

**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.**

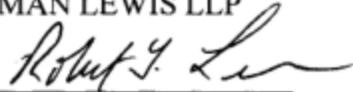
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PLEASE TAKE NOTICE that upon the annexed Affirmation of Robert Lewis, made on the 13th day of September, 2010 and exhibit annexed thereto, Petitioner Freeman Lewis LLP will move this Court in the Motion Submissions Part Room 130, 60 Centre Street at 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
228 East 45th Street
17th Floor
New York, New York 10016
(212) 980-4050

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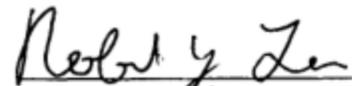
Robert Y. Lewis, an attorney duly admitted to practice before the Court of the State of New York, affirms under penalty of perjury as follows:

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.

Cassell on this and other litigations. I therefore have a sound basis for attesting to his competence and high ethical standards.

7. Accordingly, Petitioner respectfully requests that the Court admit Paul Cassell pro hoc vice to participate in this case.

Dated: September 16, 2010
New York, New York



Robert Y. Lewis
Freeman Lewis LLP
228 East 45th Street, 17th Floor
New York, New York 10017
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
TO PRODUCE TAPE RECORDING**

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Order to Appear Pro Hac Vice

The Court, having considered the application of Petitioner Freeman Lewis LLP for an order permitting Paul G. Cassell to appear pro hac vice on Petitioners' behalf, hereby grants said application.

Done this _____ day of _____, 2010.

ENTER: _____

J.S.C.



John C. Baldwin
Executive Director

Utah State Bar

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834
Telephone: 801-531-9077 • Fax: 801-531-0660
www.utahbar.org

May 26, 2010

To Whom It May Concern:

Re: CERTIFICATE OF GOOD STANDING for PAUL G. CASSELL

This is to certify that **Paul G. Cassell**, Utah State Bar No. **6078**, was admitted to practice law in Utah on **May 27, 1992** and is an active member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **Paul G. Cassell** to practice law.

Katherine A. Fox
General Counsel
Utah State Bar

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