

#6-2134

Appendix K

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

FILED CLERK  
"Revised: 4/19/10"  
2011 MAR -2 PM 2:12  
TEXAS EASTERN

BY \_\_\_\_\_

- 1. This application is being made for the following: Case # 6:09-cv-00446-LED  
Style: Eolas Technologies Inc. v. Adobe Systems Inc., et al.
- 2. Applicant is representing the following party/ies: Adobe Systems Incorporated
- 3. Applicant was admitted to practice in CA & MA (state) on Dec. 1989 & May, 2003 (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:  
Please see the attached list.
- 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 \$100 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, Frank E. Scherkenbach 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 March 2, 2011

Signature Frank E. Scherkenbach

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

Name (please print) Frank E. Scherkenbach  
State Bar Number CA 142549 & MA 653819  
Firm Name: Fish & Richardson P.C.  
Address/P.O. Box: One Marina Park Drive  
City/State/Zip: Boston, MA 02210  
Telephone #: (617) 542-5070  
Fax #: (617) 542-8906  
E-mail Address: scherkenbach@fr.com  
Secondary E-Mail Address: kryan@fr.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: 3/2/11



David Maland

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

By MLL  
Deputy Clerk

11. Applicant, Frank E. Scherkenbach, has been admitted to practice in the following courts:

California Supreme Court

U.S. Court of Appeals for the Federal Circuit

U.S. Supreme Court

USDC, N.D. CA

USDC, C.D. CA

USDC, E.D. CA

USDC, S.D. CA

USDC, D. MA

USDC, E.D. MI

USDC, W.D. WI

USDC, D. CO

USDC, N.D. GA