

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD L. WHITE; EDWARD L.  
WHITE, P.C.; and KENNETH ELAN, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

WEST PUBLISHING CORPORATION  
d/b/a "West"; and REED ELSEVIER INC.,  
d/b/a LexisNexis,

Defendants.

ECF CASE

Civil Action No. 12-CV-1340 (JSR)

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

Pursuant to Rule 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, James F. McCabe, hereby move this Court for an Order for admission to practice *Pro Hac Vice* to appear as counsel for Defendant Reed Elsevier Inc., d/b/a LexisNexis in the above-captioned action.

I am a member in good standing of the bar of the State of California and there are no pending disciplinary proceedings against me in any State or Federal Court. Attached hereto as Exhibit A, is the associated certificate of good standing.

Accordingly, I respectfully submit a proposed order granting the admission of James F. McCabe, *pro hac vice*, attached hereto as Exhibit B.

Dated: San Francisco, CA  
March 22, 2012

MORRISON & FOERSTER LLP



By: \_\_\_\_\_

James F. McCabe  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522  
JMcCabe@mof.com



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

## CERTIFICATE OF STANDING

March 21, 2012

### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAMES FRANCIS MCCABE, #104686 was admitted to the practice of law in this state by the Supreme Court of California on December 3, 1982; 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 Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Louise Turner  
Custodian of Membership Records

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD L. WHITE; EDWARD L.  
WHITE, P.C.; and KENNETH ELAN, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

WEST PUBLISHING CORPORATION  
d/b/a "West"; and REED ELSEVIER INC.,  
d/b/a LexisNexis,

Defendants.

ECF CASE

Civil Action No. 12-CV-1340 (JSR)

**[PROPOSED] ORDER FOR  
ADMISSION *PRO HAC VICE***

The motion of James F. McCabe, for admission to practice Pro Hac Vice in the above captioned action is granted.

Applicant has declared that he is a member in good standing of the bar of the state of California; and that his contact information is as follows:

James F. McCabe  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522  
JMcCabe@mof.com

Applicant having requested admission *Pro Hac Vice* to appear for all purposes as counsel for Defendant Reed Elsevier Inc., d/b/a Lexis Nexis in the above entitled action;

**IT IS HEREBY ORDERED** that Applicant is admitted to practice *Pro Hac Vice* 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. Counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov).

Dated: New York, NY

\_\_\_\_\_, 2012

SO ORDERED:

\_\_\_\_\_  
Hon. Jed S. Rakoff  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD L. WHITE; EDWARD L.  
WHITE, P.C.; and KENNETH ELAN, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

WEST PUBLISHING CORPORATION  
d/b/a "West"; and REED ELSEVIER INC.,  
d/b/a LexisNexis,

Defendants.

ECF CASE

Civil Action No. 12-CV-1340 (JSR)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK    )  
  ) ss.:  
COUNTY OF NEW YORK )

YORK CHOW, being duly sworn, deposes and says:

1. I am over 18 years of age, am employed by Morrison & Foerster LLP, and  
am not a party to this action.


2. On Wednesday, March 28, 2012, I served true and correct copies of a  
Motion to Admit Counsel *Pro Hac Vice* for James F. McCabe, dated 3/22/12, in the  
above-captioned proceeding by UPS overnight delivery upon the following:

Gregory A. Blue  
Gregory A. Blue, P.C.  
405 Lexington Ave., 26<sup>th</sup> Floor  
New York, NY 10174

Raymond A. Bragar  
Bragar, Wexler Eigel & Squires, P.C.  
885 Third Avenue  
Suite 3040  
New York, NY 10022

Benjamin Ely Marks  
Weil, Gotshal & Manges LLP  
757 Fifth Avenue  
25<sup>th</sup> Floor  
New York, NY 10153

by depositing the same in a properly addressed wrapper into the custody of an authorized  
UPS overnight delivery service prior to the latest time designated for overnight delivery.

  
York Chow

Sworn to before me this  
28<sup>th</sup> day of March, 2012

  
Notary Public

**KARIM H. MAHMOUD**  
Notary Public, State of New York  
No. 01MA6250574  
Qualified in New York County  
Commission Expires Oct. 31, 2015