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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICROSOFT CORPORATION

Plaintiff(s),

vs.

VITALWERKS INTERNET SOLUTIONS,
LLC, ET AL.

Defendant(s).

Case # _____

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$200.00

Rachael M. Smith, Petitioner, respectfully represents to the Court:
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of
Shook, Hardy & Bacon, L.L.P.
(firm name)

with offices at One Montgomery, Suite 2700,
(street address)
San Francisco, California, 94104,
(city) (state) (zip code)
415-544-1900, rxsmith@shb.com
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by
Microsoft Corporation to provide legal representation in connection with
[client(s)]
the above-entitled case now pending before this Court.

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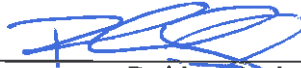
3. That since December 1, 2008, Petitioner has been and presently is a member in good standing of the bar of the highest Court of the State of California where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or from the clerk of the supreme court or highest admitting court of each state, territory, or insular possession of the United States in which the applicant has been admitted to practice law certifying the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
USDC - Northern District of California	October 31, 2011	257866
USDC - Southern District of California	November 28, 2011	257866
USDC - Eastern District of California	May 30, 2012	257866

5. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

3 

Petitioner's signature

4 STATE OF California)
5 COUNTY OF San Francisco)
6

7 Rachael M. Smith, Petitioner, being first duly sworn, deposes and says:

8 That the foregoing statements are true.

9 

Petitioner's signature

10 Subscribed and sworn to before me this

11 12th day of JUNE, 2014

12 Valerie Fob

13 Notary Public or Clerk of Court



14
15
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
17 THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
19 believes it to be in the best interests of the client(s) to designate Tony M. Diab,
20 (name of local counsel)
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
22 above-entitled Court as associate resident counsel in this action. The address and email address of
23 said designated Nevada counsel is:

24 5 Park Plaza, Suite 1600

(street address)

25 Irvine

(city)

California

(state)

92614

(zip code)

26 949-475-1500

(area code + telephone number)

tdiab@shb.com

(Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6
7 The undersigned party(ies) appoint(s) Robert J.B. Flummerfelt as
8 his/her/their Designated Resident Nevada Counsel in this case.
(name of local counsel)

9
10 /s/ Richard Boscovich

11 (party's signature)

12 Richard Boscovich, Assistant General Counsel at Microsoft
(type or print party name, title)

13
14 (party's signature)

15
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19 /s/ Robert J.B. Flummerfelt

20 Designated Resident Nevada Counsel's signature

21 11122

22 Bar number

robert.flummerfelt@hotmail.com

Email address

23 APPROVED:

24 Dated: this _____ day of _____, 20__.

25
26 _____
27 UNITED STATES DISTRICT JUDGE



THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

June 3, 2014

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, RACHAEL M. WEINFELD, #257866 was admitted to the practice of law in this state by the Supreme Court of California on December 1, 2008; that at her request, on August 31, 2011, her name was changed to RACHAEL MICHELLE SMITH on the records of the State Bar of California; that she has been since the date of admission, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in blue ink that reads "Louise Turner".

Louise Turner
Custodian of Membership Records