

Appendix K

Revised: 1/24/07

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

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

FEB 26 2009

DAVID J. WILKINSON, CLERK

BY
DEPUTY

1. This application is being made for the following: Case # 4:09-cv-00042-MHS-DJB
Style: Payne, et al. v. Apple, Inc., et al.
2. Applicant is representing the following party/ies: Defendant, Apple, Inc.
3. Applicant was admitted to practice in Texas (state) on 09-17-98 (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/had 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/had 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/had 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:
U.S. District Court, Northern District of Texas (09-22-06)
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, Don G. Rushing 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 February 26, 2009

Signature

Don G. Rushing
DON G. RUSHING

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

Name (please print) Don G. Rushing
State Bar Number 24008348
Firm Name: Morrison & Foerster LLP
Address/P.O. Box: 12531 High Bluff Drive, Suite 100
City/State/Zip: San Diego, CA 92130
Telephone #: (858) 720-5145
Fax #: (858) 720-5125
E-mail Address: drushing@mofa.com
Secondary E-Mail Address: mapringar@mofa.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:

2/26/09

DAVID J. MALAND

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

By Berna J. Smith
Deputy Clerk

Receipt for Payment

Receipt No: 6-1-0017044

United States District Court

for the

Eastern District of Texas at Tyler

Date: **Thursday, February 26, 2009**

Received from:

**DON RUSHING
ATTN: MICHELLE
12531 HIGH BLUFF DR SUITE 100
SAN DIEGO, CA 92130**

<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	\$25.00
Total	\$25.00

Payment method: **Credit card**
Case or other reference: **4:09-CV-42**
Comments: **PHV PAYMENT FOR DON RUSHING**

Received by: gg