

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 CV 123 MR WCM

ROBERT BARON DUFFY and)
ROBERT LOUIS GARY,)
)
Plaintiffs,)
v.)
)
FACEBOOK, INC.,)
WAYNE HAWKINS, and)
JAMES SWENSON)
)
Defendants.)
_____)

ORDER

This matter is before the Court on the Motion for Admission *Pro Hac Vice* and Affidavit (the “Motion,” Doc. 105) filed by Charles E. Johnson. The Motion indicates that Mr. Johnson, a member in good standing of the Bar of this Court, is local counsel for Defendant Facebook, Inc., and that he seeks the admission of Phyllis A. Jones, who the Motion represents as being a member in good standing of the Bar of the District of Columbia. It further appears that the requisite admission fee has been paid.

Plaintiff opposes the Motion. Doc. 107. Plaintiff contends that *pro hac vice* admission is discretionary, and that this Court should deny Mr. Johnson’s request due to the late procedural posture of this case (i.e., following completion of discovery, a ruling on summary judgment, and an appeal) and because Facebook’s current counsel is experienced and competent. See Doc.

107, pp. 3-4. Further, Plaintiff expresses concern with the amount of time “it will likely take new counsel to get ‘up to speed,’” the “likelihood” of a trial date being set soon, and that Ms. Jones “is likely to have a very busy litigation schedule of her own,” which may present additional scheduling challenges.

The undersigned is not persuaded that the admission of Ms. Jones *pro hac vice* will result in unnecessary delays or that the motion should otherwise be denied.

Accordingly, the Court **GRANTS** the Motion (Doc. 105) and **ADMITS** Phyllis A. Jones to practice *pro hac vice* before the Court in this matter while associated with local counsel.

Signed: September 28, 2020



W. Carleton Metcalf
United States Magistrate Judge

