

2-1-4757

Appendix K

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION  
APPLICATION TO APPEAR PRO HAC VICE

Revised: 1/24/07

FILED-CLERK  
U.S. DISTRICT COURT

2009 JUN 17 AM 9:33

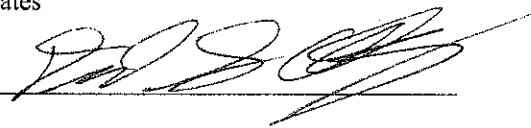
TX EASTERN-MARSHALL

1. This application is being made for the following: Case # 2:09-CV-102-IJW BY
- Style: Actus, LLC v. Bank of America Corp., et al.
2. Applicant is representing the following party/ies: Google, Inc.
3. Applicant was admitted to practice in California (state) on January 10, 2005 (date).
4. Applicant is in good standing and is otherwise eligible to practice law before this court.
5. Applicant is not currently suspended or disbarred in any other court
6. Applicant has has not had an application for admission to practice before another court denied (please circle appropriate language) If so, give complete information on a separate page
7. Applicant has has not ever had the privilege to practice before another court suspended (please circle). If so, give complete information on a separate page.
8. Applicant has has not been disciplined by a court or Bar Association or committee thereof that would reflect unfavorably upon applicant's conduct, competency or fitness as a member of the Bar (please circle). If so, give complete information on a separate page
9. Describe in detail on a separate page any charges, arrests or convictions for criminal offense(s) filed against you. Omit minor traffic offenses
10. There are no pending grievances or criminal matters pending against the applicant
11. Applicant has been admitted to practice in the following courts:  
US Court of Appeals, Federal, Ninth and Eleventh Circuit; US District Court, Eastern and Northern District of California
12. Applicant has read and will comply with the Local Rules of the Eastern District of Texas, including Rule AT-3, the "Standards of Practice to be Observed by Attorneys."
13. Applicant has included the requisite \$25 fee (see Local Rule AT-1(d)).
14. Applicant understands that he/she is being admitted for the limited purpose of appearing in the case specified above only

**Application Oath:**

I, David S. Almeling do solemnly swear (or affirm) that the above information is true; that I will discharge the duties of attorney and counselor of this court faithfully; that I will demean myself uprightly under the law and the highest ethics of our profession; and that I will support and defend the Constitution of the United States

Date 6/16/09


Signature 

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
APPLICATION TO APPEAR PRO HAC VICE (Continued)**

Name (please print) David S. Almeling  
State Bar Number 235449  
Firm Name: O Melveny & Myers LLP  
Address/P.O. Box: 2 Embarcadero Center, Suite 2800  
City/State/Zip: San Francisco, CA 94111  
Telephone #: 415/984-8700  
Fax #: 415/984-8701  
E-mail Address: dalmeling@omm.com  
Secondary E-Mail Address: sdrucker@omm.com

Applicant is authorized to enter an appearance as counsel for the party/parties listed above. This application has been approved for the court on: 6-17-09

\_\_\_\_\_  
David J. Maland, Clerk  
U.S. District Court, Eastern District of Texas

By   
\_\_\_\_\_  
Deputy Clerk

# Receipt for Payment

Receipt No: 2-1-0004757

## United States District Court

for the

Eastern District of Texas at Marshall

Date: **Wednesday, June 17, 2009**

Received from:

**GILLAM SMITH  
MARSHALL, TX**

<u>Account</u>	<u>Description</u>
085000	- Attorney Admission Fees
086400	- New Case Fee
086900	- Filing Fees
121000	- Conscience Fund
129900	- Gifts
143500	- Interest
322340	- Sale of Publications
322350	- Copy Fees
322360	- Miscellaneous Fees
322380	- Recoveries of Court Costs
322386	- Cost of Prosecution
504100	- Crime Victims Fund
508800	- Immigration Fees
510000	- Civil Filing Fee (1/2)
5100PI	- Partial Filing Fee (PLRA)
510100	- Registry Fee
604700	- Registry Funds/General and Special Funds
613300	- Unclaimed Monies
6855XX	- Deposit Funds

<u>Account</u>	<u>Amount</u>
6855XX	<b>\$100.00</b>
<b>Total</b>	<b>\$100.00</b>

Payment method: **Check**  
Case or other reference: **2:09cv102 phv Almeling**  
Comments: **ck 3872**

Received by: pa