

1 [Attorney(s) Name(s)]
2 [Address]
3 [Phone]
4 [Fax]
5 [Email]

6 Attorney(s) for [Party]

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF [COUNTY]

9 [NAME(S) OF PLAINTIFF(S)],
10 Plaintiff(s),
11 vs.
12 [NAME(S) OF DEFENDANT(S)],
13 Defendant(s).

Case No.: [Case No.]
NOTICE OF HEARING RE
APPLICATION TO APPEAR *PRO HAC*
VICE; MEMORANDUM IN SUPPORT;
VERIFIED APPLICATION OF [OUT-OF-
STATE ATTORNEY]; DECLARATION OF
[CALIFORNIA ATTORNEY] IN SUPPORT
Date: [Date]
Time: [Time]
Room: [Room]
Judge: [Judge]
Trial Date: [Trial Date]

17
18 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:
19 PLEASE TAKE NOTICE that on [Date], at [Time] in Department [Dept. No.] of the
20 [Court], located at [Court's address], this Application to Appear *Pro Hac Vice* filed by [Out-of-
21 state Attorney] will be heard.

22 This application is supported by this Notice, the attached verified application of [Out-of-
23 state Attorney], and the attached declaration of [California Attorney].

24 DATED: [Date]

Respectfully submitted,
[Law Firm Name]
By: _____
[Name]
Attorney for [Party]

1 **MEMORANDUM IN SUPPORT OF APPLICATION OF [OUT-OF-STATE**
2 **ATTORNEY] TO APPEAR *PRO HAC VICE* FOR [PARTY]**

3 Rule 9.40 of the California Rules of Court governs applications of counsel to appear *pro*
4 *hac vice*. The rule requires counsel desiring to appear *pro hac vice* to file a verified application
5 with proof of service by mail in accordance with Code of Civil Procedure section 1013a of a
6 copy of the application and of the notice of hearing of the application on all parties who have
7 appeared in the cause and on the State Bar of California.

8 The attached verified application of [Out-of-State Attorney] shows that [Out-of-State
9 Attorney] satisfies the requirements of Rule 9.40 for admission to appear in this action *pro hac*
10 *vice* as counsel for [Party]. [Out-of-State Attorney] is not a licensee of the State Bar of California
11 or a resident of the State of California; is not regularly employed in the State of California; is not
12 regularly engaged in substantial business, professional, or other activities in the State of
13 California; is an attorney in good standing of and eligible to practice before the bar of
14 [Jurisdiction]; and has been retained to appear in this action.

15 Counsel for [Party] has notified and provided copies of this application and supporting
16 documents to the State Bar of California, and submitted the required fifty dollar fee for the
17 application of [Out-of-State Attorney].

18 Based on these facts and the supporting information provided in the attached verified
19 application of [Out-of-State Attorney] and declaration of [California Attorney], counsel for
20 [Party] hereby requests that [Out-of-State Attorney] be permitted to appear as counsel *pro hac*
21 *vice* for [Party] in this action.

22 DATED: [Date]

Respectfully submitted,

[Law Firm Name]

24 By: _____

[Name]

Attorney for [Party]

1 **VERIFIED APPLICATION OF [OUT-OF-STATE ATTORNEY] FOR PRO HAC VICE**
2 **ADMISSION TO APPEAR AS COUNSEL FOR [PARTY]**

3 I, [Out-of-State Attorney], hereby petition the above-entitled court to permit me to appear
4 and participate in this case, and in support of petition state:

5 1. My residence address is [Residence address].

6 2. My office address is [Office address].

7 3. I was admitted to the State Bar of [Jurisdiction] (Bar No. [Bar No.]) in [Year] and
8 am admitted to all courts of the [State].

9 4. I was admitted, am a member in good standing of, and am eligible to practice
10 before the following federal courts on the following dates:

11 Court

Date Admitted

12 [Court]

[Date Admitted]

13 5. I am not currently suspended or disbarred in any court.

14 6. I am not regularly engaged in the practice of law or other business in the State of
15 California.

16 7. I have filed applications to appear *pro hac vice* in the following matters in the past
17 two years:

18 Court

Case

19 [Court]

[Case]

20 8. Local counsel of record with whom I am associated in this matter is [Name (Bar.
21 No.), Address, Telephone Number].

22 I declare under penalty of perjury that the foregoing is true and correct.

23 DATED: [Date]

Respectfully submitted,

[Law Firm Name]

24 By: _____

[Name]

25 Attorney for [Party]

1 **DECLARATION OF [CALIFORNIA ATTORNEY] IN SUPPORT OF APPLICATION**
2 **OF [OUT-OF-STATE ATTORNEY] FOR PRO HAC VICE ADMISSION TO APPEAR**
3 **AS COUNSEL FOR [PARTY]**

4 I, [NAME], declare:

5 1. I am a member of the State Bar of California and of [LAW FIRM], attorneys for
6 [PARTY]. I have personal knowledge of the facts set forth below and, if called as a witness,
7 could testify to them.

8 2. I have been acting as local counsel for [PARTY] in the referenced matter.

9 3. [OUT OF STATE ATTORNEY] in [City, State] has been directing all of the
10 substantive issues in the case and [PARTY] seeks to have them serve as its trial counsel for the
11 matter.

12 4. I have reviewed the executed applications for admission pro hac vice of [OUT-
13 OF-STATE ATTORNEY], and am informed and believe that-all the information contained
14 therein is true and correct.

15 5. I am informed and believe that [OUT-OF-STATE ATTORNEY], is a member of
16 the State Bar of [State] and was admitted to practice in [Year].

17 6. This declarant requests that this Court allow [OUT-OF-STATE ATTORNEY], to
18 appear as counsel *pro hac vice* and to be associated as co-counsel in connection with the above-
19 entitled case and to participate in all aspects thereof, including all trial and pre-trial proceedings.

20 7. I have served a copy of this declaration and the application for admission on the
21 San Francisco offices of the State Bar of California with the necessary fee.

22 I certify and declare under the penalty of perjury under the laws of the State of California
23 that the foregoing is true and correct and that this declaration was executed at [City, State] on
24 [Date].

25 DATED: [Date]

Respectfully submitted,

[Law Firm Name]

27 By: _____

[Name]

Attorney for [Party]

1 [Attorney(s) Name(s)]
2 [Address]
3 [Phone]
4 [Fax]
5 [Email]

6 Attorney(s) for [Party]

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF [COUNTY]

9 [NAME(S) OF PLAINTIFF(S)],

10 Plaintiff(s),

11 vs.

12 [NAME(S) OF DEFENDANT(S)],

13 Defendant(s).

Case No.: [Case No.]

PROOF OF SERVICE RE DELIVERY OF
APPLICATIONS TO APPEAR *PRO HAC*
VICE WITH FILING FEE TO THE STATE
BAR OF CALIFORNIA

Date: [Date]

Time: [Time]

Room: [Room]

Judge: [Judge]

Trial Date: [Trial Date]

17 **PROOF OF SERVICE**

18 I, [Name], am employed in the County of [County], State of California. I am over the age
19 of 18 and not a party to the within action; my business address is [Address]. On [Date], I served
20 the foregoing document described as:

- 21 1. NOTICE OF HEARING RE APPLICATION TO APPEAR *PRO HAC VICE*;
- 22 2. MEMORANDUM IN SUPPORT OD APPLICATION OF [OUT-OF-STATE
23 ATTORNEY] TO APPEAR *PRO HAC VICE* FOR [PARTY]
- 24 3. VERIFIED APPLICATION OF [OUT-OF-STATE ATTORNEY] TO APPEAR
25 *PRO HAC VICE* AS COUNSEL FOR [PARTY];
- 26 4. DECLARATION OF [CALIFORNIA ATTORNEY] IN SUPPORT OF
27 APPLICATION OF [OUT-OF-STATE ATTORNEY] TO APPEAR *PRO HAC*
28 *VICE* AS COUNSEL FOR [PARTY];

1 5. FILING FEE OF FIFTY DOLLARS.

2 on interested parties in this action by placing a true copy thereof enclosed in a sealed
3 envelope addressed as set forth below:

4 [Addresses of Parties]

5

6 Office of Admissions

7 The State Bar of California

8 180 Howard Street

9 San Francisco, CA 94105

10 [] **(BY U.S. MAIL)** I am "readily familiar" with the firm's practice of collection and
11 processing correspondence for mailing. Under that practice it would be deposited with U.S.
12 postal service on that same day with postage thereon fully prepaid at CITY, STATE in the
13 ordinary course of business. I am aw on motion of the party served, service is presumed invalid
14 if postal cancellation date or postage meter date is more than one day after date of deposit for
15 mailing in affidavit.

16 [] **(BY HAND DELIVERY)** I caused such document to be transmitted from my
17 employer's facsimile machine telephone number [Phone Number] to the offices of the addressee
18 at the facsimile machine telephone number listed above. Upon completion of the said facsimile
19 transmission, the transmitting machine issued a transmission report showing the transmission
20 was complete and without error and indicating the time of such transmission. A copy of the said
21 transmission report is attached hereto.

22 [] **(BY OVERNIGHT DELIVERY)** I caused overnight delivery of the documents
23 listed above, by placing the true copies in separate envelopes for each addressee, with the name
24 and address of the person served shown on the envelope and by sealing the envelope and placing
25 it for collection and delivery by an overnight courier service with delivery fees paid or provided
26 for in accordance with ordinary business practices.

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