

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WARNER BROS. ENTERTAINMENT, INC.	:	07 Civ 9667 (RPP)
J.K. ROWLING,	:	
	:	
- against -	:	MOTION TO ADMIT
	:	<i>COUNSEL PRO HAC VICE</i>
RDR BOOKS, AND DOES 1-10	:	
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635193 \$50 12-6-07 MQ

Pursuant to Rule 1.3 (c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, David S. Hammer, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

- | | |
|---|--|
| <p>(1) Anthony T. Falzone
Stanford Law School Center
For Internet and Society
559 Nathan Abbott Way
Stanford, California 94305-8610
Telephone (650) 736-9050
Fax (650) 723-4426</p> | <p>(2) Robert Handelsman
Suite 1717
77 W. Washington Street.
Chicago, Illinois 60602
Telephone (312) 977-1600
Fax (312) 977-9936</p> |
|---|--|

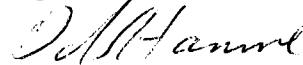
Anthony T. Falzone is a member in good standing of the Bar of the State of California, and there are not pending disciplinary proceedings against him in any State or Federal court.

Robert Handelsman is a member in good standing of the Bar of the State of Illinois, and there are no pending disciplinary proceedings against him in any State or Federal court.

FILED
2011 DEC -6 PM 3:27
S.D. OF N.Y.

Dated: New York, New York
December 3, 2007

Respectfully submitted,



David S. Hammer (DH 9957)
110 Greene Street
Suite 1101
New York, New York 10012
(212) 941-8118

Counsel of Record for Defendant
RDR Books

To:
Dale Margaret Cendali
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036

Counsel for Plaintiffs
Warner Bros. Entertainment, Inc.
and J.K. Rowling

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARNER BROS. ENTERTAINMENT, INC.
J.K. ROWLING,

- against -

RDR BOOKS, AND DOES 1-10

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07 Civ 9667 (RPP)

AFFIDAVIT OF DAVID S.
HAMMER IN SUPPORT OF
DEFENDANT'S MOTION TO
ADMIT COUNSEL PRO HAC VICE

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

DAVID S. HAMMER, being duly sworn, deposes and says:

1. I am an attorney in good standing with the bar of this Court, as well as the bar of the State of New York, having been admitted to practice in this Court and the State of New York in February 1976. I am also counsel of record for the defendant RDR Books in this action. I make this affidavit based on my personal dealings with the attorneys whose admission I seek in this motion, and on the evidence they have presented me of their good standing with the bars of their respective states of practice.

2. I am familiar with the background and reputation of Anthony Falzone, Esq. of Stanford Law School. I have also discussed the present case at length with him over the last several weeks. Mr. Falzone is an obviously skilled and experienced practitioner, with a national reputation in copyright law, as well as a person of high moral character and integrity. He has participated in a number of federal actions and is familiar with the Federal Rules of Civil Procedure. For these reasons, I am pleased and honored to move his admission in this action, *pro hac vice*.

3. Annexed hereto as Exhibit 1 is the Affidavit of Anthony Falzone, setting forth his bar admission and relationship with Stanford Law School, as well as attaching a Certificate of Good Standing issued by the State of California.

4. I am familiar with the background and experience of Robert Handelsman, Esq. of Chicago. I have discussed the present case at length with him and have asked him to draft documents and research points of law. Mr. Handelsman is a very skilled and experienced practitioner, who is a person of character and integrity. His resume shows, and he has attested that, he has participated in a number of federal actions and is familiar with the Federal Rules of Civil Procedure. For these reasons, I am pleased and honored to move his admission in this action, pro hac vice.

5. Annexed hereto as Exhibit 2 is the Affidavit of Robert Handelsman, setting for this bar admission as well as attaching a Certificate of Good Standing issued by the State of Illinois.


6. Annexed hereto as Exhibit 3 is a proposed order granting the admission of Mr. Falzone and Mr. Handelsman, to participate with me in the representation of RDR Books.

7. WHEREFORE, I respectfully request that my application to admit Anthony Falzone and Robert Handelsman, pro hac vice, in the above captioned matter be granted.



DAVID S. HAMMER (DH 9957)

Sworn to before me this
3rd day of December 2007



NOTARY PUBLIC

RONALD P. MYSLIWIEC
Notary Public, State of New York
No. 02MY6013830
Qualified in Kings County
Commission Expires Sept. 28, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WARNER BROS. ENTERTAINMENT, INC.	:	07 Civ 9667 (RPP)
J.K. ROWLING,	:	
	:	
- against -	:	ORDER ADMITTING
	:	<i>COUNSEL PRO HAC VICE</i>
RDR BOOKS, AND DOES 1-10	:	
	:	
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Upon the motion and affidavit of David S. Hammer, counsel for Defendant RDR Books,

IT IS HEREBY ORDERED, that

- | | |
|---|--|
| <p>(1) Anthony T. Falzone
Stanford Law School Center
For Internet and Society
559 Nathan Abbott Way
Stanford, California 94305-8610
Telephone (650) 736-9050
Fax (650) 723-4426</p> | <p>(2) Robert Handelsman
Suite 1717
77 W. Washington Street.
Chicago, Illinois 60602
Telephone (312) 977-1600
Fax (312) 977-9936</p> |
|---|--|

are admitted to practice *pro hac* vice as counsel for Defendants 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.

SO ORDERED

Dated: New York, New York
December , 2007

HON. ROBERT P. PATTERSON
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARNER BROS. ENTERTAINMENT INC.
and J.K. ROWLING,

Plaintiffs,

- against -

RDR BOOKS and DOES 1-10,

Defendants.

Case No.: 07 CV 9667 (RPP)

ECF Case

**AFFIDAVIT OF ANTHONY T. FALZONE IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

I, Anthony T. Falzone, file this affidavit in support of RDR Books' Motion for Admission *Pro Hac Vice*, and hereby state as follows:

1. I am a resident of the State of California. I am the Executive Director of the Fair Use Project, and a Lecturer in Law, at Stanford Law School.

2. I have been asked by RDR Books LLC to act as co-counsel in this matter with David Hammer. I have read the pleadings and discussed this matter with Roger Rapoport (Publisher of RDR Books) and Mr. Hammer. Accordingly, I am fully informed of the issues involved in this matter.

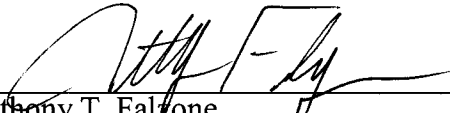
3. I have been admitted to practice law in California since 1997, and I am a member in good standing of the Bar of the State of California. I am also admitted to practice in the United States District Court for the Eastern District of California, the United States District Court for the Central District of California, the United States District Court for the Northern District of California, the United States Court of Appeals for the Second, Ninth and Federal Circuits, as well as the California State Supreme Court. A certificate of good standing certifying my status as a member of the California State Bar is attached to this affidavit as Exhibit A.

4. I have never been the subject of disciplinary action by the bars or courts of any jurisdiction.

5. I have never been denied admission to any court to which I have applied.

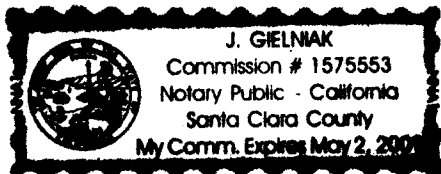
6. My office address, telephone number and facsimile number are included below my signature.

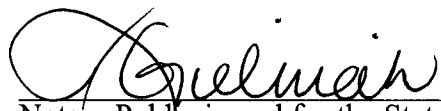
Dated: November 29, 2007



Anthony T. Falzone
California State Bar No. 190845
STANFORD LAW SCHOOL
CENTER FOR INTERNET AND SOCIETY
559 Nathan Abbott Way
Stanford, California 94305-8610
Telephone: (650) 736-9050
Facsimile: (650) 723-4426

SUBSCRIBED AND SWORN TO BEFORE ME by Anthony T. Falzone on this 29th day of November, 2007, proved to me on the basis of satisfactory evidence to be the person who appeared before me.





Notary Public in and for the State of California
My Commission Expires on 5-2-09

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of Santa Clara } ss.

See Attached Document (Notary to cross out lines 1-6 below)

See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

(Large handwritten scribble covering the signature lines)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

29th day of November, 2007, by

(1) Anthony Falzone,
Name of Signer

Personally known to me

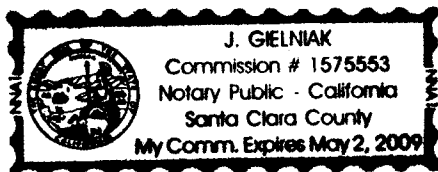
Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(2) _____
Name of Signer

Personally known to me

Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

J. Gielniak
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Affidavit

Document Date: 11-29-07 Number of Pages: 2

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1
Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

November 29, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ANTHONY TED FALZONE, #190845 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 1997; 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

A handwritten signature in black ink, appearing to read "Kath Lambert".

Kath Lambert
Custodian of Membership Records

David Hammer (DH 9957)
Suite 1101
110 Green St.
New York, New York 10012
212-941-8118

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARNER BROS. ENTERTAINMENT, INC.,)
J.K. ROWLING,)
Plaintiffs,) 07 CIV 9667
)
vs.) Judge Patterson
)
RDR Books, etal.,)
Defendants.)

AFFIDAVIT OF ROBERT HANDELSMAN IN SUPPORT OF MOTION FOR
ADMISSION PRO HAC VICE

Robert Handelsman, being first duly sworn on oath, deposes
and says as follows:

1. I am a resident of the State of Illinois and a sole
practitioner engaged in the private practice of law in Chicago,
Illinois.

2. I have been asked by Roger Rapoport to serve as co-
counsel in this case on behalf of RDR Books, LLC, have read the
complaint and spent in excess of 100 hours engaged in legal re-
search of the issues in this case.

3. I was admitted to practice before the Illinois Supreme
Court in 1973. My membership number is 1115731. A certificate of
good standing is attached hereto. I am also admitted to practice
before the United States Supreme Court; the United States Courts

of Appeals for the Fifth, Seventh and Ninth Circuits and the United States District Court for the Northern District of Illinois.

4. I have never been subject to disciplinary action in any court.

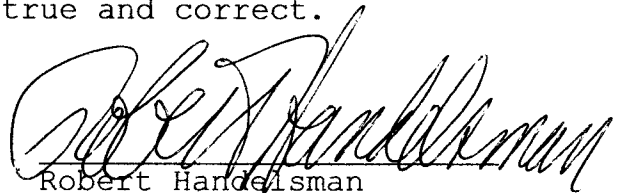
5. I have never been denied admission to the bar of any court.



Robert Handelsman
Suite 1717
77 W. Washington St.
Chicago, Ill. 60602
312-977-1600

VERIFICATION

Under penalties of perjury as provided by 28 U.S.C. Sec. 1746, I certify that the foregoing is true and correct.



Robert Handelsman

Dated: Dec. 3, 2007

Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Robert A. Handelsman

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 6, 1973 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Tuesday, November 20, 2007.

Juleann Hornyak

Clerk

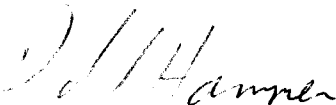
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WARNER BROS. ENTERTAINMENT, INC.	:	07 Civ 9667 (RPP)
J.K. ROWLING,	:	
	:	
- against -	:	AFFIRMATION OF SERVICE
	:	
RDR BOOKS, AND DOES 1-10	:	
	:	
-----	X	

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

I, DAVID S. HAMMER, hereby certify under penalty of perjury that on December 3, 2007, I served by United States Mail a copy of (1) defendant’s Motion to Admit Counsel Pro Hac Vice, (2) Affidavit of David S. Hammer in Support of Motion to Admit Counsel Pro Hac Vice, and (3) Proposed Order, by causing a copy of the same to be mailed in a sealed envelope, with postage prepaid thereon, in a post-office of official depository of the U.S. Postal Service within the State of New York, to Dale Cendali, Esq., O’Melveny & Myers, LLP, 7 Times Square, New York, New York 10036.

Dated New York, New York
December 3, 2007



David S. Hammer (DH 9957)