

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SHEPARD FAIREY and OBEY GIANT)
ART, INC.,)

Plaintiffs,)

v.)

THE ASSOCIATED PRESS,)

Defendant/Counterclaim)
Plaintiff,)

v.)

SHEPARD FAIREY, OBEY GIANT ART,)
INC., OBEY GIANT LLC, STUDIO)
NUMBER ONE, INC. and ONE 3 TWO,)
INC. (d/b/a OBEY CLOTHING),)

Counterclaim Defendants,)

and)

MANNIE GARCIA,)

Defendant/Intervener and)
Counterclaim/Cross claim)
Plaintiff,)

v.)

SHEPARD FAIREY AND OBEY GIANT)
ART, INC.,)

Counterclaim Defendants,)

and)

THE ASSOCIATED PRESS,)

Crossclaim Defendant.)
----- X

Civil Action No.: 09-1123 (AKH)

**MOTION FOR ADMISSION OF
EDWIN L. FOUNTAIN**

PRO HAC VICE

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2010 MAY -6 PM 3:50
S.D. OF N.Y.

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, Chris J. Lopata, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

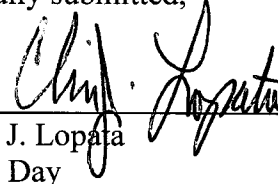
Edwin L. Fountain
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001
Phone: (202) 879-7645
Fax: (202) 626-1700
Email elfountain@jonesday.com

Mr. Fountain is a member in good standing of the Virginia State and District of Columbia Bars and there are no pending disciplinary proceedings against Mr. Fountain in any state or Federal court.

This motion is based upon the accompanying Declaration of Chris J. Lopata and upon all other papers and proceedings in this action.

Dated: May 6, 2010

Respectfully submitted,



Chris J. Lopata
Jones Day
222 East 41st Street
New York, NY 10017
Facsimile: (212) 755-7306

Attorneys for Plaintiffs and Counterclaim
Defendants
*SHEPARD FAIREY, OBEY GIANT ART,
INC., OBEY GIANT LLC and STUDIO
NUMBER ONE, INC.*

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

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)
Cross claim Defendant.)
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Civil Action No.: 09-1123 (AKH)
[PROPOSED ORDER]

Upon consideration of the Motion of Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC and Studio Number One, Inc for Admission *Pro Hac Vice*, and the Declaration of Chris J. Lopata, submitted in support thereof, and good cause having been shown, it is SO ORDERED that Edwin L. Fountain is admitted to the bar of this Court *pro hac vice* this ____ day of May, 2010.

United States District Judge

**UNITED STATES DISTRICT COURT
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Civil Action No.: 09-1123 (AKH)
**DECLARATION OF CHRIS J.
LOPATA**

I, Chris J. Lopata, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney with the firm of Jones Day, counsel for Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC and Studio Number One, Inc. in the above-captioned action. I am admitted to practice in, and a member in good standing of, the bars of the State of New York and the United States District Court for the Southern District of New York. I respectfully submit this Declaration in support of Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC and Studio Number One, Inc.'s motion, pursuant to Local Civil Rule 1.3(c), for the admission of Edwin L. Fountain to the bar of this Court *pro hac vice*.

2. Mr. Fountain is an attorney of the law firm of Jones Day and is a resident in the firm's Washington, DC, office. He is a member in good standing of the bars of Virginia and the District of Columbia and is admitted to practice before the United States Supreme Court, the United States Courts of Appeals for the District of Columbia, Fourth, Seventh, Eleventh and Federal Circuits, and the United States District Courts for the Eastern and Western Districts of Virginia, the District of Connecticut and the District of Maryland. Attached hereto as Exhibit A is Mr. Fountain's certificate of good standing for the bar of the District of Columbia. He is familiar with the Federal Rules of Civil Procedure and the Local Civil Rules of this Court.

3. For the reasons set forth above, I respectfully request that Mr. Fountain be admitted to the bar of this Court *pro hac vice*.

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on this 6th day of May, 2010.

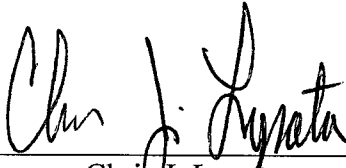

Chris J. Lopata

EXHIBIT A



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

EDWIN LOUIS FOUNTAIN

was on the 5TH day of OCTOBER, 1992

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on May 4, 2010.

GARLAND PINKSTON, JR., CLERK

By: *Buckley Cal.*
Deputy Clerk

CERTIFICATE OF SERVICE

The undersigned, an attorney authorized to practice law before this Court, hereby certifies that on May 6, 2010, a true copy of the foregoing **Motion for Admission of Edwin L. Fountain Pro Hac Vice, Declaration of Chris J. Lopata** and the **[Proposed Order]** were served upon all counsel identified on the following service list by email.

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Attorneys for The Associated Press

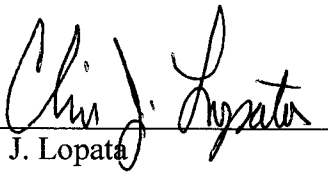
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Attorneys for One 3 Two, Inc.


Chris J. Lopata