

2-1-4675

FILED-CLERK  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

2009 MAY -8 PM 1:17

1 X EASTERN-MARSHALL

Actus, LLC )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 (1) Bank of America Corp.; )  
 (2) Blaze Mobile, Inc.; )  
 (3) Capital One Financial Corp.; )  
 (4) Enable Holdings, Inc.; )  
 (5) Google, Inc.; )  
 (6) Green Dot Corp.; )  
 (7) Javien Digital Payment Solutions, Inc.; )  
 (8) JPMorgan Chase & Co.; )  
 (9) Mastercard International, Inc.; )  
 (10) Meta Financial Group, Inc.; )  
 (11) M&T Bank Corp.; )  
 (12) Obopay, Inc.; )  
 (13) Sonic Solutions; )  
 (14) Visa, Inc.; )  
 (15) Vivendi Universal U.S. Holding Co.; )  
 (16) Vivendi Universal, SA; )  
 (17) Wal-Mart Stores, Inc.; )  
 (18) The Walt Disney Co.; )  
 (19) The Western Union Co.; )  
 (20) WildTangent, Inc.; )  
 (21) AgileCo; )  
 )  
 Defendants. )

Civil Action No. 2:09cv102

JURY TRIAL DEMANDED

APPLICATION TO APPEAR PRO HAC VICE

1. This application is being made for Case No. 2:09cv102.  
 Style: Actus, LLC v. Bank of America Corp. et al.
2. Applicant is representing Capital One Financial Corporation.
3. Applicant was admitted in Virginia in 1996 and in the District of Columbia in 1998.
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 not had an application for admission to practice before another court denied.
7. Applicant has not ever had the privilege to practice before another court suspended.
8. Applicant 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.
9. There are no pending grievances or criminal matters pending against the applicant.
10. Applicant has been admitted to practice in the following: United States Supreme Court, U.S. Court of Appeals for the Fourth and Federal Circuits, U.S. Court of Federal Claims, U.S. District Courts for the District of Columbia and the Eastern District of Virginia.
11. 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."
12. Applicant has included the requisite \$25 fee (see Local Rule AT-1(d)).
13. Applicant understands that he is being admitted for the limited purpose of appearing in the case specified above only.

**Application Oath:**

I, Brian M. Buroker, 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: May 8, 2009

Signature: Brian M Buroker  
Brian M. Buroker  
Virginia Bar Number: 39,581  
District of Columbia: 457,158  
Hunton & Williams, LLP  
1900 K Street N.W., Suite 1200  
Washington, D.C. 20006  
Telephone: (202) 955-1894  
Fax: (202) 778-2201  
E-mail Address: [bburoker@hunton.com](mailto:bburoker@hunton.com)

Applicant is authorized to enter an appearance as counsel for the party listed above. This application has been approved for the court this 8th day of May, 2009.

David J Maland, Clerk

U.S. District Court, Eastern District of Texas

By: A. Denton

# Receipt for Payment

Receipt No: 2-1-0004675

## United States District Court

for the

Eastern District of Texas at Marshall

Date: **Friday, May 8, 2009**

Received from:

**Smith & Gilstrap  
P.O. Box A  
Marshall, Tx 75671**

<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)
5100PL	- 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	\$50.00
<b>Total</b>	<b>\$50.00</b>

Payment method: **Check**  
Case or other reference: **2:09-cv-102**  
Comments: **Ck# 7565 PHV for Arbes, Buroker**

Received by: ch