

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-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, Rachel Schwartz, a member in good
standing of the bar of this Court, hereby move for an Order allowing the admission pro
hac vice of:

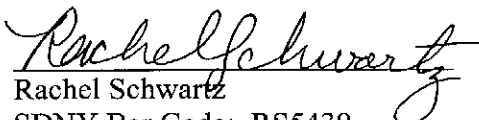
Applicant's Name: John W. Davis
Firm Name: Law Office of John W. Davis
Address: 501 W. Broadway, Ste. 800
City/State/Zip: San Diego, CA 92101
Phone Number: (619) 400-4870

John W. Davis is a member in good standing of the Bar of the States of California and
Florida. There are no pending disciplinary proceedings against John W. Davis in any
State or Federal Court.

Dated: 4/27/09

City, State: New York, New York

Respectfully submitted,


Rachel Schwartz
SDNY Bar Code: RS5439
267 Edgecombe Ave. #2H
New York, NY 10031
(646) 415-4977

Motion to Admit Counsel *Pro Hac Vice*
05 CV 8136-JES

FILED
MAY -5 2009
CL
12:06 PM '09
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF N.Y.

6087000805
MAY -5 2009 CL

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

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-JES

**AFFIDAVIT OF
RACHEL SCHWARTZ
IN SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Rachel Schwartz, being duly sworn, hereby deposes and says as follows:

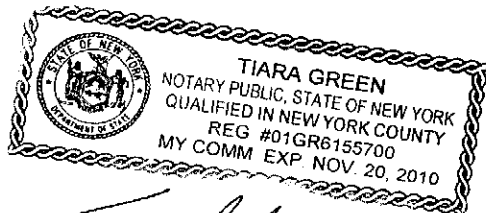
1. I am counsel for class member David Meininger in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit John W. Davis as counsel pro hac vice to represent Mr. Meininger 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 on September 18, 2000. My New York bar registration number is 3894870. 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 John W. Davis since 2002.
4. Mr. Davis is the principal attorney at the Law Office of John W. Davis, 501 W. Broadway, Suite 800, San Diego, CA 92101
5. I have found Mr. Davis 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 John W. Davis, pro hac vice.
7. I respectfully submit a proposed order granting the admission of John W. Davis, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit John W. Davis, pro hac vice, to represent class member David Meininger in the above captioned matter, be granted.

Dated: 4/27/09

City, State: New York, New York

Notarized:



Tiara Green

Respectfully submitted,

Rachel Schwartz
Rachel Schwartz
SDNY Bar Code: RS 5439

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

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-JES

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

Upon the motion of attorney Rachel Schwartz, attorney for class member David Meininger, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: John W. Davis
Firm Name: Law Office of John W. Davis
Address: 501 W. Broadway, Suite 800
City/State/Zip: San Diego, CA 92101
Telephone/Fax: (619) 400-4870 / (619) 342-7170
Email Address: john@johnwdavis.com

is admitted to practice pro hac vice as counsel for David Meininger 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:
City, State:

United States District/Magistrate Judge

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

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-JES

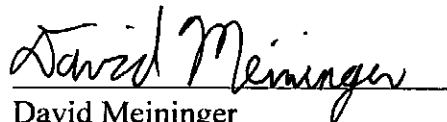
**DECLARATION OF
DAVID MEININGER**

DECLARATION OF DAVID MEININGER

David Meininger hereby affirms:

1. I am, and at all times relevant to this matter was, a resident of the United States of America.
2. My counsel in this matter are John William Davis and Steven Franklyn Helfand. Please contact me only through counsel.
3. This declaration confirms and verifies that I am a member of the Class in the above referenced case.
4. As of January 5, 2009, I owned a "U.S. copyright interest" in one or more books or inserts that is "implicated by a use" authorized by the Settlement.
5. As of this writing, I have registered on the website and submitted a claim with regard to at least one of my published works.

I declare under penalty of perjury under the laws of the State of New York and the United States of America that the foregoing is true and correct, and that this Declaration was executed this 30 day of April, 2009.


David Meininger

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

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-JES

PROOF OF SERVICE

PROOF OF DELIVERY/SERVICE

I am over 18 years of age, not a party to this action and employed in the County of San Diego, California at 501 W. Broadway, Suite 800, San Diego, California 92101. I am readily familiar with the practice of this office for collection and processing of correspondence for mailing with the United States Postal Service and correspondence is deposited with the United States Postal Service that same day in the ordinary course of business for first class mailing.

On May 4, 2009, I served the following documents via first class mail, postage prepaid:

- 1. Motion to Admit Counsel Pro Hac Vice**
- 2. Affidavit of Rachel Schwartz in Support of Motion to Admit Counsel Pro Hac Vice**
- 3. Declaration of David Meininger**

The firms served are as follows:

Michael J. Boni, Esq.
Joanne Zack, Esq.
Joshua Snyder, Esq.
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004

Counsel for the Author Sub-Class

Jeffrey P. Cunard, Esq.
Bruce P. Keller, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022

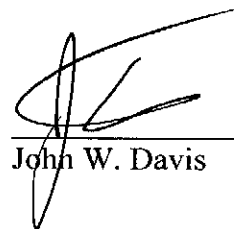
Counsel for the Publisher Sub-Class

Daralyn Durie, Esq.
David J. Silber, Esq.
Joseph C. Gratz, Esq.
Keker & Van Nest LLP
710 Sansome St.
San Francisco, CA 94111

Counsel for Google

I affirm that this affidavit is submitted under penalty of perjury of the laws of the United States of America.

Dated: May 4, 2009



John W. Davis

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

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

Plaintiffs,

v.

Google, Inc.

Defendant.

Case No. 05 CV 8136-JES

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

Upon the motion of attorney Rachel Schwartz, attorney for class member David Meininger, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: John W. Davis
Firm Name: Law Office of John W. Davis
Address: 501 W. Broadway, Suite 800
City/State/Zip: San Diego, CA 92101
Telephone/Fax: (619) 400-4870 / (619) 342-7170
Email Address: john@johnwdavis.com

is admitted to practice pro hac vice as counsel for David Meininger 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:
City, State:

United States District/Magistrate Judge



Supreme Court of California

FREDERICK K. OHLRICH
Clerk of the Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF CALIFORNIA

JOHN WILLIAM DAVIS

*I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that **JOHN WILLIAM DAVIS** was on the 31st day of December 1998 duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court,
this 9th day of April, 2009.*

FREDERICK K. OHLRICH

Clerk of the Supreme Court

By

Joseph Cornetta

Joseph Cornetta, Deputy Clerk

Supreme Court of Florida

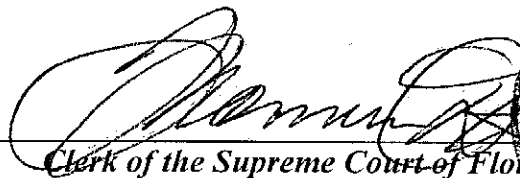
Certificate of Good Standing

I THOMAS D. HALL, Clerk of the Supreme Court of the State of Florida, do hereby certify that

JOHN WILLIAM DAVIS

was admitted as an attorney and counselor entitled to practice law in all the Courts of the State of Florida on April 14, 2000, is presently in good standing, and that the private and professional character of the attorney appear to be good.

*WITNESS my hand and the Seal of the
Supreme Court of Florida at Tallahassee,
the Capital, this April 13, 2009.*


Clerk of the Supreme Court of Florida

