

Appendix K

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

Revised: 12/3/03  
**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

AUG 23 2006

DAVID J. MALAND, CLERK

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1. This application is being made for the following: Case # 9:06-cv-00158-RHC  
Style: Anascape, Ltd. v. Microsoft Corp. and Nintendo of America Inc. BY  
DEPUTY \_\_\_\_\_
2. Applicant is representing the following party: Nintendo of America Inc.
  3. Applicant was admitted to practice in New York on 2/27/85.
  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: See Exhibit A attached.
  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, Robert J. Gunther, Jr., 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.

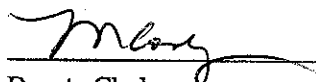
Date 8/22/06Signature Robert J. Gunther Jr.

Name Robert J. Gunther, Jr.  
State Bar Number 1967652  
Firm Name: Latham & Watkins LLP  
Address/P.O. Box: 885 Third Avenue  
City/State/Zip: New York, New York 10022  
Telephone #: 212-906-1242  
Fax #: 212-751-4864  
E-mail Address: robert.gunther@lw.com

Applicant is authorized to enter an appearance as counsel for the party/parties listed above. This application has been approved for the court this 23<sup>rd</sup> day of August, 2006.

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

By

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

**EXHIBIT A**

<u>Title of Court</u>	<u>Date of Admission</u>
U.S. Court of Appeals for the Federal Circuit	12/2/94
U.S. Court of Appeals for the Ninth Circuit	11/10/92
U.S. Court of Appeals for the Tenth Circuit	8/21/95
U.S. District Court for the Southern District of New York	8/6/85
U.S. District Court for the Eastern District of New York	10/18/85
U.S. District Court for the Western District of New York	9/9/97
U.S. District Court for the Northern District of California	11/17/92
U.S. District Court for the Eastern District of Michigan	4/30/03
U.S. District Court for the District of Colorado	3/11/99
U.S. District Court for the Northern District of Illinois	8/26/05