

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:09cv372**

WILLIAM NORKUNAS,)
)
 Plaintiff,)
)
Vs.)
)
V & S HOSPITALITY, a Domestic)
Corporation,)
)
 Defendant.)
_____)

ORDER

THIS MATTER is before the court on Sabrina Winters’s Motion for Admission *Pro Hac Vice* of Pete M. Monismith. It appearing that Pete M. Monismith is a member in good standing with the Pennsylvania Bar and will be appearing with Sabrina Winters, who is a member in good standing with the Bar of this court, that all admission fees have been paid, and that the email address of the attorney seeking admission has been provided, the court will allow the request.

Review of the court’s docket reveals, however, that Mr. Monismith had recently been similarly admitted in the Statesville Division of this court in Norkunas v. Shah, Parikh & Associates, 5:09cv108 (WDNC 2009).¹ The court is troubled that such prior application was not disclosed; however, the close temporal proximity of

¹ It appears from a review of the complaints in both actions that plaintiff herein is an ADA tester, which explains the filing of separate but unrelated actions under the ADA.

the first application to the application filed herein may well explain such lack of disclosure.

While Mr. Monismith will be welcome to practice in this case, he is advised that it is policy of the district court that attorneys will not be serially admitted to practice *pro hac vice* and that attorneys who regularly practice before the Bar of this court will need both a North Carolina State Bar license as well as regular admission to the Bar of this court. The court will make an exception for such second admission based Mr. Monismith's educational background, his commitment to public service, and his service to the United States of America.²

ORDER

IT IS, THEREFORE, ORDERED that Sabrina Winters's Motion for Admission *Pro Hac Vice* (#2) of Pete M. Monismith is **GRANTED**, and Pete M. Monismith is **ADMITTED** to practice, *pro hac vice*, before the Bar of this court in this case while associated with Sabrina Winters.

²

See www.elliott-davis.com/pete-monismith.aspx.

Signed: October 2, 2009

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

