

ORIGINAL

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHEPARD FAIREY and OBEY GIANT ART,  
INC.,

Plaintiffs,

v.

THE ASSOCIATED PRESS,

Defendant and Counterclaim  
Plaintiff,

v.

SHEPARD FAIREY, et al.,

Counterclaim Defendants,

And

MANNIE GARCIA,

Defendant, Counterclaim  
Plaintiff and Cross Claim  
Plaintiff/Defendant,

v.

SHEPARD FAIREY and OBEY GIANT ART,  
INC.,

Counterclaim Defendants,

And

THE ASSOCIATED PRESS,

Cross Claim  
Plaintiff/Defendant.

Civil Action No.: 09-01123 (AKH)

ECF Case

**NOTICE OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

FILED  
MAR 12 2009  
S.D. OF N.Y.

MAR 09 2009 10:08 AM

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 Brendan T. Kehoe, a member in

good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac

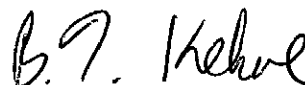
vice of:

Applicant's Name: Beth Marie Weinstein  
Firm name: Kirkland & Ellis LLP  
Address: 333 South Hope Street  
City / State / Zip: Los Angeles, CA 90071  
Phone Number: 213-680-8400  
Fax Number: 213-680-8500

Beth M. Weinstein is a member in good standing of the Bar of the States(s) of California.

There are no pending disciplinary proceedings against Beth Marie Weinstein in any State or Federal court.

Dated: March 9, 2010  
New York, New York



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Brendan T. Kehoe

KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900

Attorneys for THE ASSOCIATED PRESS

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ART, INC.,

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SHEPARD FAIREY and OBEY GIANT  
ART, INC.,

Counterclaim Defendants,

And

THE ASSOCIATED PRESS,

Cross Claim  
Plaintiff/Defendant.

Case No.: 09-cv-1123 (AKH)

ECF Case

**AFFIDAVIT OF BRENDAN T. KEHOE IN  
SUPPORT OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

STATE OF NEW YORK )

COUNTY OF NEW YORK )

ss.:

Brendan T. Kehoe, being duly sworn, hereby deposes and says as follows:


1. I am Brendan T. Kehoe, counsel for Defendant and Counterclaim Plaintiff The Associated Press 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 Defendant and Counterclaim Plaintiff's motion to admit Beth Marie Weinstein as counsel *pro hac vice* to represent Defendant and Counterclaim Plaintiff in this matter.
2. I am a member in good standing of the bar of the New York, and was admitted to practice law in 2007. 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 Beth Weinstein since April, 2009.
4. Applicant is an attorney at Kirkland & Ellis LLP, 333 S. Hope Street, Los Angeles, California, 90071.
5. I have found Beth Weinstein to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Beth Weinstein, *pro hac vice*.
7. In support of this motion, I submit a Certificate of Good Standing of Beth Weinstein, which is attached hereto as Exhibit A.
8. I respectfully submit a proposed order gaining the admission of Beth Weinstein, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Beth Weinstein, *pro hac vice*, to represent Defendant and Counterclaim Plaintiff The Associated Press in the above captioned matter, be granted.

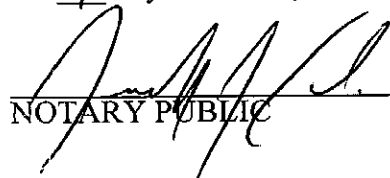
Dated: March 9, 2010  
New York, New York

Respectfully submitted,



\_\_\_\_\_  
Brendan T. Kehoe

Sworn to before me  
the 9 day of March, 2010



\_\_\_\_\_  
NOTARY PUBLIC

**JOSEPH J. CALI**  
Notary Public, State of New York  
No. 01CA5015323  
Qualified in New York County  
Commission Expires July 19, 2013

**CERTIFICATE OF SERVICE**

I, Gwen Brons, certify that on March 9, 2010 I caused a copy of the foregoing NOTICE OF MOTION TO ADMIT COUNSEL *PRO HAC VICE* to be served by electronic mail on all counsel of record listed below:

Geoffrey S. Stewart, Esq.  
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***Attorneys for Plaintiffs/Counterclaim Defendants Shepard Fairey and Obey Giant Art, Inc. and Counterclaim Defendants Obey Giant LLC and Studio Number One, Inc.***

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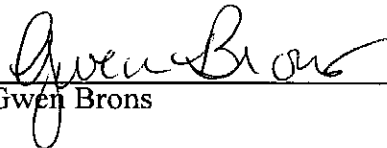
***Attorneys for Defendant, Counterclaim Plaintiff, and Cross Claim Plaintiff/Defendant Mannie Garcia***

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ttrzaskoma@bruneandrichard.com

*Counsel for Counterclaim Defendants  
One 3 Two, Inc. (d/b/a Obey Clothing)*

Dated: March 9, 2010  
New York, New York

  
Gwen Brons



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

**CERTIFICATE OF STANDING**

March 5, 2010

**TO WHOM IT MAY CONCERN:**

This is to certify that according to the records of the State Bar, BETH MARIE WEINSTEIN, #252334 was admitted to the practice of law in this state by the Supreme Court of California on December 2, 2007; 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

Sima La Fontaine  
Custodian of Membership Records

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ECF Case

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

Upon the motion of Brendan T. Kehoe, attorney for The Associated Press and  
said sponsor attorney's affidavit of support:

**IT IS HEREBY ORDERED** that

Applicants Name: Beth M. Weinstein  
Firm Name: Kirkland & Ellis LLP  
Address: 333 S. Hope Street  
City / State / Zip: Los Angeles, CA 90071  
Telephone / Fax: 213-680-8400/213-680-8500  
Email Address: beth.weinstein@kirkland.com



is admitted to practice *pro hac vice* as counsel for The Associated Press 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 [www.nysd.uscourts.gov](http://www.nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: March \_\_, 2010  
New York, New York

\_\_\_\_\_  
United States District Judge