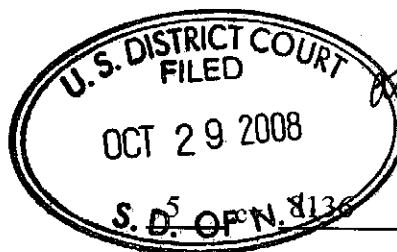


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The Authors Guild, Inc., Plaintiff,
et al.

- against -

Google Inc. Defendant.



atty adm

05cv8136

(JES)

**MOTION TO ADMIT COUNSEL
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, Asim M. Bhansali, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Melissa J. Miksch
Firm Name: Kecker & Van Nest LLP
Address: 710 Sansome Street
City/State/Zip: San Francisco, CA 94111
Phone Number: (415) 391-5400
Fax Number: (415) 397-7188

Melissa J. Miksch is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceeding against Melissa J. Miksch in any State or Federal court.

Dated: 10/24/2008
City, State: San Francisco, California

Respectfully submitted,

Asim M. Bhansali
Kecker & Van Nest LLP
710 Sansome Street
San Francisco, CA
Phone Number: (415) 391-5400
Fax Number: (415) 397-7188

2
OCT 31 2008
10/24/2008

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc., Association of American
Publishers, Inc., Associational Plaintiffs, and
Herbert Mitgang, Betty Miles, Daniel Hoffman,
Paul Dickson, Joseph Goulden, The McGraw-Hill
Companies, Inc., Pearson Education, Inc., Penguin
Group (USA) Inc., Simon & Schuster, Inc., and
John Wiley & Sons, Inc., individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Google Inc,

Defendant.

No. 05 CV 8136

**AFFIDAVIT OF ASIM M. BHANSALI IN SUPPORT OF
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Asim M. Bhansali, being duly sworn, hereby deposes and says as follows:

1. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of defendant's motion to admit Melissa J. Miksch as counsel *pro hac vice* to represent Google Inc. in this matter.

2. I am a member in good standing of the bars of New York, California, and Texas. I was first admitted to practice law in New York in July, 1997. 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. I have known Melissa J. Miksch since she joined my firm in January, 2008.

4. I have found Ms. Miksch to be a skilled attorney and a person of integrity. He is familiar with federal practice and the Federal Rules of Civil Procedure.

5. Accordingly, I am pleased to move the admission of Melissa J. Miksch, *pro hac vice*.

6. I respectfully submit a proposed order granting the admission of Melissa J. Miksch, *pro hac vice*, which was previously provided to the Court.

WHEREFORE it is respectfully requested that the motion to admit Melissa J. Miksch, *pro hac vice*, to represent Google Inc. in the above captioned matter, be granted.

Dated: October 24, 2008

Respectfully submitted,

San Francisco, California


ASIM M. BHANSALI



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

October 24, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MELISSA JEANNE MIKSCH, #249805 was admitted to the practice of law in this state by the Supreme Court of California on June 4, 2007; and 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

Kath Lambert
Custodian of Membership Records

1 **PROOF OF SERVICE**

2 I am employed in the City and County of San Francisco, State of California in the office of a
3 member of the bar of this court at whose direction the following service was made. I am over the
4 age of eighteen years and not a party to the within action. My business address is Kecker & Van
Nest, LLP, 710 Sansome Street, San Francisco, California 94111.

5 On **October 28, 2008**, I served the following document(s):

6 **Motion to Admit Counsel Pro Hac Vice (Melissa J. Miksch);**
7 **Affidavit of Asim M. Bhansali in Support of Motion to Admit Counsel Pro Hac Vice;**
8 **[Proposed] Order for Admission Pro Hac Vice;**
9 **Certificate of Good Standing; Proof of Service**

10 by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope
11 addressed as shown below. I am readily familiar with the practice of Kecker & Van Nest, LLP for
12 collection and processing of correspondence for mailing. According to that practice, items are
deposited with the United States Postal Service at San Francisco, California on that same day
with postage thereon fully prepaid. I am aware that, on motion of the party served, service is
presumed invalid if the postal cancellation date or the postage meter date is more than one day
after the date of deposit for mailing stated in this affidavit.

13 by **EMAIL** by transmitting a PDF of a true and correct copy of the documents to the email
14 addresses shown below.

15 Michael J. Boni, Esquire
16 Boni & Zack LLC
17 15 Saint Asaphs Road
Bala Cynwyd, PA 19004
Email: MBoni@bonizack.com

Jeffrey P. Cunard, Esquire
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
Email: jpcunard@debevoise.com

18 Executed on October 28, 2008, at San Francisco, California.

19 I declare under penalty of perjury under the laws of the State of California that the above is true
20 and correct.

21 

22 Robert W. Thomas

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc., Association of American
Publishers, Inc., Associational Plaintiffs, and
Herbert Mitgang, Betty Miles, Daniel Hoffman,
Paul Dickson, Joseph Goulden, The McGraw-Hill
Companies, Inc., Pearson Education, Inc., Penguin
Group (USA) Inc., Simon & Schuster, Inc., and
John Wiley & Sons, Inc., individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Google Inc,

Defendant.

No. 05 CV 8136

[PROPOSED] ORDER FOR ADMISSION PRO HAC VICE

Upon the motion of Asim M. Bhansali, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Melissa J. Miksch
Keker & Van Nest
710 Sansome Street
San Francisco, California, 94111
(415) 391-5400
mmiksch@kvn.com

is admitted to practice pro hac vice as counsel for 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.

Dated:

By: _____
JOHN E. SPRIZZO
UNITED STATES DISTRICT JUDGE