

United States District Court
Southern District of New York

-----X
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 FOR ADMISSION *PRO HAC VICE*

PLEASE TAKE NOTICE that, 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, upon
the annexed affirmation of Robert W. Clarida and the exhibits attached thereto, the
undersigned hereby moves this court for an Order allowing the *pro hac vice* admission of

Jonathan Band, Esq.
21 Dupont Circle, N.W. #800
Washington, DC 20036
Tel: (202) 296-5675
Fax: (202) 872-0884
Email: jband@policybandwidth.com

to the Bar of this Court for the purposes of representing the American Library
Association, the Association of College and Research Libraries, and the Association of
Research Libraries in this action and for such other and further relief as the court may
deem just and proper.

FILED
U.S. DISTRICT COURT
2009 NOV 19 PM 2:40
S.D. OF N.Y.

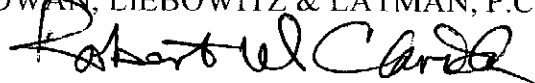
NOV 19 2009

079901-545 NK

Jonathan Band is a member in good standing of the Bar of the District of Columbia and the State of California. There are no pending disciplinary proceedings against Jonathan Band in any State or Federal Court.

Dated: November 4, 2009
New York, New York

COWAN, LIEBOWITZ & LATMAN, P.C.



Robert W. Clarida, Esq.

Sponsor's SDNY Bar No: RC 3190

1133 Avenue of the Americas

New York, NY 10036-6799

Tel: (212) 790-9200

Fax: (212) 575-0671

**United States District Court
Southern District of New York**

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

Plaintiffs

v.

Google, Inc.,

Defendant
-----X

Case No. 05 CV 8136-DC

**AFFIRMATION IN SUPPORT OF MOTION FOR ADMISSION
PRO HAC VICE**

Robert W. Clarida, an attorney duly admitted to practice before this Court affirms under penalty of perjury as follows:

I am a member of the firm of Cowan, Liebowitz & Latman, P.C. I submit this affirmation in support of the accompanying motion for admission of Jonathan Band, *pro hac vice*. I am familiar with the proceedings in this case, and I make this statement based on my personal knowledge of the facts set forth herein.

1. I am a member in good standing of the Bar of the State of New York and of this honorable Court, and have been since my admission in 1994.

2. Jonathan Band is a non-resident attorney licensed to practice law in the District of Columbia and the State of California, and is a member in good standing with the Bar of the State of California and the District of Columbia. Certificates of Good

Standing from the District of Columbia and the State Bar of California are attached hereto as Exhibits A and B.


3. I have found Mr. Band to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

4. Accordingly, I am pleased to move the admission of Jonathan Band, *pro hac vice*.

5. I respectfully submit, as Exhibit C hereto, a proposed Order granting the admission of Jonathan Band, *pro hac vice*.

WHEREFORE it is respectfully requested that the motion to admit Jonathan Band, *pro hac vice*, to represent the American Library Association, the Association of College and Research Libraries, and the Association of Research Libraries in this action be granted.

Dated: November 4, 2009
New York, New York

Notarized: 

FLORENCE O. REDONA
Notary Public, State of New York
No. 01RE4774112
Qualified in New York County
Commission Expires May 31, 2010

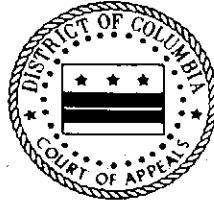
Respectfully Submitted,


Robert W. Clarida, Esq. (RC 3190)

COWAN, LIEBOWITZ & LATMAN
1133 Avenue of the Americas
New York, NY 10036-6799
212-790-9200

EXHIBIT A

Certificate of Good Standing, District of Columbia



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

JONATHAN BAND

was on the 23RD day of MAY, 1986

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 November 17, 2009.

GARLAND PINKSTON, JR., CLERK

By: _____

M. Charles

Deputy Clerk

EXHIBIT B

Certificate of Good Standing, State of California



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

November 13, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JONATHAN BAND #122369 was admitted to the practice of law in this state by the Supreme Court of California on December 20, 1985; that from the date of admission to May 5, 1986, he was an ACTIVE member of the State Bar of California; that on May 5, 1986, he transferred at his request to the INACTIVE status as of January 1, 1986; that from that date to February 13, 1992, he was an INACTIVE member of the State Bar of California; that on February 13, 1992, 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

Kath Lambert
Custodian of Membership Records

EXHIBIT C

**United States District Court
Southern District of New York**

-----X
The Authors Guild, Inc., :
Association of American Publishers, :
Inc., et al :
 :
Plaintiffs :
 :
v. :
 :
Google, Inc., :
 :
Defendant :
 :
-----X

Case No. 05 CV 8136-DC

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

Upon the motion of Robert W. Clarida, attorney for and said sponsor attorney's affidavit in support, IT IS HEREBY ORDERED THAT

Jonathan Band, Esq.
21 Dupont Circle, N.W. #800
Washington, DC 20036
Tel: (202) 296-5675
Fax: (202) 872-0884
Email: jband@policybandwidth.com

is admitted to practice *pro hac vice* to the Bar of this Court for the purposes of representing the American Library Association, the Association of College and Research Libraries, and the Association of Research Libraries in this action. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel shall immediately apply for an Electronic Case Filing password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:
New York, New York

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following on this ____ day of November, 2009 by ECF:

Cornell University nelson.e.roth@cornell.edu

Electronic Frontier Foundation et al. fred@eff.org

Electronic Privacy Information Center rotenberg@epic.org

Microsoft Corporation tom.rubin@microsoft.com

Songwriters Guild of America Csanderslaw@aol.com

Adam Howard Charnes acharnes@kilpatrickstockton.com,
cmarshall@kilpatrickstockton.com

Alex Seth Fonoroff, S afonoroff@kilpatrickstockton.com,
sumoore@kilpatrickstockton.com

Alexander F Wiles awiles@irell.com

Alexandra A. E. Shapiro ashapiro@machtshapiro.com

Amin S. Kassam ak@devoredemarco.com

Andrew C. DeVore acd@devoredemarco.com

Anthony D Boccanfuso anthony_boccanfuso@aporter.com

Bruce P. Keller bpkeller@debevoise.com

Charles B. Casper ccasper@mmwr.com

Christina Jacqueline DeVries devriesc@dicksteinshapiro.com

Cynthia S. Arato carato@machtshapiro.com

Daniel J. Fetterman dfetterman@kasowitz.com, courtnotices@kasowitz.com

Daniel Joseph Kornstein DKornstein@KVWMail.com

Daralyn Jeannine Durie ddurie@durietangri.com

Darlene Marshall mjweiss@weissandassociatespc.com

David Nimmer dnimmer@irell.com

David A. Zapolsky davidz@amazon.com

Edward Frank Siegel efsiegel@efs-law.com

Gary M. Becker gary.becker@po.state.ct.us

Harold Bloom mguzman@khhte.com

James Taylor Lewis Grimmelmann james.grimmelmann@nyls.edu

Jeffrey A. Conciatori jeffreyconciatori@quinnemanuel.com

Joanne E. Zack jzack@bonizack.com

Joseph C. Gratz jgratz@durietangri.com

Joseph M. Beck jbeck@kilpatrickstockton.com

Joseph Solomon Hall jhall@khhte.com, mallaun@khhte.com, visaac@khhte.com

Katherine B Forrest kforrest@cravath.com

Laura Helen Gundersheim Laurag@blbglaw.com, jconstantine@authorsguild.com,
jolson@milbergweiss.com, kreznick@koh Swift.com, mboni@koh Swift.com,
paiken@authorsguild.com

Mark Lloyd Silverstein msilverstein@cravath.com

Martin Garbus mgarbus@evw.com

Matthew Christian Schruers mschruers@ccianet.org

Matthew Jay Weiss mjweiss@weissandassociatespc.com

Michael J. Boni mboni@bonizack.com

Mikaela Ann McDermott mmcdermott@kvvmail.com

Nathan Z. Dershowitz ndershowitz@lawdea.com, office@lawdea.com

Nelson E. Roth ner3@cornell.edu, kab264@cornell.edu, kja47@cornell.edu,

vlc1@cornell.edu, wet2@cornell.edu

Nidhi Yadava nyadava@jonesday.com, dpjacobson@jonesday.com

Peter Jonathan Toren ptoren@kasowitz.com, courtnotices@kasowitz.com

Richard Montgomery Donaldson rdonaldson@mmwr.com

Richard Blumenthal CT Attorney General rachel.davis@po.state.ct.us

Robert C. Micheletto rmicheletto@jonesday.com, dpjacobson@jonesday.com

Robert Cunningham Turner rturner@winston.com

Robert J. Larocca rlarocca@kohnewift.com

Robert William Clarida rwc@cll.com, ecf@cll.com

Ronald Lee Raider rraider@kilpatrickstockton.com

Sanford P. Dumain sdumain@milberg.com, maoffice@milberg.com

Shirley Othmana Saed SaedS@dsmo.com,
ManagingAttorneyDept@dicksteinshapiro.com, metline@dicksteinshapiro.com

Theodore Conrad Max tmax@sheppardmullin.com, rrodriguez@sheppardmullin.com

Thomas Cort Rubin tom.rubin@microsoft.com

Victor Sigmund Perlman perlman@asmp.org

William Irwin Kohn wkohn@beneschlaw.com, cgreen@beneschlaw.com,
docket@beneschlaw.com, lbehra@beneschlaw.com

Yasuhiro Saito saito@clm.com

By U.S. Mail to:

Charles D. Ossola
Arnold & Porter, L.L.P.
555 Twelfth Street, N.W.
Washington, DC 20004

Charlotte Allen

Cindy A. Cohn
Legal Director of the Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

Elaine Metlin
Dickstein Shapiro LLP (DC)
1825 Eye Street, N.W.
Washington, DC 20006-5403

Hadley Perkins Roeltgen
Kohn, Swift & Graf, P.C.
One South Broad Street
Suite 2100
Philadelphia, PA 19107

J. Kate Reznick
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

Jef Pearlman
Public Knowledge
1875 Connecticut Avenue, N.W.
Suite 650
Washington, DC 20009

Jennifer Lynch
UC Berkeley School of Law, Samuelson Clinic
389 Simon Hall
Berkeley, CA 94720

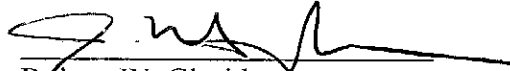
Matthew Christian Schrurers
Computer and Communications Industry Association
900 17th Street
Suite 1100
Washington, DC 20006

Michael John Guzman
Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC (DC)
1615 M Street, N.W., Suite 400
Washington, DC 20036

Philip Roberts
The John Hopkins University
3400 North Charles Street

113 Garland Hall
Baltimore, MD 21218

Sherman Siy
Public Knowledge
1875 Connecticut Avenue, N.W.
Suite 650
Washington, DC 20009


~~Robert W. Clarida~~
J. Martin Noble