

**CORRIGAN & BAKER, LLC**

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October 6, 2008

John P. Corrigan\*

Gregg S. Baker\*

Ralph Amelio\*

\*admitted in NY &amp; CT

**VIA FEDERAL EXPRESS**

Court Clerk  
United States District Court  
Martin Luther King, Jr. Federal Building  
312 South Main Street, Room 406  
Victoria, Texas 77901

United States Court  
Southern District of Texas  
RECEIVED

OCT 07 2008

Michael N. Milby, Clerk of Court

Re: Heartbrand Beef, Inc. v. Lobel's of New York, LLC et al  
Civil Action No. 6:08-cv-00062

Dear Sir or Madam:

This firm represents Lobel's of New York, LLC ("Lobel's"), a defendant in the above-referenced action. Enclosed is my application to the Court for admission *pro hac vice* so that I may appear in this case on Lobel's behalf.

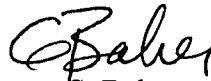
Also enclosed is a copy of our Attorney Registration Form for District Electronic Filing, which I have forwarded to the Clerk in the Houston Division. As our registration has not yet been processed, we are presently unable to file, serve or receive documents electronically.

Also enclosed is a proposed motion to dismiss the complaint pursuant to FRCP Rule 12(b), together with (a) a proposed Order granting such relief, and (b) two copies of Lobel's corporate disclosure statement in accordance with FRCP Rule 7.1. Because Plaintiff declined our prior request for an extension of time to answer the complaint beyond October 6, 2008, it is necessary for us to submit the motion to dismiss simultaneously with the enclosed application for admission *pro hac vice*, in order to avoid the possibility of any default. Accordingly, the motion was drafted, executed and served based upon the assumption that the Court will grant our motion for admission. However, as it is our intention to avoid even the appearance of practicing in the Court without authorization, we respectfully request that you treat the enclosed motion to dismiss as a *proposed* motion until our request for admission *pro hac vice* is granted, and thereafter officially accept the motion to dismiss for filing.

Alternatively, in the event that the Court denies our request for admission *pro hac vice*, we respectfully request that the Court grant Lobel's a 60-day extension of time to answer the complaint, so that Lobel's may find and retain local counsel who can re-submit the motion to dismiss.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Baker", written over the typed name.

Gregg S. Baker

GSB:km

cc: Ted D. Lee, Esq.  
Randolph Wolfe, Esq.  
George A. Yuhas, Esq.  
Annalyn G. Smith, Esq.

**United States District Court for the Southern District of Texas  
Attorney Registration Form for District Electronic Filing**

Date submitted: 10/6/08

(Please print or type)

First/Middle/Last Name: Gregg S. Baker

State Bar Number: 2223196 Licensing State: New York

Admitted to Practice in the Southern District of Texas: ☐ yes ☐ no ☒ Pro Hac Vice  
App. pending

Firm: Corrigan & Baker, LLC

Street and Suite: 1311 Mamaroneck Avenue, Suite 215

City State Zip: White Plains, New York 10605

Voice: ( 914 ) 468-0190

Facsimile: ( 914 ) 468-0199

E-Mail for Electronic Service: gbaker@corriganbaker.com

If you have already attended ECF training or are registered for ECF in another U. S. Bankruptcy or District Court, provide the Court name:

District: Southern District of New York

By submitting this form, I agree to abide by these rules:

1. I will maintain familiarity with the technical and procedural requirements as they are adopted by the court.
2. Use of my login and password constitutes my signature on documents filed electronically for purposes of the Federal Rules of Civil Procedure Rule 11 and the Federal Rules of Criminal Procedure.
3. I am responsible for all use of my login and password, authorized or not.
4. By registering, I consent to electronic service of documents and notices through the court's Electronic Filing System and waive service by other means.

Applicant's Signature



Please return to :

**Electronic Registration  
United States District Court  
P. O. Box 61010  
Houston, Texas 77208-1010**

FOR OFFICE STAFF ONLY: Rec \_\_\_\_\_ AA \_\_\_\_\_ T \_\_\_\_\_ ECF \_\_\_\_\_