

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, et al.,

Plaintiffs,

v.

GOOGLE, INC.

Defendant.

Civil Action No. **05-CV-8136 (DC)**

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

SEP 15 2009

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, Kenneth M. Bialo 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: Lee L. Kaplan
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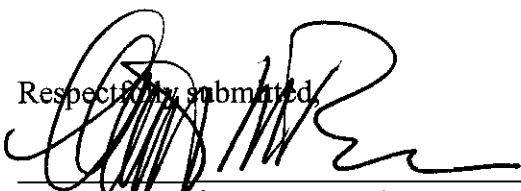
600002-700002
9/15/09

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

Doc. 718

Lee L. Kaplan is a member in good standing of the Bar of the State of Texas. There are no pending disciplinary proceedings against Lee L. Kaplan in any State or Federal court.

Dated: New York, New York
September 15, 2009

Respectfully submitted,

Kenneth M. Bialo (KB 2145)

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The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Lee Landa Kaplan

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 1st day of November, 1976.

I further certify that the records of this office show that, as of this date

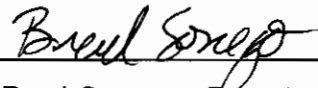
Lee Landa Kaplan

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
8th day of September, 2009.

BLAKE HAWTHORNE, Clerk

by 
Brad Sonego, Deputy Clerk

No. 0908Y

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

THE AUTHORS GUILD, et al.,

Plaintiffs,

v.

GOOGLE, INC.

Defendant.

Civil Action No. **05-CV-8136 (DC)**

**AFFIRMATION IN SUPPORT
OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

KENNETH M. BIALO, a member in good standing of the Bar of the State of New York and a member of the Bar of this Court, hereby affirms and declares under penalty of perjury:


1. I am a partner of Emmet, Marvin & Martin, LLP. I make this affirmation based on my personal knowledge of Lee L. Kaplan and in support of the motion to admit him as counsel *pro hac vice* to represent Questia Media, Inc. in this matter.

2. I am a member in good standing of the Bar of the State of New York, having been admitted to practice law in 1972. I am also a member in good standing of the Bar of this Court, and of the Northern and Eastern Districts of New York and the Second Circuit, among other Courts.

3. I have known Lee L. Kaplan since 1986 and practiced law with him for many years. He is now a partner of the law firm of Smyser Kaplan & Veselka, L.L.P. in Houston, Texas.

4. I know Mr. Kaplan to be a skilled attorney and a person of integrity. He is experienced in Federal practice, and is familiar with the Federal Rules of Civil Procedure.

Accordingly, I am pleased to move the admission of Lee L. Kaplan, *pro hac vice* and attach a form of proposed Order granting that motion.



KENNETH M. BIALO

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

THE AUTHORS GUILD, et al.,

Plaintiffs,

v.

GOOGLE, INC.

Defendant.

Civil Action No. **05-CV-8136 (DC)**

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion and Affirmation in Support of sponsor Kenneth M. Bialo,

IT IS HEREBY ORDERED that

Applicant's Name: Lee L. Kaplan
Firm Name: Smyser Kaplan & Veselka, L.L.P.
Address: 700 Louisiana, Suite 2300
City/State/Zip: Houston, Texas 77002
Phone Number: (713) 221-2323
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is admitted to practice *pro hac vice* as counsel for Questia Media, 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 the Court.

Dated:

U.S.D.J.

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

THE AUTHORS GUILD, et al.,

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v.

GOOGLE, INC.

Defendant.

Civil Action No. **05-CV-8136 (DC)**

AFFIRMATION OF SERVICE

I, Lee L. Kaplan, declare under penalty of perjury that I have served a copy of the attached Motion to Admit Counsel *Pro Hac Vice*, Affirmation of Kenneth M. Bialo in Support of Motion to Admit Counsel *Pro Hac Vice*, and proposed Order for Admission *Pro Hac Vice* on Written Motion upon:

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by mailing the same by regular mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service, by regular mail, on September 14, 2009.



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