

AUG 26 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
The Authors Guild, Inc., *et al.*,

Plaintiffs,

vs.

Google, Inc.,

Defendant.
-----X

Case No. 05 CV 8136-DC

NOTICE OF MOTION FOR
ADMISSION PRO HAC VICE

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, I, David A. Zapolsky, a member
in good standing of the bar of this Court, hereby move for an Order allowing the admission
pro hac vice of Alexander F. Wiles of Irell & Manella LLP, 1800 Avenue of the Stars, Suite
900, Los Angeles, CA 90067, 310-277-1010.

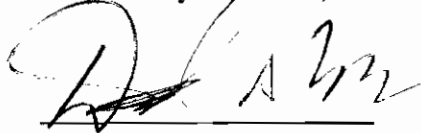
Alexander F. Wiles is a member in good standing of the Bars of the State of
California and the District of Columbia. There are no pending disciplinary proceedings
against Alexander F. Wiles in any State or Federal court.

The Author's Guild et al v. Google Inc.

Doc. 152

Dated:
August 21, 2009
Seattle, Washington

Respectfully submitted,

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

David A. Zapolsky

SDNY Bar: DZ-8058
Amazon.com, Inc.
1200 12th Avenue South
Suite 1200
Seattle, Washington 98144
Phone: (206) 266-1323
Facsimile: (206) 266-7010
davidz@amazon.com

-and-

Alexander F. Wiles (to be admitted pro hac vice)
David Nimmer (to be admitted pro hac vice)
Irell & Manella LLP
1800 Avenue of the Stars
Suite 900
Los Angeles, California 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
awiles@irell.com
dnimmer@irell.com

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SOUTHERN DISTRICT OF NEW YORK

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DECLARATION OF DAVID
A. ZAPOLSKY IN SUPPORT
OF MOTION FOR
ADMISSION PRO HAC VICE

David A. Zapolsky, being duly sworn and pursuant to 28 U.S.C. § 1746, hereby declares:

1. I am a member of the bar of this Court and counsel for Class Member Amazon.com, Inc. I am familiar with the proceedings in this case. I make this Declaration based on my personal knowledge of the facts set forth herein and in support of the admission pro hac vice of Alexander F. Wiles as an attorney for Class Member Amazon.com, Inc. in the above-captioned action, pursuant to Rule 1.3(c) of the Local Rules of the Southern District of New York.

2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 1989. I am also admitted to the bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. Mr. Wiles is admitted to practice law in the State of California and the District of Columbia. He is a partner in the Los Angeles, California office of the law firm of Irell & Manella LLP located at 1800 Avenue of the Stars, Suite 900, Los Angeles, California, (310) 277-1010.

4. Attached hereto as Exhibits "A" and "B" are Certificates of Good Standing attesting to Mr. Wiles' membership in good standing with the California and District of Columbia Bars. I am informed that since his admission to the California and District of Columbia Bars, Mr. Wiles has never been reprimanded, nor has he had a grievance, complaint or order of discipline of any kind filed against him in any state or jurisdiction.

5. Granting of this application will not delay the trial of this matter or any proceedings presently pending before the Court, as all are fully familiar with the facts herein.

6. I respectfully submit a proposed order granting the admission of Alexander F. Wiles, pro hac vice, which is attached hereto.

WHEREFORE, Class Member Amazon.com, Inc. respectfully requests that the Court admit Alexander F. Wiles to represent Class Member Amazon.com, Inc. for all purposes before this Court in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 21st day of August, 2009.



David A. Zapolsky
SDNY Bar: DZ-8058

EXHIBIT A



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

August 18, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ALEXANDER FRANK WILES, #073596 was admitted to the practice of law in this state by the Supreme Court of California on January 5, 1977; that from the date of admission to September 4, 1979, he was an ACTIVE member of the State Bar of California; that on September 4, 1979, he transferred at his request to the INACTIVE status; that from that date to January 10, 1980, he was an INACTIVE member of the State Bar of California; that on January 10, 1980, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Sima La Fontaine
Custodian of Membership Records

EXHIBIT B



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ALEXANDER F. WILES

was on the 3RD day of AUGUST, 1977
duly qualified and admitted as an attorney and counselor. This attorney is, on the date indicated below, voluntarily registered as an inactive member in good standing of the District of Columbia Bar and, therefore, is not currently eligible to practice law in the District of Columbia.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on August 17, 2009.

GARLAND PINKSTON, JR., CLERK

By:

M. Charles

Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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[PROPOSED] ORDER FOR
ADMISSION PRO HAC VICE

Upon the motion of David A. Zapolsky, attorney for Class Member Amazon.com, Inc., and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED THAT

Alexander F. Wiles
Irell & Manella LLP
1800 Avenue of the Stars
Suite 900
Los Angeles, California 90067-4276
Phone: (310) 277-1010
Fax: (310) 203-7199
awiles@irell.com

is admitted to practice pro hac vice as counsel for Class Member Amazon.com, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

SO ORDERED.

Dated: New York, New York

[]

United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, et al.

Plaintiffs,

v.

GOOGLE, INC.,

Defendant.

X

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X

CIV. NO: 05-CV-8136 (DC)

AFFIRMATION OF SERVICE

I, Priscilla Bradley, declare under penalty of perjury that I have served a copy of the attached Notice of Motion for Admission Pro Hac Vice for Alexander F. Wiles, Declaration of David A. Zapolsky in Support of Motion for Admission Pro Hac Vice and [Proposed] Order for Admission Pro Hac Vice upon:

Michael J. Boni, Esq.
Joanne Zack, Esq.
Joshua Snyder, Esq.
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

Counsel for the Author Sub-Class

Jeffrey P. Cunard, Esq.
Bruce P. Keller, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022

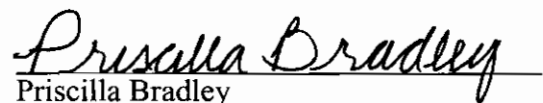
Counsel for the Publisher Sub-Class

Daralyn J. Durie, Esq.
Joseph C. Gratz, Esq.
Durie Tangri Lemley Roberts & Kent LLP
332 Pine Street, Suite 200
San Francisco, CA 94104

Counsel for Google

by Federal Express, an express service carrier which provides overnight delivery, as follows. I placed a true copy of the foregoing documents in sealed envelopes or packages designated by the express service carrier, addressed as set forth above, with fees for overnight delivery paid or provided for.

Dated: August 25, 2009


Priscilla Bradley