

John A. O'Malley (State Bar # 101181)
Norton Rose Fulbright US LLP
555 South Flower Street
Forty-First Floor
Los Angeles, CA 90071
Telephone: (213) 892-9227
Facsimile: (213) 892-9494

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FONTEM VENTURES B.V., et al.,

v.

NJOY, INC., et al.,

Plaintiff(s)

Defendant(s).

CASE NUMBER

2:14-cv-01645-GW-MRW

APPLICATION OF NON-RESIDENT ATTORNEY
TO APPEAR IN A SPECIFIC CASE
PRO HAC VICE

INSTRUCTIONS FOR APPLICANTS

- (1) Complete Section I of this Application, sign the certification in Section II, and have your designated Local Counsel sign in Section III; note that electronic signatures are not accepted. Space to supplement your responses is provided in Section IV. Attach a Certificate of Good Standing (issued within the last 30 days) from every state bar to which you are admitted. Scan the completed and signed Application, with attachment(s), to a single Portable Document Format (PDF) file.
- (2) Have your Local Counsel e-file your Application, using the Court's CM/ECF System, and submit a Proposed Order (using Form G-64 ORDER, available from the Court's website).
- (3) Submit payment in the amount of \$325 for each case in which you file an Application. Payment may be submitted at the time of e-filing through Pay.gov, or by delivering payment to the Clerk's Office (Attn: Fiscal) with a copy of the e-filed Application. If your payment is not received within 5 days of the filing of your Application, your Application may be rejected. You will not be allowed to participate as an attorney of record in this case until your payment is received.

SECTION I - INFORMATION

Swenson, Erik G.

Applicant's Name (Last Name, First Name & Middle Initial)

Norton Rose Fulbright US LLP

Firm Name

RBC Plaza, 60 South Sixth Street, Suite 3100

(612) 321-2266

(612) 321-2288

Telephone Number

Fax Number

Street Address

Minneapolis, MN 55402

erik.g.swenson@nortonrosefulbright.com

City, State, Zip Code

E-Mail Address

I have been retained to represent the following parties:

Logic Technology Development LLC

☐ Plaintiff ☒ Defendant ☐ Other:

☐ Plaintiff ☐ Defendant ☐ Other:

Name(s) of Party(ies) Represented

List all courts to which you have been admitted and the current status of your membership:

| <u>Name of Court</u> | <u>Date of Admission</u> | <u>Active Member in Good Standing? (if not, please explain)</u> |
|--|--------------------------|---|
| District of Minnesota | 12/18/1998 | Yes |
| U.S. Court of Appeal for the Federal Circuit | 1/1/2007 | Yes |
| Supreme Court of Minnesota | 10/30/1998 | Yes |

List all cases in which you have applied to this Court for *pro hac vice* status in the previous three years:

| <u>Case Number</u> | <u>Title of Action</u> | <u>Date of Application</u> | <u>Granted / Denied?</u> |
|--------------------|------------------------|----------------------------|--------------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

If any *pro hac vice* applications submitted within the past three (3) years have been denied by the Court, please explain:

Have you previously registered as a CM/ECF user in the Central District of California? ☒ Yes ☐ No

If yes, was your CM/ECF User account associated with the e-mail address provided above? ☒ Yes ☐ No:

Previous E-Mail Used (if applicable)

You must be registered for the Court's Case Management/Electronic Case Filing ("CM/ECF") System to be admitted to practice pro hac vice in this Court. Submission of this Application will constitute your registration (or re-registration) as a CM/ECF User. If the Court signs an Order granting your Application, you will either be issued a new CM/ECF login and password, or the existing account you identified above will be associated with your case. Pursuant to Local Rule 5-3.2.2, registering as a CM/ECF User is deemed consent, for purposes of Fed. R. Civ. P. 5(b)(2)(E), to electronic service of documents through the CM/ECF System. You have the right to withhold or revoke your consent to electronic service at any time; simply complete and return a Central District Electronic Service Exemption Form (Form G-05, available from the Court's website). If the Court receives an Electronic Service Exemption Form from you, you will no longer receive notice by e-mail when Court orders or other documents are filed in cases in which you are counsel of record; instead, copies of such documents will be sent to you through the mail.

SECTION II - CERTIFICATION

I declare under penalty of perjury that:

- (1) All of the above information is true and correct.
- (2) I am not a resident of the State of California. I am not regularly employed in, or engaged in substantial business, professional, or other activities in the State of California.
- (3) I am not currently suspended from and have never been disbarred from practice in any court.
- (4) I am familiar with the Court's Local Civil and Criminal Rules, the Federal Rules of Civil and Criminal Procedure, and the Federal Rules of Evidence.
- (5) I designate the attorney listed in Section III below, who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, as local counsel pursuant to Local Rule 83-2.1.3.4.

Dated September 4, 2015

Erik G. Swenson

Applicant's Name (please type or print)



Applicant's Signature

SECTION III - DESIGNATION OF LOCAL COUNSEL

O'Malley, John A.

Designee's Name (Last Name, First Name & Middle Initial)

Norton Rose Fulbright US LLP

Firm Name

555 South Flower Street, Forty-First Floor

Street Address

Los Angeles, CA 90071

City, State, Zip Code

(213) 892-9227

Telephone Number

(213) 892-9494

Fax Number

john.omalley@nortonrosefulbright.com

E-Mail Address

101181

Designee's California State Bar Number

I hereby consent to the foregoing designation as local counsel.

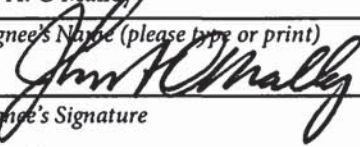
Dated

9/4/2015

John A. O'Malley

Designee's Name (please type or print)

Designee's Signature



SECTION IV - SUPPLEMENT ANSWERS HERE (ATTACH ADDITIONAL PAGES IF NECESSARY)

AO 136 (Rev. 10/13) Certificate of Good Standing

UNITED STATES DISTRICT COURT

for the

_____ District of Minnesota _____

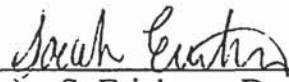
CERTIFICATE OF GOOD STANDING

I, Richard D. Sletten, Clerk of this Court, certify that

Erik G. Swenson, Bar # 288445, was duly admitted to practice in
this Court on December 18, 1998, and is in good standing as a member of
the Bar of this Court.

Dated at Minneapolis on September 1, 2015.

RICHARD D. SLETTEN, CLERK



(By) S. Erickson, Deputy Clerk

UNITED STATES DISTRICT COURT
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(PROPOSED) ORDER ON APPLICATION
OF NON-RESIDENT ATTORNEY TO APPEAR
IN A SPECIFIC CASE *PRO HAC VICE*

The Court, having reviewed proof of payment of the applicable fee and accompanying Application of Non-Resident Attorney to Appear in a Specific Case *Pro Hac Vice* filed by

Swenson, Erik G.

of

Applicant's Name (Last Name, First Name & Middle Initial)

(612) 321-2266

Telephone Number

(612) 321-2288

Fax Number

erik.g.swenson@nortonrosefulbright.com

E-Mail Address

Norton Rose Fulbright US LLP
RBC Plaza
60 South Sixth Street, Suite 3100
Minneapolis, MN 55402

Firm Name & Address

for permission to appear and participate in this case on behalf of

Logic Technology Development LLC

Name(s) of Party(ies) Represented

☐ Plaintiff

☒ Defendant

☐ Other:

and designating as Local Counsel

O'Malley, John A.

of

Designee's Name (Last Name, First Name & Middle Initial)

101181

Designee's Cal. Bar Number

(213) 892-9227

Telephone Number

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Los Angeles, CA 90071

Firm Name & Address

john.omalley@nortonrosefulbright.com

E-Mail Address

hereby ORDERS the Application be:

☒ GRANTED.

☐ DENIED. Fee shall be returned by the Clerk.

☐ DENIED. For failure to pay the required fee.

Dated

U.S. District Judge/U.S. Magistrate Judge