

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 09-81255-Civ-DIMITROULEAS / SNOW

MARSHA G. RIVERNIDER, :
ROBERT H. RIVERNIDER and :
CHARLES EDWARD LINCOLN, III, :

Plaintiffs, :

vs. :

U.S. BANK NATIONAL ASSOCIATION, :
As Trustee for the C-Bass Mortgage Loan :
Asset-Backed Certificates, Series 2006-CBS, :
and all John & Jane Does, 1-10, :

Defendants. :

COUNSEL FOR PLAINTIFF, CHARLES EDWARD LINCOLN, III's,
NOTICE OF STRIKING DUPLICATE FILING OF
MOTION TO APPEAR *PRO HAC VICE*

COMES NOW, Counsel for Plaintiff Charles Edward Lincoln, III, Philip J. Berg, Esquire and Inger Garcia, Esquire and files this Notice to Strike Plaintiff's Motion to Appear *Pro Hac Vice*, appearing on the Docket as Docket Entry No. 40 as a duplicative filing. In support hereof, avers the following:

Plaintiff's counsel Inger Garcia filed a Motion for Attorney Philip J. Berg, Esquire to be admitted *Pro Hac Vice*. Ms. Inger and Mr. Berg filed the Motion in the Clerk's Office and inadvertently, Ms. Garcia's office filed the document electronically.

For this reason Plaintiff's Counsel hereby request the duplicate filing of counsel's *Pro Hac Vice* Motion appearing on the Docket as Docket Entry No. 40 stricken.

WHEREFORE, Plaintiff's counsel, Inger Garcia, Esquire and Philip J. Berg, Esquire hereby request that Docket Entry No. 40 be stricken as duplicative.

Respectfully submitted,

Dated: Wednesday, January 20, 2010

s/ Inger Garcia

Inger Garcia, Esquire
Florida Bar No. 106917
Email: attorney@ingergarcia.com
Law Offices of Inger Garcia
P.O. Box 11933
Fort Lauderdale, Florida 33339-1933
Telephone: (954) 894-9962
Facsimile: (954) 446-1635

*Local Counsel for Plaintiff,
Charles Edward Lincoln, III*

Dated: Wednesday, January 20, 2010

s/ Philip J. Berg

Philip J. Berg, Esquire
PA Identification No. 09867
Email: philjberg@gmail.com
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Telephone: (610) 825-3134
Facsimile: (610) 834-7659

*Attorney admitted Pro Hac Vice for Plaintiff,
Charles Edward Lincoln, III*

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Defendants. :

CERTIFICATE OF SERVICE

I, Inger Garcia, Esquire, hereby certify that a copy of the foregoing was served this 20th day of January 2010 electronically upon the following:

Benjamin Kyle McComas
Akerman Senterfitt & Eidson
350 E. Las Olas Blvd., Suite 1600
Fort Lauderdale, FL 33301
Email: Benjamin mccomas@akerman.com
Counsel for Defendant

Beth Ann Norrow
Butler & Hosch
3185 S. Conway Road, Suite E
Orlando, FL 32812
Email: BethN@butlerandhosch.com
Counsel for Defendant

Bradford Cohen
1132 SE 3rd Ave
Fort Lauderdale, FL 33301
e-mail: lawronin@aol.com
Counsel for Orly Taitz

And by regular mail with postage fully prepaid upon the following:

Marsha G. Rivernider
9246 Delemar Court
Wellington, FL 33414
Plaintiff in *Pro Se*

Robert H. Rivernider
9246 Delemar Court
Wellington, FL 33414
Plaintiff in *Pro Se*

s/ Inger Garcia

Inger Garcia, Esquire
Florida Bar No. 106917
Email: attorney@ingergarcia.com
Law Offices of Inger Garcia
P.O. Box 11933
Fort Lauderdale, Florida 33339-1933
Telephone: (954) 894-9962
Facsimile: (954) 446-1635

*Attorney for Plaintiff,
Charles Edward Lincoln, III*