

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The Authors Guild Inc., Association of
American Publishers, Inc., et al.,

Plaintiffs,

-v-

Google Inc.,

Defendant.
----- x

Case No. 05-cv-8136 (DC)

NOTICE OF MOTION
TO ADMIT COUNSEL
EDWIN C. KOMEN PRO HAC VICE

PLEASE TAKE NOTICE that upon the annexed Declaration of Theodore C. Max and
Declaration of Edwin C. Komen, in support of this motion and the Certificates of Good Standing
annexed thereto, we will move this Court before the Honorable Denny Chin at the United States
Courtroom 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 permitting the admission of Edwin C. Komen, a member of the firm Sheppard Mullin
Richter and Hampton, LLP, and a member in good standing of the Bar of the State of California
and the Bar of the District of Columbia, as attorney *pro hac vice* to argue or try this case in
whole or in part as counsel.

SEP 01 2009

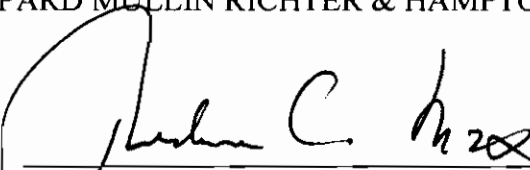
Handwritten notes: 6089004, 825-525, and a signature.

Vertical stamp: 2009 SEP - 1 11 24 9

Dated: New York, New York
September 1, 2009

SHEPPARD MULLIN RICHTER & HAMPTON, LLP

By:



Theodore C. Max (TM-1742)

30 Rockefeller Plaza, 24th Floor

New York, NY 10112

(212) 332-3800 (Telephone)

(212) 332- 3888 (Facsimile)

Counsel for Federal Republic of Germany

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

----- x
The Authors Guild Inc., Association of :
American Publishers, Inc., et al., :
 :
 Plaintiffs, : Case No. 05-cv-8136 (DC)
 :
 -v- : **DECLARATION OF THEODORE C. MAX**
 : **IN SUPPORT OF MOTION TO**
 : **ADMIT COUNSEL *PRO HAC VICE***
 Google Inc., :
 :
 Defendant. :
----- x

THEODORE C. MAX, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

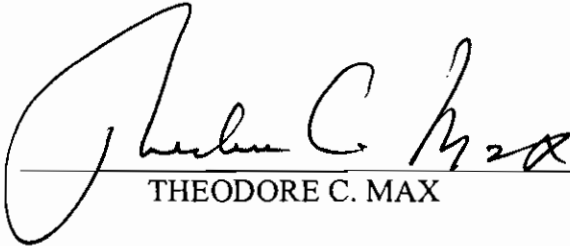
1. I am an attorney admitted to practice in the State of New York and a partner of the law firm Sheppard Mullin Richter & Hampton, LLP, counsel for the Federal Republic of Germany, an amicus curiae in the above-captioned action.

2. I make this declaration in support of the motion, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts, that Edwin C. Komen, an attorney admitted to practice law in the State of California and the District of Columbia, be admitted *pro hac vice* to the Bar of the United States District Court for the Southern District of New York for all purposes with respect to the above-referenced proceeding.

3. I believe Mr. Komen to be of good character and I know of no reason why this Court should not grant this motion.

WHEREFORE, it is respectfully requested that the motion seeking the *pro hac vice* admission of Mr. Komen to this Court be granted and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
September 1, 2009



THEODORE C. MAX

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

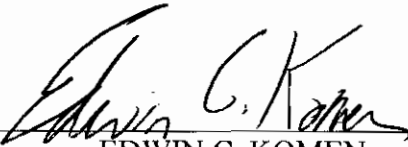
----- X
The Authors Guild Inc., Association of :
American Publishers, Inc., et al., :
 :
 Plaintiffs, : Case No. 05-cv-8136 (DC)
 :
 -v- : **DECLARATION OF EDWIN C. KOMEN**
 : **IN SUPPORT OF MOTION TO**
 : **ADMIT COUNSEL *PRO HAC VICE***
 Google Inc., :
 :
 Defendant. :
----- X

Edwin C. Komen, declares under penalty of perjury, pursuant to 28 U.S.C § 1746, that the following is true and correct:

1. I am an attorney admitted to practice in the State of California and the District of Columbia and a partner of the law firm Sheppard Mullin Richter & Hampton, LLP.
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 Certificates of Good Standing annexed hereto as Exhibit A, I am a member in good standing of the Bar of the State of California and the Bar of the District of Columbia.
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.

WHEREFORE, it is respectfully requested that the motion seeking my admission *pro hac vice* to this Court be granted and for such other and further relief as this Court deems just and proper.

Dated: Annapolis, Maryland
August 31, 2009



EDWIN C. KOMEN



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

EDWIN C. KOMEN

was on the 17TH day of MARCH, 1977

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

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 27, 2009.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

August 28, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, EDWIN CLIFFORD PAUL KOMEN, #117427 was admitted to the practice of law in this state by the Supreme Court of California on February 26, 1985; that from the date of admission to January 1, 1992, he was an ACTIVE member of the State Bar of California; that on January 1, 1992, he transferred at his request to the INACTIVE status; that from that date to November 7, 2005, he was an INACTIVE member of the State Bar of California; that on November 7, 2005, 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

A handwritten signature in black ink, appearing to read "S. La Fontaine".

Sima La Fontaine
Custodian of Membership Records

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

----- X
The Authors Guild Inc., Association of :
American Publishers, Inc., et al., :
 :
 Plaintiffs, : Case No. 05-cv-8136 (DC)
 :
 :
 -v- : **ORDER ADMITTING**
 : **EDWIN C. KOMEN TO PRACTICE**
 : **PRO HAC VICE**
 Google Inc., :
 :
 Defendant. :
----- X

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney, Edwin C. Komen, 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 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:

United States District Judge

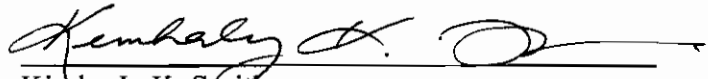
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The Authors Guild Inc., Association of :
American Publishers, Inc., et al., :
 :
 Plaintiffs, : Case No. 05-cv-8136 (DC)
 :
 :
 : AFFIDAVIT OF SERVICE
 -v- :
 :
 Google Inc., :
 :
 Defendant. :
----- X

I, Kimberly K. Smith, an attorney admitted to practice law in the Courts of the State of New York, a person over eighteen (18) years of age, and not a party to this action affirm the following under penalties of perjury. On September 1, 2009 I caused true and correct copies of NOTICE OF MOTION TO ADMIT COUNSEL EDWIN C. KOMEN *PRO HAC VICE*, DECLARATION OF THEODORE C. MAX IN SUPPORT OF MOTION TO ADMIT COUNSEL *PRO HAC VICE*, DECLARATION OF EDWIN C. KOMEN IN SUPPORT OF MOTION TO ADMIT COUNSEL *PRO HAC VICE*, and ADMISSION ORDER ADMITTING EDWIN C. KOMEN TO PRACTICE *PRO HAC VICE*, to be served via Electronic mail or First Class mail upon all counsel of record in the current action, as specified in the attached service list.

Dated: New York, New York
September 1, 2009

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: 
Kimberly K. Smith
30 Rockefeller Plaza
New York, NY 10112
Telephone: (212) 332-3800
Facsimile: (212) 332-3888

Counsel for Federal Republic of Germany

Service List [Case No. 05-cv-8136 (DC)]

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