

**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  
JORDAN A. GIMBEL *PRO HAC VICE***

FILED  
JAN 13 2010  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

891036 825 JAN 13 2010

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:

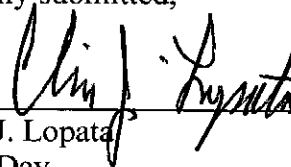
Jordan A. Gimbel  
Jones Day  
555 S. Flower Street, 50<sup>th</sup> Floor  
Los Angeles, CA 90071  
Phone: (213) 243-2559  
Fax: (213) 243-2539  
Email jagimbel@jonesday.com

Mr. Gimbel is a member in good standing of the State Bar of California and there are no pending disciplinary proceedings against Mr. Gimbel 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: January 13, 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**

----- 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, )  
 )  
Cross claim Defendant. )  
----- X

Civil Action No.: 09-1123 (AKH)

**DECLARATION OF CHRIS J.  
LOPATA**

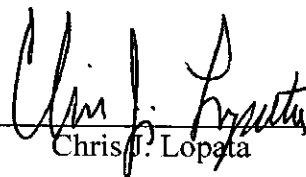
I, Chris J. Lopata, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

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 Jordan A. Gimbel to the bar of this Court *pro hac vice*.

2. Mr. Gimbel is an attorney of the law firm of Jones Day and is a resident in the firm's Los Angeles office. He is a member in good standing of the bar of the State of California and is admitted to practice in the courts of the State of California. Attached hereto as Exhibit A is Mr. Gimbel's certificate of good standing for the bar of the State of California. 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. Gimbel 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 3<sup>th</sup> day of January, 2010.

  
Chris J. Lopata



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

## CERTIFICATE OF STANDING

December 21, 2009

### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JORDAN ALAN GIMBEL, #220250 was admitted to the practice of law in this state by the Supreme Court of California on June 17, 2002; 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 "S. La Fontaine".

Sima La Fontaine  
Custodian of Membership Records

**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, )

Cross claim Defendant. )  
----- X

Civil Action No.: 09-1123 (AKH)

**[PROPOSED ORDER]**

## CERTIFICATE OF SERVICE

The undersigned, an attorney authorized to practice law before this Court, hereby certifies that on January **B**, 2010, a true copy of the foregoing **Motion for Admission of Jordan A. Gimbel 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.

Dale M. Cendali  
Kirkland & Ellis LLP  
Citigroup Center  
153 East 53rd Street, 36th Floor  
New York, NY 10022  
Tel: (212) 446-4800  
Fax: (212) 446-4900  
Email: dale.cendali@kirkland.com

*Attorneys for The Associated Press*

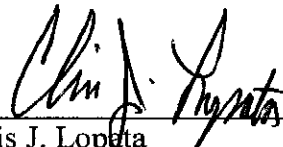
George F. Carpinello  
Boies, Schiller & Flexner LLP  
10 North Pearl Street, 4th Floor  
Albany, NY 12207  
Tel: (518) 434-0600  
Fax: (518) 434-0665  
Email: gcarpinello@bsflp.com

Bradford E. Kile  
Kile Goekjian Reed & McManus PLLC  
1200 New Hampshire Ave., NW  
Suite 570  
Washington, D.C. 20036  
Tel: (202) 659-8000  
Fax: (202) 659-8822  
Email: bkile@kgrmlaw.com

*Attorneys for Mannie Garcia*

Jeanne A. Fugate  
Caldwell Leslie & Proctor, PC  
1000 Wilshire Boulevard, Suite 600  
Los Angeles, CA 90017-2463  
Tel: (213) 629-9040  
Fax: (213) 629-9022  
Email: fugate@caldwell-leslie.com

*Attorneys for One 3 Two, Inc.*

  
\_\_\_\_\_  
Chris J. Lopata