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AUG 17 2005

FILED  
U.S. DISTRICT COURT

U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

AUG 18 10 12 38

DISTRICT OF UTAH

BY: Jeffrey Merkey \* CASE NO. 2:05-cv-521-DAK-SA  
 Plaintiff

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\* Appearing on behalf of:  
 \* Amicus Electronic Frontier Foundation  
 \* (Plaintiff/Defendant)  
 \*

v.

Yahoo, Inc., et al.  
 Defendant.

MOTION AND CONSENT OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, Margaret D. Plane, hereby move the pro hac vice admission of petitioner to practice in this Court. I hereby agree to serve as designated local counsel for the subject case; to readily communicate with opposing counsel and the Court regarding the conduct of this case; and to accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all case-related proceedings, including hearings, pretrial conferences, and trials, should Petitioner fail to respond to any Court order.

Date: August 17, 2005  
Margaret D. Plane (Signature of Local Counsel) 9550 (Utah Bar Number)

APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, Matthew J. Zimmerman, hereby requests permission to appear pro hac vice in the subject case. Petitioner states under penalty of perjury that he/she is a member in good standing of the bar of the highest court of a state or the District of Columbia; is (i)  a non-resident of the State of Utah or, (ii)  a new resident who has applied for admission to the Utah State Bar and will take the bar examination at the next scheduled date; and, under DUCivR 83-1.1(d), has associated local counsel in this case. Petitioner's address, office telephone, the courts to which admitted, and the respective dates of admission are provided as required.

Petitioner designates Margaret Plane as associate local counsel.

Date: August 16, 2005. Check here  if petitioner is lead counsel.

Matthew J. Zimmerman  
(Signature of Petitioner)

Name of Petitioner: Matthew J. Zimmerman Office Telephone: 415-436-9333 x 127  
(Area Code and Main Office Number)

Business Address: Electronic Frontier Foundation  
(Firm/Business Name)  
454 Shotwell Street San Francisco CA 94110  
Street City State Zip

**BAR ADMISSION HISTORY**

**COURTS TO WHICH ADMITTED                      LOCATION                      DATE OF ADMISSION**

California Supreme Court	California	2001
US District Court	- ND California	2001
US Court of Appeals	- Ninth Circuit	2001

(If additional space is needed, attach separate sheet.)

**PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT**

**CASE TITLE    CASE NUMBER    DATE OF ADMISSION**

(If additional space is needed, attach a separate sheet.)

**FEE PAID**

**ORDER OF ADMISSION**

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 18<sup>th</sup> day of August, 2005.

Dab A. K. Seal  
U.S. District Judge