

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(Charleston DIVISION)

Roger Cleveland Golf Company, Inc.,
Plaintiff/Petitioner/USA,
v.
Christopher Prince, Sheldon Shelley and Prince Distribution, LLC,
Defendant/Respondent.

Case No. 2:09-cv-02119-MBS
Application/Affidavit for
Pro Hac Vice Admission

(1) Name. Morgan T. Nickerson
First Middle Last

(2) Residence. I reside in the following state: Massachusetts
If a South Carolina resident, indicate months/years of residence:

(3) Business Address. I am an attorney and practice law under the name of or as a member of the following firm:

Firm name: Nelson Mullins Riley & Scarborough LLP
Mailing address: One Boston Place, 40th Floor Boston, Massachusetts 02108
Telephone number: (617) 573-4725
Facsimile number: (617) 573-4754
E-mail address: morgan.nickerson@nelsonmullins.com

(Application will not be considered without an e-mail address to receive electronic notification.)

(4) Jurisdiction of this Court. I, by execution of this Application and Affidavit, consent and agree to comply with the applicable statutes, laws, and rules of the State of South Carolina, with all applicable federal statutes, laws, and rules, including Local Rules of the United States District Court for the District of South Carolina (particularly, Local Civil Rule 83.I.08 and/or Local Criminal Rule 57.I.08). I consent to the jurisdiction of the United States District Court for the District of South Carolina in all matters of attorney conduct.

(5) Regular Practice of Law. I am a member in good standing of the bar of the highest court of the District of Columbia or the State of Massachusetts where I regularly practice law. Attached is my certificate of good standing.

(6) Additional Bar Membership. I have been admitted to practice before the following courts: (List all of the courts Applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.) By signing this Affidavit, I certify that I am a member in good standing of each of the listed bars unless otherwise noted.

1 This District maintains a web site (www.scd.uscourts.gov) from which the federal and local rules of procedure and related materials may be obtained.

<b>Court</b>	<b>Date Admitted</b>	<b>Good Standing</b>
U.S. District Court for District of Massachusetts	March 22, 2007	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
First Circuit Court of Appeals	July 11, 2007	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

(7) Pending Disciplinary Matters. Are you presently the subject of any formal suspension or disbarment proceedings, and have you been notified by any disciplinary agency of the initiation of formal procedures? .....  Yes     No  
 (If "yes," give particulars, such as jurisdiction, court, date, grounds. Information to comply with this paragraph may be provided *in camera* but that fact shall be revealed below.)

\_\_\_\_\_  
 \_\_\_\_\_

(8) Curtailement of Prior Pro Hac Vice Admissions. Have you ever had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked?  
 Yes     No  
 (If "yes," give particulars, such as date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation.)

\_\_\_\_\_  
 \_\_\_\_\_

(9) Sanctions. Have you ever had any certificate or privilege to appear and practice before any judicial or administrative body suspended or revoked, or received a public reprimand or greater sanction?  
 Yes     No  
 (If "yes," give particulars, e.g., judicial or administrative body, date of suspension, and reinstatement.)

\_\_\_\_\_  
 \_\_\_\_\_

(10) Criminal Sanctions. Have you ever been convicted of a felony under the laws of the District of Columbia or of any State or under the laws of the United States?  
 Yes     No  
 (If "yes," give particulars, such as date, court, judge, circumstances, and ultimate disposition.)

\_\_\_\_\_  
 \_\_\_\_\_

(11) Present and Previous Pro Hac Vice in this Court. Have you, within the last ten (10) years, filed an application to appear *pro hac vice* in the United States District Court for the District of South Carolina or another court in the state of South Carolina?  
 Yes     No  
 (If "yes," give court, case name, docket number, and status of litigation, year of application, local counsel of record in each case, and state whether application is pending or was granted.) Attach additional pages if necessary.

\_\_\_\_\_  
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(12) Designated Local Counsel. Local counsel of record associated with Applicant in this case is:

Attorney Name:	<u>John C. McElwaine</u>
Firm Name:	<u>Nelson Mullins Riley &amp; Scarborough LLP</u>
Street Address or Post Office Box:	<u>151 Meeting Street / Sixth Floor Post Office Box 1806 (29402-1806)</u>
City, State, and Zip Code:	<u>Charleston, SC 29401-2239</u>
Telephone Number:	<u>(843) 853-5200</u>
E-Mail Address:	<u>john.mcelwaine@nelsonmullins.com</u>

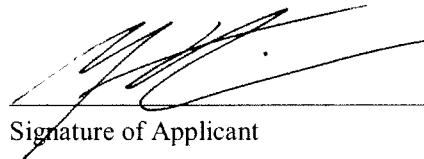
I understand that local counsel of record is required to: (1) personally sign each pleading, motion, discovery procedure, or other document served or filed in this Court; (2) accept service of all pleadings and notices as required on behalf of all counsel for the party represented; (3) be present at all pretrial conferences, hearings and trials, unless excused by the Court; (4) be prepared to participate actively as may be necessary; and (5) assure compliance with Local Civil Rules 83.I.04, 83.I.05, and 83.I.06 or Local Criminal Rules 57.I.04, 57.I.05, and 57.I.06 as appropriate. Local counsel of record may attend discovery proceedings.

(13) Associated Counsel. In addition to local counsel designated above, the following counsel are also associated with the undersigned in this case.  
Janene B. Smith, Nelson Mullins Riley & Scarborough LLP

(14) Application Fee. I affirm that the application fee of two hundred and fifty dollars (\$250) has been paid in accordance with Local Civil Rule 83.I.05 or Local Criminal Rule 57.I.05 or paid herewith.

(15) Electronic Notification. By submitting this application, I consent to electronic notification.

(16) Represented Party/Parties. I seek to represent the following party/parties:  
Roger Cleveland Golf Company, Inc.

  
 \_\_\_\_\_  
 Signature of Applicant

**Sworn to and subscribed before me**  
 this 14 day of August 2009.

Anthony W. Miller  
 \_\_\_\_\_  
 A Notary Public  
 of the State of Massachusetts

My Commission expires: 6/11/15