

**Biro v Conde Nast, a Div. of Advance Mag. Publs.  
Inc.**

2017 NY Slip Op 31858(U)

August 29, 2017

Supreme Court, New York County

Docket Number: 154663/2017

Judge: Kathryn E. Freed

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This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

PRESENT: HON. KATHRYN E. FREED  
*Justice*

PART 2

-----X

PETER BIRO  
Plaintiff,

INDEX NO. 154663/2017

MOTION DATE 8/1/2017

MOTION SEQ. NO. 002

- v -

CONDE NAST, A DIVISION OF ADVANCE MAGAZINE  
PUBLISHERS INC.,  
Defendant.

**DECISION AND ORDER**

-----X

The following e-filed documents, listed by NYSCEF document number 17, 18, 19, 20, 21, 23  
were read on this application to/for Admission Pro Hac Vice

Upon the foregoing documents, it is  
**Hereby granted without opposition.**

Pursuant to 22 NYCRR 520.11 (a)(1) of the Rules of the Court of Appeals, “[a]n attorney and counselor-at-law or the equivalent who is a member in good standing of the bar of another state, territory, district or foreign country may be admitted pro hac vice: (1) in the discretion of any court of record, to participate in any matter in which the attorney is employed or (2) in the discretion of the Appellate Division.” 22 NYCRR 520.11 (d) provides that an attorney admitted pro hac vice “(1) shall be familiar with and shall comply with the standards of professional conduct imposed upon members of the New York bar, including the rules of court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility; and

(2) shall be subject to the jurisdiction of the courts of this State with respect to any acts occurring during the course of the attorney's participation in the matter. 22 NYCRR 602.2(a) of the Rules of the Appellate Division, First Department provides, inter alia, that an attorney from another state, territory district or foreign country, may be admitted pro hac vice to participate in the trial or argument of a particular cause in which the attorney may be employed, upon application to and in the discretion of the court in which the cause is pending.”

Here, defendant Conde Nast has established to this Court’s satisfaction that Chad R. Bowman, Esq., an attorney admitted in good standing to practice in the courts of the State of Maryland and the District of Columbia, is familiar with the rules of professional conduct in this state and avers that he will adhere to them during the course of this proceeding. He also acknowledges that he will be subject to this Court’s jurisdiction. David A. Schultz, Esq., an attorney admitted to practice in the courts of this State, has indicated that defendant Conde Nast has specifically requested that Chad R. Bowman appear on its behalf in this action. Both he and Schultz are of counsel to the same law firm, Levine, Sullivan Koch & Schultz, LLP. This Court can discern no reason to deny the request.

Accordingly, it is hereby:

ORDERED that the motion is granted and Chad R. Bowman is permitted to appear and to participate pro hac vice in this action on behalf of defendant Conde Nast.; and it is further

ORDERED that Chad R. Bowman shall at all times be associated herein with counsel who is a member in good standing of the Bar of the State of New York and is an attorney of record for the party in question, and all pleadings, briefs and other papers filed with the Court shall be signed by the attorney of record who shall be held responsible for such papers and for the conduct of this action; and it is further

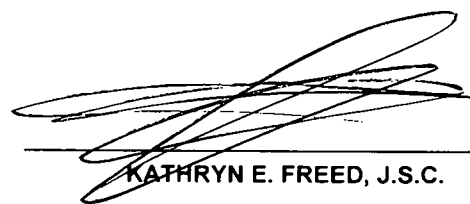
ORDERED that, pursuant to Section 520.11 of the Rules of the Court of Appeals and Section 602.2 of the Rules of the Appellate Division, First Department, the attorney hereby admitted pro hac vice shall abide by the standards of professional conduct imposed upon members of the New York Bar, including the Rules of the Court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility; and it is further

ORDERED that Chad R. Bowman shall be subject to the jurisdiction of the courts of the State of New York with respect to any acts occurring during the course of his participation in this matter; and it is further

ORDERED that Chad R. Bowman shall notify the Court immediately of any matter or event in this or any other jurisdiction which affects his standing as a member of the Bar; and it is further

ORDERED that this constitutes the decision and order of the court.

**HON. KATHRYN FREED  
JUSTICE OF SUPREME COURT**

  
KATHRYN E. FREED, J.S.C.

8/29/2017

DATE

CHECK ONE:

APPLICATION:

CHECK IF APPROPRIATE:

- CASE DISPOSED
- GRANTED
- SETTLE ORDER
- DO NOT POST

DENIED

- NON-FINAL DISPOSITION
- GRANTED IN PART
- SUBMIT ORDER
- FIDUCIARY APPOINTMENT

OTHER

REFERENCE