

FILED

2012 APR 23 PM 3:40

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

THE STATE OF TEXAS

-VS-

Case No.: A12CV0324LY

PENGUIN GROUP (USA) INC.

MOTION FOR ADMISSION *PRO HAC VICE*

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Jennifer J. Kirk, applicant herein, and moves this Court to grant admission to the United States District Court for the Western District of Texas *pro hac vice* to represent Pennsylvania in this case, and would respectfully show the Court as follows:

1. Applicant is an attorney and a member of the law firm (or practices under the name of)
Commonwealth of Pennsylvania, Office of Attorney General

with offices at

Mailing address: **14th Floor, Strawberry Square, Antitrust Section**

City, State, Zip Code: **Harrisburg, PA 17120**

Telephone: (717) 787-4530

Facsimile: (717) 787-1190

2. Since 2003 , Applicant has been and presently is a member of and in good standing with the Bar of the State of Pennsylvania .
Applicant's bar license number is 90544 .

3. Applicant has been admitted to practice before the following courts:

Court:

Admission date:

Supreme Court of Pennsylvania

2003

Middle District of Pennsylvania

2004

4. Applicant is presently a member in good standing of the bars of the courts listed above, except as provided below (list any court named in the preceding paragraph before which Applicant is no longer admitted to practice):

5. Applicant has never been subject to grievance proceedings or involuntary removal proceedings while a member of the bar of any state or federal court, except as provided below:

6. Applicant has not been charged, arrested, or convicted of a criminal offense or offenses, except as provided below (omit minor traffic offenses):

7. Applicant has read and is familiar with the Local Rules of the Western District of Texas and will comply with the standards of practice set out therein.

8. Select one:

Applicant has on file an application for admission to practice before the United States District Court for the Western District of Texas.

Applicant has co-counsel in this case who is admitted to practice before the United States District Court for the Western District of Texas.

Co-counsel: David Ashton

Mailing address: 300 W. 15th Street, 7th Floor

City, State, Zip Code: Austin, TX 78701

Telephone: (512) 936-1781

9. Should the Court grant applicant's motion, Applicant shall tender the amount of \$25.00 *pro hac vice* fee in compliance with Local Court Rule AT-1(f)(1) [checks made payable to: **Clerk, U.S. District Court**].

10. Should the Court grant applicant's motion, Applicant shall register as a filing user within 10 days of this order, pursuant to Administrative Policies and Procedures for Electronic Filing in Civil and Criminal Cases in the Western District of Texas.

Wherefore, Applicant prays that this Court enter an order permitting the admission of

Jennifer J. Kirk to the Western District of Texas *pro hac vice*
for this case only.

Respectfully submitted,

Jennifer J. Kirk
[printed name of Applicant]

[signature of Applicant]

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of this motion upon each attorney of record and the original upon the Clerk of Court on this the 17th day of April, 2012.

Jennifer J. Kirk
[printed name of Applicant]

[signature of Applicant]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

THE STATE OF TEXAS

-vs-

Case No. A12CV0324LY

PENGUIN GROUP (USA) INC.

ORDER

BE IT REMEMBERED on this the _____ day of _____, 20____, there was presented to the Court the Motion for Admission *Pro Hac Vice* filed by Jennifer J. Kirk ("Applicant"), counsel for Pennsylvania and the Court, having reviewed the motion, enters the following order:

IT IS ORDERED that the Motion for Admission *Pro Hac Vice* is GRANTED, and Applicant may appear on behalf of Pennsylvania in the above case.

IT IS FURTHER ORDERED that Applicant, if Applicant has not already done so, shall, in compliance with Local Court Rule AT-1(f)(1), immediately tender the amount of \$25.00, made payable to: **Clerk, U.S. District Court.**

IT IS FURTHER ORDERED that Applicant, pursuant to the Administrative Policies and Procedures for Electronic Filing in Civil and Criminal cases in the Western District of Texas, shall register as a filing user within 10 days of the date of this Order.

IT IS FINALLY ORDERED that Applicant's *Pro Hac Vice* status shall not become effective until Applicant has complied with all provisions of this Order.

SIGNED this the _____ day of _____ 20____.

UNITED STATES DISTRICT JUDGE