

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 15-cv-20782-MARTINEZ/GOODMAN

DENNIS MONTGOMERY,

Plaintiff,

v.

JAMES RISEN et al.,

Defendants.

**DEFENDANTS' RESPONSE IN OPPOSITION
TO MOTION TO APPEAR *PRO HAC VICE***

Defendants oppose the Motion to Appear *Pro Hac Vice*, filed by counsel for Plaintiff, Larry Klayman, seeking the admission *pro hac vice* of attorney Jeffrey Scott Shapiro to serve as co-counsel for Plaintiff in this action (the "Motion to Appear"), ECF No. 218. According to Special Rule 4(a) Governing the Admission and Practice of Attorneys, "Attorneys residing and practicing within this District are expected to be members of the bar of this Court." According to the Motion to Appear, attorney Shapiro has a law firm within this District, and he therefore should be a member of the bar of this Court, and not be permitted to appear *pro hac vice*. For this reason, Defendants oppose the Motion to Appear.¹

¹ Defendants do not oppose attorney Shapiro's representation of Plaintiff in this action so long as attorney Shapiro qualifies for and becomes admitted to the bar of this District. And Mr. Klayman has represented today that attorney Shapiro has applied for admission to the bar of this District. But until attorney Shapiro is admitted, and signs and files a notice of appearance or a pleading, which are the only ways an attorney admitted to the bar of this District may appear in an action, *see* S.D. Fla. L.R. 11.1(d)(1), attorney Shapiro should not be permitted to appear as counsel of record for Plaintiff.

Dated: January 8, 2016

Respectfully submitted,

s/Brian W. Toth
Sanford L. Bohrer
Florida Bar No. 160643
sbohrer@hklaw.com
Brian W. Toth
Florida Bar No. 57708
brian.toth@hklaw.com
HOLLAND & KNIGHT LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
Telephone: (305) 374-8500
Fax: (305) 789-7799

– and –

Laura R. Handman (admitted *pro hac vice*)
laurahandman@dwt.com
Micah J. Ratner (admitted *pro hac vice*)
micahratner@dwt.com
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Ave., NW, Suite 800
Washington, D.C. 20006
Tel.: (202) 973-4200
Fax: (202) 973-4499

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on January 8, 2016, I filed this document with the Clerk of Court using CM/ECF, which will serve this document on all counsel of record.

s/Brian W. Toth