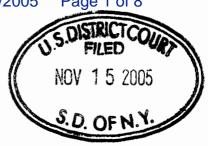
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REED SMITH LLP 599 Lexington Avenue, 29<sup>th</sup> Floor New York, New York 10022 (212) 521-5400 (212) 521-5450 (FAX) Attorneys for Plaintiff Amiga, Inc., f/k/a KMOS, Inc.

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

AMIGA, INC., f/k/a KMOS, INC.,

Civil Action No. 05-CV-8986 (DAB)

Plaintiff,

VS.

GARRY HARE,

NOTICE OF MOTION FOR ADMISSION PRO HAC VICE

Defendant.

Amiga, Inc. v. Hare

TO: Edward C. Kramer, Esq. (EK8411)
Law Offices of Edward C. Kramer, P.C.
488 Madison Avenue, Suite 1100
New York, NY 10022
Attorneys for the Defendant

#### SIR/MADAM:

PLEASE TAKE NOTICE, that, upon the annexed Affidavit of Christian R. White, Esq., and Verified Petition of Robert H. Bernstein, Esq., Plaintiff, Amiga, Inc., f/k/a KMOS, Inc. ("Amiga"), by its attorneys, Reed Smith LLP, moves this Court before the Honorable Deborah A. Batts, United States District Judge, United States District Court, Southern District of New York, 500 Pearl Street, Courtroom 24B, New York, New York, as soon as counsel may be heard, for the <u>pro hac vice</u> admission of Robert H. Bernstein to the bar of this Court for the purposes of representing plaintiff in this litigation.

NWKLIB-89441.1

Doc. 6

Case 1:05-cv-08986-DAB Document 6 Filed 11/15/2005 Page 2 of 8

A proposed form of Order is attached herewith.

Dated: ///4/05 New York, New York

Respectfully submitted,

REED SMITH LLP 599 Lexington Avenue New York, New York 10022 (212) 521-5400 (212) 521-5450 (FAX) Attorneys for Defendant Amiga, Inc., f/k/a KMOS, Inc.

By:

Christian R. White (CW-7537)

For the Firm

#### AFFIDAVIT OF PERSONAL SERVICE

STATE OF NEW JERSEY )
) ss
COUNTY OF ESSEX )

Cherri K. Weldon, being duly sworn, deposes and says: this deponent is not a party to this action, and is over 18 years of age.

That on the day of November, 2005, deponent caused the within Notice of Motion for Admission Pro Hac Vice, the Verified Petition of Robert H. Bernstein and Affidavit of Christian R. White and proposed Order to be served by first class mail, postage prepaid upon:

Edward C. Kramer, Esq. (EK8411) Law Offices of Edward C. Kramer, P.C. 488 Madison Avenue, Suite 1100 New York, NY 10022 Attorneys for the Defendant

Cherri K. Weldon

Sworn to and subscribed before me this 1477 day of November, 2005

Notary Public

NATERCIA R. SOUSA NOTARY PUBLIC OF NEW JERSEY My Commission Expires Aug. 26, 2007 REED SMITH LLP 599 Lexington Avenue, 29<sup>th</sup> Floor New York, New York 10022 (212) 521-5400 (212) 521-5450 (FAX) Attorneys for Plaintiff Amiga, Inc., f/k/a KMOS, Inc.

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

| AMIGA, INC., f/k/a KMOS, INC.,                | Civil Action No. 05-CV-8986 (DAB)                                       |
|---|---|
| Plaintiff, vs.                                |   |
| GARRY HARE,                                   | VERIFIED PETITION IN SUPPORT OF<br>MOTION FOR ADMISSION<br>PRO HAC VICE |
| Defendant.                                    | INO IME VICE  |
| STATE OF NEW JERSEY ) ) SS: COUNTY OF ESSEX ) |   |

#### ROBERT H. BERNSTEIN, being duly sworn, deposes and says:

- 1. I am a member of the law firm of Reed Smith LLP, attorneys for the plaintiff Amiga, Inc., f/k/a KMOS, Inc. ("Amiga"), in the above-captioned action. I reside in New Jersey and am a resident in the firm's Newark, New Jersey office located at One Riverfront Plaza, Newark, New Jersey 07102.
- 2. I am a member in good standing of the bar of the State of New Jersey. I am also admitted to the bars of the United States Court of Appeals for the Third Circuit and District of New Jersey. I attach as Exhibit A an original certificate of good standing issued by the state bar of New Jersey on November 10, 2005.

- 3. I have been practicing in the field of labor and employment law since 1982.
- 4. I have never been held in contempt of court.
- 5. I have never been censured, suspended or disbarred by any court.
- 6. I have read and am familiar with (a) the provisions of the Judicial Code (Title 28, U.S.C.) which pertain to the jurisdiction of, and practice in, the United States District Courts; (b) the Federal Rules of Civil Procedure for the district courts; (c) the Federal Rules of Criminal Procedure for the district courts; (d) the Federal Rules of Evidence for the United States Courts and Magistrates; (e) the Rules of the United States District Court for the Southern and Eastern Districts of New York; and (f) the Code of Professional Responsibility of the American Bar Association, and will faithfully adhere thereto.
  - 7. Defendant's counsel consents to this application.
- 8. I respectfully request that this Court grant the within application for admission <u>pro</u> hac vice.

ROBERT H. BERNSTEIN A Member of the Firm

Sworn to before me this /4th day of November, 2005

Notary Public

NATERCIA R. SOUSA NOTARY PUBLIC OF NEW JERSEY My Commission Expires Aug. 26, 2007

# Supreme Court of New Jersey



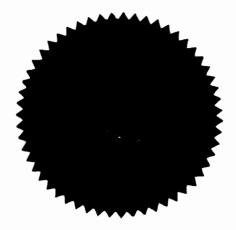
## Certificate of Good Standing

This is to certify that ROBERT HARRIS BERNSTEIN

(No. 017451982 ) was constituted and appointed an Attorney at Law of New Jersey on December 16, 1982 and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this 10TH day of November , 2005

Clerk of the Supreme Court

453a-

REED SMITH LLP 599 Lexington Avenue, 29<sup>th</sup> Floor New York, New York 10022 (212) 521-5400 (212) 521-5450 (FAX) Attorneys for Plaintiff Amiga, Inc., f/k/a KMOS, Inc.

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

| AMIGA, INC., f/k/a KMOS, INC., | Civil Action No. 05-CV-8986 (DAB)  |
|--------------------------------|--|
| Plaintiff, vs.                 |  |
| GARRY HARE,                    | AFFIDAVIT IN SUPPORT OF MOTION<br>FOR ADMISSION PRO HAC VICE<br>PURSUANT TO LOCAL RULE 1.3 |
| Defendant.                     |  |
| STATE OF NEW JERSEY )          |  |
| COUNTY OF ESSEX ) SS:          |  |

#### CHRISTIAN R. WHITE, being duly sworn, deposes and says:

- 1. I am associated with the law firm of Reed Smith LLP, counsel for plaintiff Amiga, Inc., f/k/a KMOS, Inc. ("Amiga"), in this matter. I make this affidavit in support of plaintiff's motion for the admission of Robert H. Bernstein to specifically appear and participate as counsel <u>pro hac vice</u> for plaintiff in this matter, pursuant to Local Rule 1.3(c) of the United States District Court of the Southern District of New York.
- 2. I was admitted to practice before this Court in 2000 and remain a member in good standing.
- 3. Robert H. Bernstein is a member of the state bar of the State of New Jersey. He is also admitted to practice before the United States District Court for the District of New

Jersey and the United States Court of Appeals for the Third Circuit. In my opinion, Mr. Bernstein is an extremely competent attorney and of the highest moral character.

4. Plaintiff respectfully requests that this Court grant the within application for admission <u>pro hac vice</u> of Robert H. Bernstein pursuant to Rule 1.3(c) of the Local Rules of the Southern District of New York.

CHRISTIAN R. WHITE (CW-7537)

For the Firm

Sworn to before me this

1472-day of November, 2005

Notary Public

NATERCIA R. SOUSA NOTARY PUBLIC OF NEW JERSEY My Commission Expires Aug. 26, 2007