

Kenneth I. Schacter
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Attorneys for Defendant
Massachusetts Mutual Life Insurance Company

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

CHÂTEAU FIDUCIAIRE S.A. as TRUSTEE of THE
MAP TRUST, on Behalf of Itself and all Others
Similarly Situated,

Plaintiff,

v.

ARGUS INTERNATIONAL LIFE BERMUDA
LIMITED, ARGUS GROUP HOLDINGS LIMITED,
MASSACHUSETTS MUTUAL LIFE INSURANCE
CO., OPPENHEIMER ACQUISITION
CORPORATION, RYE INVESTMENT
MANAGEMENT, RYE SELECT BROAD MARKET
FUND L.P., RYE SELECT BROAD MARKET
INSURANCE PORTFOLIO, LDC, TREMONT
[BERMUDA] LIMITED, TREMONT CAPITAL
MANAGEMENT INC., TREMONT GROUP
HOLDINGS, INC., TREMONT INTERNATIONAL
INSURANCE LIMITED, and TREMONT PARTNERS
INC.,

Defendants.

09 Civ. 00557 (RJS)

**NOTICE OF MOTION FOR
ADMISSION OF JOSEPH L.
KOCIUBES, PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Affidavit of Kenneth I. Schacter, Massachusetts Mutual Life Insurance Company (“MassMutual”) will move this Court before the Honorable Richard J. Sullivan of the United States District Court for the Southern District of

FILED
U.S. DISTRICT COURT
2009 FEB 10 PM 4:30
S.D. OF N.Y.

2009 FEB 10 10:00 AM

2009 FEB 10 10:00 AM

New York, 500 Pearl Street, New York, New York 10007, for an order pursuant to Rule 1.3(c) of the Local Rules of this Court admitting Joseph L. Kociubes of the law firm of Bingham McCutchen LLP for the purpose of appearing as counsel for MassMutual, pro hac vice.

Joseph L. Kociubes
Bingham McCutchen LLP
One Federal Street
Boston, MA 02110-1726
Telephone: (617) 951-8000
Fax: (617) 951-8736

Dated: New York, New York.
February 10, 2009

BINGHAM MCCUTCHEN LLP

By:  _____

Kenneth I. Schacter
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*Attorneys for Defendant
Massachusetts Mutual Life Insurance
Company*

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**AFFIDAVIT OF KENNETH I.
SCHACTER IN SUPPORT OF
MOTION TO ADMIT
COUNSEL PRO HAC VICE**

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

KENNETH I. SCHACTER, being duly sworn, hereby deposes and says as follows:

1. I am a member of the firm of Bingham McCutchen LLP, counsel for Massachusetts Mutual Life Insurance Company ("MassMutual") 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 MassMutual's motion to admit Joseph L. Kociubes as counsel pro hac vice to represent MassMutual in this matter.

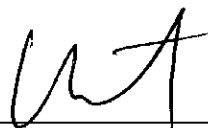
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1980. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Joseph L. Kociubes is a member of the firm of Bingham McCutchen LLP. Mr. Kociubes is admitted to practice law in the Commonwealth of Massachusetts. A Certificate of Good Standing from Massachusetts is attached as Exhibit A.

4. I believe Joseph L. Kociubes to be a skilled attorney who is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

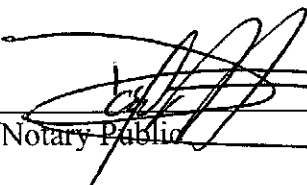
5. Accordingly, I am pleased to move the admission of Joseph L. Kociubes and respectfully submit a proposed order granting the admission of Joseph L. Kociubes, pro hac vice, which is attached hereto.

WHEREFORE it is respectfully requested that the motion to admit Joseph L. Kociubes, pro hac vice, to represent MassMutual in the above captioned matter, be granted.



Kenneth I. Schacter

Subscribed and sworn to before me
this 10th day of February, 2009.



Notary Public
DAVID MARCUS
Notary Public, State of New York
No. 4873948
Qualified in New York County
Commission Expires Oct. 20, 2010

COMMONWEALTH OF MASSACHUSETTS

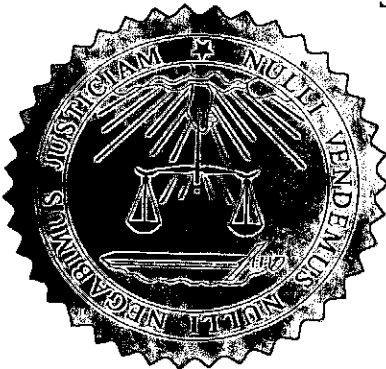
SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **thirteenth** day of **December** A.D. **1974**, said Court being the highest Court of Record in said Commonwealth:

Joseph Leib Kociubes

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **fourth** day of **February** in the year of our Lord **two thousand and nine**.



Maura S. Doyle
MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

**UNITED STATES DISTRICT COURT
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ARGUS GROUP HOLDINGS LIMITED,
MASSACHUSETTS MUTUAL LIFE INSURANCE CO.,
OPPENHEIMER ACQUISITION CORPORATION, RYE
INVESTMENT MANAGEMENT, RYE SELECT BROAD
MARKET FUND L.P., RYE SELECT BROAD MARKET
INSURANCE PORTFOLIO, LDC, TREMONT [BERMUDA]
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TREMONT GROUP HOLDINGS, INC., TREMONT
INTERNATIONAL INSURANCE LIMITED, and
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Defendants.

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**ORDER ADMITTING COUNSEL
PRO HAC VICE**

Upon the motion of Kenneth I. Schacter, attorney for Massachusetts Mutual Life Insurance Company ("MassMutual") and said sponsor attorney's affidavit in support,

IT IS HEREBY ORDERED that

Joseph L. Kociubes
Bingham McCutchen LLP
One Federal Street
Boston, MA 02110-1726
Telephone: (617) 951-8000
Fax: (617) 951-8736
Email: joe.kociubes@bingham.com

is admitted to practice pro hac vice as counsel for MassMutual 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:

United States District Judge

CERTIFICATE OF SERVICE

David Marcus, an attorney admitted to practice law before this Court, hereby certifies under penalty of perjury that on February 10, 2009 I caused the annexed Notice of Motion for Pro Hac Vice Admission to be served by First Class Mail on the following:

Wolf Halderstein Adler Freeman & Herz
270 Madison Avenue,
New York, NY 10016

David A. Kotler, Esq.
Dechert, LLP
902 Carnegie Center
Princeton, NJ 08540

William K. Dodds, Esq.
Dechert, LLP
1095 Avenue of the Americas
New York, NY 10036

Robert W. Topp, Esq.
Dechert, LLP
P.O. Box 5218
902 Carnegie Center
Princeton, NJ 08540

Russell S. Miness, Esq.
Mayer Brown LLP
1675 Broadway
New York, NY 10019

Dated: New York, New York
February 10, 2009


David Marcus