

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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**IN RE APPLICATION FOR CPLR 3102(E) ORDER Notice of Motion
TO PRODUCE TAPE RECORDING.**

Index No.

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PLEASE TAKE NOTICE that upon the annexed Affirmation of Robert Lewis, made on the 13th day of September, 2010 and exhibit annexed thereto, Petitioner Freeman Lewis LLP will move this Court in the Motion Submissions Part Room 130, 60 Centre Street at 9:30 a.m. on October 11, 2010, or as soon thereafter as the matter can be heard, for an order granting permission for Paul G. Cassell to appear pro hac vice on Petitioner's behalf. Please take further notice that pursuant to CPLR 2214(b) opposition papers, if any, are to be served on or before October 1, 2010.

Dated: September 16, 2010
New York, New York

FREEMAN LEWIS LLP

By: Robert Y. Lewis

Robert Y. Lewis
228 East 45th Street
17th Floor
New York, New York 10016

Attorneys for Petitioner

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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**IN RE APPLICATION FOR CPLR 3102(E) ORDER Lewis Affirmation
TO PRODUCE TAPE RECORDING**

Index No.

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Robert Y. Lewis, an attorney duly admitted to practice before the Court of the State of New York, affirms under penalty of perjury as follows:

1. I am a member of the firm of Freeman Lewis LLP ("Petitioner") in this action.
2. I submit this Affirmation in support of Petitioner's motion for an order permitting Paul Cassell to appear pro hac vice on Petitioner's behalf in this case.
3. NYCRR § 602.2 provides that "an attorney and counselor at law, or the equivalent from another state . . . 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."
4. Paul Cassell is an attorney in good standing in the State of Utah. He was admitted to the Utah Bar on May 27, 1992. See May 26, 2010 Utah State Bar Letter attached hereto as Exhibit 1.
5. He has never been disciplined. *Id.*
6. I was a classmate of Mr. Cassell's at Stanford Law School, where he was President of the Stanford Law Review. I have also worked as co-counsel with Mr.