

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NATURAL RESOURCES DEFENSE :
COUNCIL, INC., et al., :
 :
Plaintiffs, :
 :
- v. - :
 :
U.S. CONSUMER PRODUCT SAFETY :
COMMISSION, :
 :
Defendant. :
-----X

08 Civ. 10507 (PGG)

**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, Mitchell S. Bernard, a member in good
standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice
of

Avinash Kar
Natural Resources Defense Council
111 Sutter Street, 20th Floor
San Francisco, CA 94104
Telephone: 415.875.6100
Fax: 415.875.6161

Avinash Kar is a member in good standing of the Bar of the State of California. There is no
pending disciplinary proceeding against Avinash Kar in any State or Federal court.

Dated: December 19, 2008
New York, New York

Respectfully submitted,



Mitchell S. Bernard (MB 5823)

FILED
U.S. DISTRICT COURT
2008 DEC 30 3 41:11:09
D. OF N.Y.

673575 \$25 12-30-08 JS

NATURAL RESOURCES DEFENSE COUNCIL
40 West 20th St.
New York, NY 10011-4231
Phone: (212) 727-4469
Fax: (212) 727-1773

Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., et al.)
)
Plaintiff,)
v.)
)
UNITED STATES CONSUMER)
PRODUCT SAFETY COMMISSION,)
)
Defendant.)
_____)

08 Civ. 10507 (PGG)

State of New York)

ss:

County of New York)

**Affidavit of Mitchell S. Bernard in Support of Motion
to Admit Counsel Pro Hac Vice**

Mitchell S. Bernard, being duly sworn, deposes and says:

1. I am Litigation Director of the Natural Resources Defense Council (NRDC), and am counsel for plaintiffs in this action. I am familiar with all proceedings in the case. I make this statement based on personal knowledge of the facts set forth herein, and in support of plaintiffs' motion to admit my colleague Avinash Kar as counsel pro hac vice to represent plaintiffs 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 May 1980. 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.

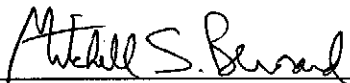
3. I have known Avinash Kar since 2007. He is an attorney in the San Francisco office of NRDC. I know Mr. Kar to be a skilled attorney and a person of integrity. He is familiar with federal practice and the Federal Rules of Procedure.

4. I move the admission of Avinash Kar, pro hac vice, and submit, as Exhibit A attached hereto, a proposed order to that effect.


WHEREFORE, it is respectfully requested that the Court grant the motion to admit Avinash Kar, pro hac vice.

Dated: New York, New York
December 19, 2008

Respectfully submitted,



Mitchell S. Bernard (MB 5823)


KATHERINE ANNE SINDING
Notary Public, State of New York
No. 02516160185
Qualified in New York County
Commission Expires Jan. 29, 2011



THE STATE BAR
OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

December 10, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, AVINASH KAR, #240190 was admitted to the practice of law in this state by the Supreme Court of California on December 7, 2005; 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 "Sima La Fontaine".

Sima La Fontaine
Custodian of Membership Records

CERTIFICATE OF SERVICE

I, Ubaldo Fernandez, hereby certify that on December 22, 2008, I caused the following documents:

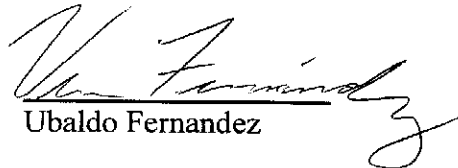
1. Motion to Admit Counsel *Pro Hac Vice*
2. Affidavit of Mitchell S. Bernard in Support of Motion to Admit Counsel *Pro Hac Vice*
3. [Proposed] Order Granting Motion to Admit Counsel *Pro Hac Vice*

to be served, by United States Postal Service overnight mail, on the following address:

Beth Goldman
Assistant United States Attorney
U.S. Department of Justice
Southern District of New York
86 Chambers Street
New York, New York 10007

On this same date I submitted the above referenced documents to the Clerk's Office via U.S. Mail at:

Office of the Clerk
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007-1312


Ubaldo Fernandez

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., et. al.,)
)
Plaintiffs,)
v.)
)
UNITED STATES CONSUMER)
PRODUCT SAFETY COMMISSION,)
)
Defendant.)
)

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

Upon the motion of Mitchell Bernard, attorney for Natural Resources Defense Council, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Avinash Kar
Natural Resources Defense Council
111 Sutter Street, 20th Floor
San Francisco, CA 94104
Telephone: 415.875.6100
Fax: 415.875.6161
e-mail: akar@nrdc.org

is admitted to practice pro hac vice as counsel for the Natural Resources Defense Council 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:

Paul G. Gardephe
United States District Judge