

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

The Authors Guild, et al. Plaintiff,

5 cv 8136 (DC)

- against -

**MOTION TO ADMIT COUNSEL**

Google, Inc. Defendant.

**PRO HAC VICE**

APR - 8 2009

ORIGINAL

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, Johanna Calabria, 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: Joseph C. Gratz  
Firm Name: Durie, Tangri, et al.  
Address: 332 Pine Street, Suite 200  
City/State/Zip: San Francisco, CA 94104  
Phone Number: (415) 362-6666  
Fax Number: (415) 236-6300

Joseph C. Gratz is a member in good standing of the Bar of the State of California.

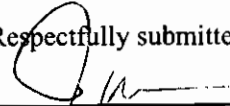
The Author's Guild et al v. Google Inc.

Doc. 76

There are no pending disciplinary proceeding against Joseph C. Gratz in any State or Federal court.

Dated: 4/3/2009  
City, State: San Francisco, CA

Respectfully submitted,

  
Sponsor's  
SDNY Bar  
Firm Name: Calabria Law Group  
Address: 332 Pine Street, Suite 200  
City/State/Zip: San Francisco, CA 94104  
Phone Number: (415) 362-6666  
Fax Number: (415) 236-6300



THE STATE BAR  
OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

March 24, 2009

ORIGINAL

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JOSEPH CHARLES GRATZ, #240676 was admitted to the practice of law in this state by the Supreme Court of California on December 13, 2005; 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

Sima La Fontaine  
Custodian of Membership Records

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

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 JOHANNA CALABRIA IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Johanna Calabria, 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 Joseph C. Gratz 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 and California. I was first admitted to practice law in New York in November, 1999. 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 Joseph C. Gratz since December, 2006.

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

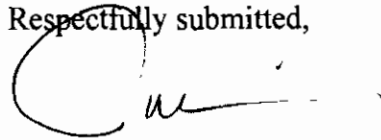
5. Accordingly, I am pleased to move the admission of Joseph C. Gratz, *pro hac vice*.

6. I respectfully submit a proposed order granting the admission of Joseph C. Gratz, *pro hac vice*, which was previously provided to the Court.

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

Dated: 4/1/09  
San Francisco, California

Respectfully submitted,



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JOHANNA CALABRIA

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

ORIGINAL

**AFFIDAVIT OF JOSEPH C. GRATZ IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Joseph C. Gratz declares as follows:

1. I am a partner in Durie Tangri Page Lemley Roberts & Kent LLP, 332 Pine Street, Suite 200, San Francisco, California 94104.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-referenced case.
3. As shown in the Certificate of Good Standing annexed hereto as Exhibit A, I am a member in good standing of the Bar of the State of California.
4. There are no pending disciplinary proceedings against me in any state or federal court.

5. Wherefore, I respectfully request that I be permitted to appear as counsel for Google Inc.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: 4/1/2009  
San Francisco, California

  
\_\_\_\_\_  
JOSEPH C. GRATZ

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

No. 05 CV 8136

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.

ORIGINAL

**[PROPOSED] ORDER FOR ADMISSION PRO HAC VICE**

Upon the motion of Johanna Calabria and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Joseph Gratz  
Durie Tangri Page Lemley Roberts & Kent LLP  
332 Pine Street  
Suite 200  
San Francisco, CA 94104  
jgratz@durietangri.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: \_\_\_\_\_  
DENNY CHIN  
UNITED STATES DISTRICT JUDGE



**PROOF OF SERVICE**

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I am employed in the City and County of San Francisco, State of California in the offices of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Durie, Tangri, et al, 332 Pine Street, Suite 200, San Francisco, California 94104

On April 7, 2009, I served the following documents:

**MOTION TO ADMIT COUNSEL PRO HAC VICE; AFFIDAVIT OF JOHANNA CALABRIA IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE; AFFIDAVIT OF DARALYN J. DURIE IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE; STATE OF CALIFORNIA-NOTICE OF GOOD STANDING; [PROPOSED] ORDER FOR ADMISSION PRO HAC VICE**

by **FEDERAL EXPRESS** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Durie, Tangri, et al. for correspondence for delivery by FedEx Corporation. I will deposit the Federal Express envelopes at the Federal Express office, located at 369 Pine Street, San Francisco, CA for overnight delivery.

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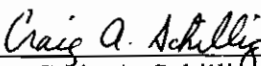
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Executed on April 7, 2009, at San Francisco, California

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

  
\_\_\_\_\_  
Craig A. Schillig