CO., KONE CORPORATION, KONE )  
INC., SCHINDLER HOLDING )  
LTD., SCHINDLER ELEVATOR )  
CORPORATION THYSSENKRUPP )  
AG and THYSSEN )  
ELEVATOR CAPITAL CORP. )

Defendants. )

**[PROPOSED] ORDER GRANTING MOTION  
FOR ADMISSION TO PRACTICE *PRO HAC VICE***

The motion for admission to practice *pro hac vice* in the above-captioned matter is granted. The admitted attorney, Stephen E. Connolly 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 attorney 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 in the above-captioned case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above-captioned case will be made on the roll of attorneys.

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<b>JOSEPH M. BENNARDI d/b/a</b>	)	
<b>NEDMAC ASSOCIATES, INC. and</b>	)	
<b>JOSEPH M BENNARDI d/b/a</b>	)	
<b>BUILDING SUPERS OF CAMDEN,</b>	)	
<b>INC., On Behalf of Themselves and All</b>	)	
<b>Others Similarly Situated,</b>	)	CASE NO.: 04-cv-01178
	)	
<b>Plaintiffs,</b>	)	
	)	
	)	
<b>UNITED TECHNOLOGIES</b>	)	
<b>CORPORATION, OTIS ELEVATOR</b>	)	
<b>CO.,KONE CORPORATION, KONE</b>	)	
<b>INC., SCHINDLER HOLDING LTD.,</b>	)	
<b>SCHINDLER ELEVATOR</b>	)	
<b>CORPORATION THYSSENKRUPP</b>	)	
<b>AG and THYSSEN ELEVATOR</b>	)	
<b>CAPITAL CORP.</b>	)	
	)	
<b>Defendants.</b>	)	

**DECLARATION OF STEPHEN E. CONNOLLY**  
**IN SUPPORT OF MOTION FOR ADMISSION TO PRACTICE PRO HAC VICE**

Stephen E. Connolly, declares under penalty of perjury this 16th day of November, 2005:

1. I am an attorney at the law firm of Schiffrin & Barroway, LLP, 280 King of Prussia Road, Radnor, Pennsylvania, 19087.
2. I submit this Declaration in support of my motion for admission *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 Commonwealth of Pennsylvania.
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 on behalf of plaintiff Joseph M. Bennardi.

I hereby swear under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Stephen E. Connolly

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE ELEVATOR ANTITRUST  
LITIGATION

Master Docket No. 1:04-cv-01178-TPG

MDL No. 1644

This Document Relates to:

ALL ACTIONS

**DECLARATION OF FRED TAYLOR ISQUITH IN SUPPORT OF THE MOTION FOR  
ADMISSION PRO HAC VICE OF STEPHEN E. CONNOLLY**

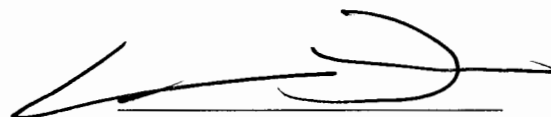
Fred Taylor Isquith, duly declares as follows in support of the petition of Stephen E. Connolly for admission to practice before the Bar of this Court:

1. I was admitted to practice in the U.S. District Court for the Southern District of New York in February of 1972.

2. I am in practice at the law firm of Wolf Haldenstein Adler Freeman & Herz LLP, 270 Madison Ave., New York, NY 10016.

3. I have worked with the petitioner's law firm for over ten years on various legal matters. I have no reason to believe that Mr. Connolly should not be admitted *Pro Hac Vice* for this case.

Dated: November 17, 2005



Fred Taylor Isquith



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Stephen E. Connolly, Esq.***

**DATE OF ADMISSION**

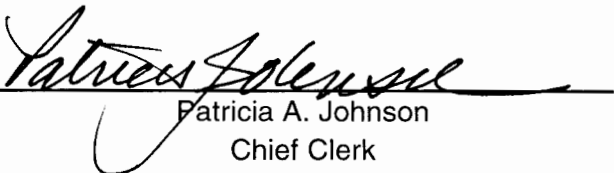
***November 8, 2000***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: November 3, 2005**

  
Patricia A. Johnson  
Chief Clerk



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE ELEVATOR ANTITRUST  
LITIGATION

Master Docket No. 1:04-cv-01178-TPG

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This Document Relates to:

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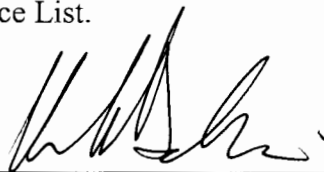
**DECLARATION OF SERVICE**

Kaveh Dabashi, a litigation paralegal employed by Wolf Haldenstein Adler Freeman & Herz LLP, hereby declares that today, I caused to be served by regular mail, with postage prepaid thereon, the:

- *Notice of Motion for Admission Pro Hac Vice of Stephen E. Connolly along with the Proposed Order*
- *Declaration of Stephen E. Connolly In Support of Motion to Admit Counsel for Pro Hac Vice*
- *Declaration of Fred Taylor Isquith In Support of the Motion for Admission Pro Hac Vice of Stephen E. Connolly*

on the following counsel indicated on the attached Service List.

Dated: November 18, 2005



Kaveh Dabashi  
Litigation Paralegal

**SERVICE LIST**

<p>Joe R. Whatley, Jr.                  Glenn M. Connor                  Richard P. Rouco                  WHATLEY DRAKE, LLC                  2323 2<sup>nd</sup> Avenue, North                  P.O. Box 10647                  Birmingham, Alabama 35203-0647                  Telephone: (205) 328-9576                  Facsimile: (205) 328-9669  <b><i>Counsel for Plaintiff Birmingham Building Trades Towers, Inc.</i></b></p>	<p>Nadeem Faruqi                  Antonio Vozzolo                  Beth Ann Keller                  FARUQI &amp; FARUQI, LLP                  320 East 39<sup>th</sup> Street                  New York, New York 10016                  Telephone: (212) 983-9330                  Facsimile: (212) 983-9331  <b><i>Counsel for Plaintiff Birmingham Building Trades Towers, Inc.</i></b></p>
<p>James G. Stranch, III                  C. Dewey Branstetter                  J. Gerard Stranch                  BRANSTETTER, KILGORE, STRANCH &amp; JENNINGS                  227 Second Avenue, North – 4<sup>th</sup> Floor                  Nashville, Tennessee 37201-1631                  Telephone: (615) 254-8801                  Facsimile: (615) 255-5419  <b><i>Counsel for Plaintiff D.F. Chase, Inc.</i></b></p>	<p>Daniel L. Rottinghaus                  Jeffrey B. Cereghino                  Steven R. Weinman                  BERDING &amp; WEIL, LLP                  3420 Stone Valley Road West                  Alamo, California 94507                  Telephone: (925) 838-2090                  Facsimile: (925) 820-5592  <b><i>Counsel for Plaintiff Olen Commercial Realty Corporation</i></b></p>
<p>Lester L. Levy, Sr.                  WOLF POPPER LLP                  845 Third Avenue                  New York, New York 10022                  Telephone: (212) 759-4600                  Facsimile: (212) 486-2093  <b><i>Counsel for Plaintiffs Towers of Coral Springs, Ltd., 181 Maple Avenue Associates, and Lenox Road Associates</i></b></p>	<p>Jayne A. Goldstein                  MAGER &amp; GOLDSTEIN LLP                  2825 University Drive, Suite 350                  Coral Springs, FL 33065                  Telephone: (954) 341-0844                  Facsimile: (954) 341-0855  <b><i>Counsel for Plaintiff Towers of Coral Springs, Ltd.</i></b></p>
<p>Brian J. Robbins                  ROBBINS UMEDA &amp; FINK, LLP                  1010 Second Avenue, Suite 2360                  San Diego, California 92101                  Telephone: (619) 525-3990                  Facsimile: (619) 525-3991  <b><i>Counsel for Plaintiff Birmingham Building Trades Towers, Inc.</i></b></p>	<p>Evan J. Smith                  BRODSKY &amp; SMITH, LLC                  Two Bala Plaza, Suite 602                  Bala Cynwyd, Pennsylvania 19004                  Telephone: (610) 668-7987                  Facsimile: (610) 667-9029  <b><i>Counsel for Plaintiff Joseph M. Bennardi, d/b/a Nedmac Associates, Inc.</i></b></p>

<p>David W. Suffrin, Esq.                  SUFRIN ZUCKER STEINBERG &amp; WIXTED                  Parkade Building, Suite 503                  519 Federal Street                  Camden, New Jersey 08103                  Telephone: (856) 365-0080                  Facsimile: (856) 338-0217  <b><i>Counsel for Plaintiff Joseph M. Bennardi,                  d/b/a Nedmac Associates, Inc.</i></b></p>	<p>Kendall S. Zylstra, Esq.                  Stephen E. Connolly, Esq.                  SCHIFFRIN &amp; BARROWAY, LLP.                  280 King of Prussia Rd                  Radnor, PA 19087  <b><i>Counsel for Plaintiff Joseph M. Bennardi,                  d/b/a Nedmac Associates, Inc.</i></b></p>
<p>Christopher G. Hayes, Esq.                  David McLafferty, Esq.                  LAW OFFICE OF CHRISTOPHER G.                  HAYES                  115 East Chestnut Street, 2<sup>nd</sup> Floor                  West Chester, Pennsylvania 19380                  Telephone: (610) 431-9505                  Facsimile: (610) 431-1269  <b><i>Counsel for Plaintiff Joseph M. Bennardi,                  d/b/a Nedmac Associates, Inc.</i></b></p>	<p>Pat M. McDermott                  Mark Leddy                  CLEARY, GOTTLIEB, STEEN &amp;                  HAMILTON                  2000 Pennsylvania Avenue, N.W.                  Suite 9000                  Washington, D.C. 20006                  Telephone: (202) 974-1500                  Facsimile: (202) 974-1999  <b><i>Counsel for Defendants Otis Elevator Co.                  and United Technologies Corp.</i></b></p>
<p>Deborah M. Buell                  CLEARY GOTTLIEB STEEN &amp;                  HAMILTON                  One Liberty Plaza                  New York, New York 10006                  Telephone: (212) 225-2000                  Facsimile: (212) 225-3999  <b><i>Counsel for Defendants Otis Elevator Co.                  and United Technologies Corp.</i></b></p>	<p><b><i>Thyssenkrupp AG                  Thyssenkrupp Elevator AG</i></b>                  Attn: Legal Department                  August-Thyssen-Strasse 1                  40221                  Dusseldorf, GERMANY</p>
<p>Allan Paul Victor                  WEIL, GOTSHAL &amp; MANGES LLP                  767 Fifth Avenue                  New York, New York 10153                  Telephone: (212) 310-8000                  Facsimile: (212) 310-8007  <b><i>Counsel for Defendants Thyssen Elevator                  Capital Corporation, Thyssenkrupp Elevator                  Capital Corporation, and Thyssenkrup                  Elevator Corporation</i></b></p>	<p>Stewart M. Gisser                  Associate General Counsel                  SCHINDLER ELEVATOR CORPORATION                  20 Whippany Road                  Morristown, New Jersey 07960-1935                  Telephone: (973) 397-6580                  Facsimile: (973) 397-6574  <b><i>Counsel for Defendant Schindler Elevator                  Corporation</i></b></p>

<p>Kenneth M. Kramer                  SHEARMAN &amp; STERLING                  599 Lexington Avenue                  New York, New York 10022-6069                  Telephone: (212) 848-4900                  Facsimile: (212) 848-7179  <b><i>Counsel for Defendant Schindler Elevator Corporation</i></b></p>	<p><b><i>Schindler Holding, Ltd.</i></b>                  Attn: Legal Department                  Seestrasse 55                  CH-6052 Hergiswil                  Nidwalden, SWITZERLAND</p>
<p>Michael Evan Jaffe                  HELEN REID &amp; PRIEST LLP                  701 Pennsylvania Avenue, N.W.                  Suite 800                  Washington, D.C. 20004                  Telephone: (202) 508-4000                  Facsimile: (202) 508-4321  <b><i>Counsel for Defendants Kone Inc. and Kone Corp.</i></b></p>	<p>Stewart M. Gisser                  Associate General Counsel                  Schindler ELEVATOR CORPORATION                  20 Whippany Road                  Morristown, New Jersey 07960-1935                  Telephone: (973) 397-6580                  Facsimile: (973) 397-6574  <b><i>Counsel for Defendant Schindler Elevator Corporation</i></b></p>
<p>Allan Paul Victor                  WEIL, GOTSHAL &amp; MANGES LLP                  767 Fifth Avenue                  New York, New York 10153                  Telephone: (212) 310-8000                  Facsimile: (212) 310-8007  <b><i>Counsel for Defendants Thyssen Elevator Capital Corporation, Thyssenkrupp Elevator Capital Corporation, and Thyssenkrupp Elevator Corporation</i></b></p>	
<p>Kenneth M. Kramer                  SHEARMAN &amp; STERLING                  599 Lexington Avenue                  New York, New York 10022-6069                  Telephone: (212) 848-4900                  Facsimile: (212) 848-7179  <b><i>Counsel for Defendants Schindler Elevator Corporation</i></b></p>	