

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

THE AUTHOR'S GUILD, Inc., et al

Plaintiffs,

v.

Google, Inc.

Defendants.

05-cv-8136 (DC)

**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, MATTHEW WEISS, counsel for Objector Darlene Marshall, 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: PAUL S. ROTHSTEIN, ESQ.

Firm Name: LAW OFFICES OF PAUL S. ROTHSTEIN

Address: 626 N.E. 1<sup>ST</sup> ST.

City/State/Zip: Gainesville, FL 32601

Phone Number: 352-376-7650

Fax Number: 352-374-7133

PAUL S. ROTHSTEIN is a member in good standing of the Bar of the States of Florida.

There are no pending disciplinary proceeding against PAUL S. ROTHSTEIN, ESQ.  
in any State or Federal court.

Dated: February 8, 2010

City, State: New York, NY

Respectfully submitted,

  
MATTHEW WEISS

SDNY Bar: MW9972

Firm Name: WEISS & ASSOCIATES, P.C.

Address: 419 Park Avenue South

City/State/Zip: New York, NY 10016

Phone Number: 212-683-7373

Fax Number: 212-726-0135

FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
2010 MAR 25 AM 9:39

MAR 25 2010

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

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Plaintiffs,

v.

Google, Inc.

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05-cv-8136 (DC)

**AFFIDAVIT OF  
MATTHEW WEISS  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

State of New York     )  
                                  )  
County of New York    )     ss:

MATTHEW WEISS, being duly sworn, hereby deposes and says as follows:

1. I am independent attorney, a member of Weiss & Associates, PC, and counsel for class member and objector Darlene Marshall in the above-captioned action. 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 Objector's motion to admit Paul S. Rothstein as counsel pro hac vice to represent objector in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1988, 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 Paul S. Rothstein since January 1, 2004.
4. Mr. Rothstein is an independent attorney practicing in Gainesville, Florida.
5. I have found Mr. Rothstein 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.
6. Accordingly, I am pleased to move the admission of Paul S. Rothstein, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Paul S. Rothstein, pro hac vice, which is attached hereto as Exhibit "A".

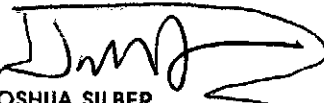
WHEREFORE it is respectfully requested that the motion to admit Paul S. Rothstein, pro hac vice, to represent Objector in the above captioned matter, be granted.

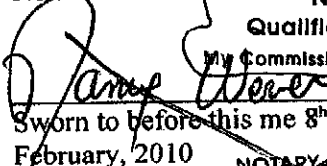
Dated: February 8, 2010



City, State: New York, NY

Notarized:

Sworn to before this me 8<sup>th</sup> day of  
February, 2010

  
**JOSHUA SILBER**  
 NOTARY PUBLIC-STATE OF NEW YORK  
 No. 02SI5073451  
 Qualified in Nassau County  
 My Commission Expires February 24, 2011

  
**NANCY D. WERNER**  
 NOTARY PUBLIC-STATE OF NEW YORK  
 No. 01WE5056671  
 Qualified in Nassau County  
 Commission Expires March 11, 2010

  
  
 Respectfully submitted.

Name of Movant: MATTHEW WEISS  
SDNY Bar Code: MW9972

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

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

Upon the motion of MATTHEW WEISS attorney for an Objector DARLENE MARSHALL and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Applicant's Name: PAUL S. ROTHSTEIN, ESQ.

Firm Name: LAW OFFICES OF ATTORNEY PAUL S. ROTHSTEIN

Address: 626 N.E. 1<sup>ST</sup> ST.

City/State/Zip: Gainesville, FL 32601

Telephone/Fax: 352-376-7650

Email Address: 352-374-7133

is admitted to practice pro hac vice as counsel for Objector DARLENE MARSHALL 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 ECG password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: February 8, 2010

City, State: New York, NY

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United States District/Magistrate Judge

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# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 310123  
Paul S. Rothstein  
626 N.E. 1st St.  
Gainesville, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on November 21, 1980.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an active member of The Florida Bar in good standing.

Dated this 16<sup>th</sup> day of March, 2010.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/ECM2:R10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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The Author's Guild et al.,

Plaintiffs,

Master File No. 05cv8136 (DC)

V.

Google, Inc.,

Defendant.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Motion to Admit Counsel Pro Hac Vice dated February 8, 2010, Affidavit of Matthew Weiss in Support of Motion dated February 8, 2010, and Certificate of Good Standing for Paul Rothstein issued by the Florida Bar on March 16, 2010, has been furnished via first class mail on this 23rd day of March, 2010 to:

Counsel for the Author Sub-  
Class

Michael J. Boni, Esq.  
Joanne Zack, Esq.  
Joshua Snyder, Esq.  
Boni & Zack, LLC  
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Counsel for Publisher Sub-  
Class

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Bruce P. Keller, Esq.  
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bookclaims@debevoise.com

Counsel for Google

Daralyn J. Durie, Esq.  
David J. Silbert, Esq.  
Joseph C. Gratz, Esq.  
Keker & Van Nest, LLP  
710 Sansome Street  
San Francisco, CA 94111  
[bookclaims@kvn.com](mailto:bookclaims@kvn.com)

Dated: New York, NY  
March 23, 2010



Matthew Weiss  
NY Bar No.: 9972  
WEISS & ASSOCIATES, P.C.  
419 Park Avenue South  
Second Floor  
New York, New York 10016  
Phone: (212) 683-7373  
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**P** I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an active member of The Florida Bar in good standing.

**Y**  
Dated this 16<sup>th</sup> day of March, 2010.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/ECM2:R10