

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK  
Buffalo Division

NEW YORK STATE RIFLE AND PISTOL :  
ASSOCIATION, INC.; WESTCHESTER :  
COUNTY FIREARMS OWNERS :  
ASSOCIATION, INC.; SPORTSMEN'S :  
ASSOCIATION FOR FIREARMS EDUCATION, :  
INC.; NEW YORK STATE AMATEUR :  
TRAPSHOOTING ASSOCIATION, INC.; :  
BEDELL CUSTOM; BEIKIRCH AMMUNITION :  
CORPORATION; BLUELINE TACTICAL & :  
POLICE SUPPLY, LLC; WILLIAM NOJAY, :  
THOMAS GALVIN; and ROGER HORVATH, :

Plaintiffs. :

v. :

Civil No.: 1:13-CV-00291

ANDREW M. CUOMO, Governor of the State of :  
New York; ERIC T. SCHNEIDERMAN, Attorney :  
General of the State of New York; JOSEPH A. :  
D'AMICO, Superintendent of the New York State :  
Police; FRANK A. SEDITA, III, District :  
Attorney for Erie County; and GERALD J. GILL, :  
Chief of Police for the Town of Lancaster, :  
New York, :

Defendants. :

**NOTICE OF MOTION FOR PRO HAC VICE ADMISSION**

PLEASE TAKE NOTICE that, upon the Affidavit of Brian T. Stapelton, Esq., dated April 8, 2013, and the affidavit of Stephen P. Halbrook, Esq., March 21, 2013, a motion will be made before this Court on a date to be decided for an Order pursuant to Local Rule 83.1(i), for admission of Mr. Halbrook *pro hac vice* on behalf of plaintiff to

this Court, and for such other and further relief as the Court may deem just and proper.

This motion unopposed.

Dated: April 8, 2013  
Buffalo, New York

Respectfully submitted,

GOLDBERG SEGALLA LLP

*s/Brian T. Stapleton*

By: Brian T. Stapleton  
*Attorneys for Plaintiffs*

11 Martine Avenue, Suite 750  
White Plains, New York 10606  
914-798-5400

[bstapleton@goldbergsegalla.com](mailto:bstapleton@goldbergsegalla.com)

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Chief of Police for the Town of Lancaster, :  
New York, :

Defendants. :

**SPONSOR'S AFFIDAVIT**

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF ERIE )

Brian T. Stapleton, Esq., being duly sworn, deposes and says:

1) This affidavit is made pursuant to Local Rule 83.1(i), in support of the application for admission *pro hac vice* to the United States District Court for the Western

District of New York, of petitioners, Stephen P. Halbrook, Esq., for purposes of representing the plaintiffs.

2) I am a member of the firm Goldberg Segalla LLP, 11 Martine Avenue, Suite 750, White Plains, New York. I am a resident of White Plains, New York.

3) I am a member of good standing of the bar of the State of New York since 1990, and the United States District Court for the Western District of New York since March 2013.

4) The petitioners possess the character, fitness and moral qualifications necessary to practice law before this Court.

GOLDBERG SEGALLA LLP

s/Brian T. Stapleton

By: Brian T. Stapleton  
*Attorneys for Plaintiffs*

11 Martine Avenue, Suite 750

White Plains, New York 10606

914-798-5400

bstapleton@goldbergsegalla.com

Sworn to before me this 8<sup>th</sup> day of  
April, 2013

s/Kathy Patrick

Notary Public

My commission expires

*May 19, 2015*

**KATHY E. PATRICK**  
**Notary Public, State of New York**  
**No. 01PA5078241**  
**Qualified in Westchester County**  
**My Commission Expires May 19, 2015**

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Attorney for Erie County; and GERALD J. GILL, :  
Chief of Police for the Town of Lancaster, :  
New York, :  
:  
Defendants. :

**AFFIDAVIT OF STEPHEN P. HALBROOK, ESQ.  
IN SUPPORT OF APPLICATION FOR *PRO HAC VICE* ADMISSION**

STATE OF VIRGINIA :  
:  
COUNTY OF FAIRFAX : ss.

Stephen P. Halbbrook, being duly sworn, deposes and says:

1. I am a member of the law firm of Stephen Halbrook, trial counsel to the law firm of Goldberg Segalla LLP, attorneys for Plaintiffs NEW YORK STATE RIFLE AND PISTOL ASSOCIATION, INC., WESTCHESTER COUNTY FIREARMS OWNERS ASSOCIATION, INC., SPORTSMEN'S ASSOCIATION FOR FIREARMS EDUCATION, INC., NEW YORK STATE AMATEUR TRAPSHOOTING ASSOCIATION, INC., BEDELL CUSTOM, BEIKIRCH AMMUNITION CORPORATION, BLUELINE TACTICAL & POLICE SUPPLY, LLC, WILLIAM NOJAY, THOMAS GALVIN and ROGER HORVATH in the above-captioned action. I have personal knowledge of the facts in this affidavit and the accompanying exhibits which are submitted in support of the plaintiffs' motion for my admission *pro hac vice* pursuant to Local Rule 83.1(i).

2. Since October 3, 1978, I have been, and presently am, a member in good standing of the State Bar of Virginia. Since October 27, 1978, I have been, and presently am, a member in good standing of the United States District Court for the Eastern District of Virginia. I am admitted to practice in the highest court and all courts in the State of Virginia. My certificate of good standing is annexed to my affidavit as Exhibit A. My residential address is 3931 Skyview Lane, Fairfax, Virginia 22031. My educational background is Georgetown University Law Center, J.D. 1978, Florida State University, Ph.D. 1972, and Florida State University, B.A. 1969.

3. The plaintiffs desire that I participate, assist, and speak *pro hac vice* as co-counsel in pre-trial, discovery and trial of this matter.

4. The allegations in the Complaint involve issues with which I have had experience as a result of my pre-existing relationship with the plaintiffs. The New York Rifle and Pistol Association is a client that I have represented before in litigation on firearms law issues before the U.S. District Court for the Southern District of New York and the U.S. Court of Appeals for the 2<sup>nd</sup> Circuit.

5. The plaintiffs have requested, because of my previous experience in such matters, that I participate in pre-trial, discovery and trial on behalf of plaintiffs.

6. I am not presently, nor have I ever been, subject to any disbarment or suspension proceedings. I have not been denied admission to the courts of any state or to any federal court since first becoming licensed to practice law.

7. I agree to be bound by the Rules of Court governing the State of New York, including the Court Disciplinary Rules and all local rules and order of the Court. I will continue to be associated with local counsel throughout pre-trial, discovery and trial of the within cause of action. I recognize and will follow the New York Customs of Practice in addition to those rules of Court and agree to subject myself to the jurisdiction of the Court.

8. I have reviewed and am familiar with

- a. the provisions of the Judicial Code, 28 U.S.C. §§ 1330-1452, which pertain to jurisdiction of and venue in a United States Court;
- b. the Federal Rules of Civil Procedure;
- c. the Federal Rules of Criminal Procedure;

- d. the Federal Rules of Evidence;
- e. the Local Rules of Practice for the United States District Court for the Western District of New York;
- f. the Revised Plan for the Prompt Disposition of Criminal Cases for the Western District of New York;
- g. the New York State Lawyer's Code of Professional Responsibility as adopted from time to time by the Appellate Division of the State of New York, and as interpreted and applied by the United States Supreme Court, the United States Court of Appeals for the Second Circuit, and this court; and
- h. the Civility Principles of the United States District Court for the Western District of New York.

9. I understand that all pleadings, briefs, and other papers filed with the Court must be signed by an attorney of record authorized to practice in the State of New York and that said attorney shall be held responsible for such pleadings or filings and for the conduct of this cause and of the attorneys admitted herein.

10. I will promptly notify this Court of any matter affecting my good standing as a member of the Bar of any other Court.

*Stephen P. Halbrook*

\_\_\_\_\_  
Stephen P. Halbrook, Esq.

Subscribed and sworn to before me  
this 21<sup>st</sup> day of March, 2013  
*Alyson Nolan*  
\_\_\_\_\_  
Notary Public

City/County of Fairfax  
Commonwealth of Virginia  
Subscribed and sworn to before me  
this 21<sup>st</sup> day of March, 2013  
by Stephen P. Halbrook  
*Alyson Nolan* Notary Public  
ALYSON EILEEN NOLAN  
Reg. #7501965 Commission Exp. 10/31/2015






## VIRGINIA STATE BAR

### CERTIFICATE OF GOOD STANDING

THIS IS TO CERTIFY THAT STEPHEN PORTER HALBROOK IS AN ACTIVE MEMBER OF THE VIRGINIA STATE BAR IN GOOD STANDING. MR. HALBROOK WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON SEPTEMBER 22, 1978, AFTER SUCCESSFULLY PASSING THE BAR EXAMINATION GIVEN BY THE VIRGINIA BOARD OF BAR EXAMINERS.

Issued April 2, 2013

  
KAREN A. GOULD  
EXECUTIVE DIRECTOR AND  
CHIEF OPERATING OFFICER

AO 136 (Rev. 9/98) Certificate of Good Standing

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UNITED STATES DISTRICT COURT

Eastern

DISTRICT OF

Virginia

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**CERTIFICATE OF  
GOOD STANDING**

I, Fernando Galindo, Clerk of this Court,

certify that Stephen Porter Halbrook, Bar # 18075,

*was duly admitted to practice in this Court on*

October 27, 1978, and is in good standing

*DATE*

*as a member of the Bar of this Court.*

Dated at Alexandria, VA on April 8, 2013.

*LOCATION*

*DATE*

Fernando Galindo  
*CLERK OF COURT*

Judith Latham  
*DEPUTY CLERK*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

ATTORNEY'S OATH

STATE OF VIRGINIA )  
 ) SS:  
FAIRFAX COUNTY )

I, Stephen P. Halbrook of Fairfax, VA  
City, State

do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United States District Court for the Western District of New York, uprightly and accordingly to law; and I will support the Constitution of the United States. So help me God.

Stephen P. Halbrook

Signature of Attorney

Subscribed and sworn to before me this 21<sup>st</sup>  
day of March, 2013.

Alyson Eileen Nolan  
Notary Public

City/County of Fairfax  
Commonwealth of Virginia  
Subscribed and sworn to before me  
this 21<sup>st</sup> day of March, 2013  
by Stephen P. Halbrook  
Alyson Eileen Nolan Notary Public  
ALYSON EILEEN NOLAN  
Reg. #7501965 Commission Exp. 10/31/2015

**ATTORNEY DATABASE INFORMATION**  
**For Newly-Admitted Attorneys**

The Clerk's Office maintains a computerized database of attorneys admitted in the District. To ensure the data we enter for you is correct, please fill out the form below and submit it with your other papers when you are admitted. Our local rules require you to report name, firm affiliation, office address or phone number changes within 30 days.

<b>Attorney Database Input Sheet</b>	
Please print. If you use two surnames or have a hyphenated surname, please indicate how you would like the name entered into our records, i.e., first surname as middle name, both surnames in last name field, etc.	
First Name: Stephen	
Middle Name or Initial: P.	
Last Name: Halbrook	
Firm: Stephen Halbrook	
Address: 3925 Chain Bridge Road, Suite 403 Fairfax, Virginia 22030	
Suite: _____	
City: Fairfax	State: VA Zip: 22030 - _____
Phone: 703 _352 _7276	FAX: 703 _359 _0938
Bar ID Number: 18075	<b>**Required</b>
Date Applied: 04 / 08 / 2013	Date Admitted: ____ / ____ / ____
Method of Admission: pro hac vice _____ (petition, certificate of good standing, pro hac vice)	

UNITED STATES DISTRICT COURT  
Western District of New York

ELECTRONIC CASE FILING SYSTEM REGISTRATION FORM

This form shall be used to register for an account on the Courts' Case Management/Electronic Files (CM/ECF) system. Registered attorneys will have privileges to electronically submit and to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration:

PLEASE TYPE

First/Middle/Last Name: Stephen P. Halbrook

Firm Name: Stephen Halbrook

Firm Address: 3925 Chain Bridge Road, Suite 403, Fairfax, Virginia 22030

Voice Phone Number: 703-352-7276 FAX Number: 703-359-0938

Internet E-Mail Address: protell@aol.com

Additional E-Mail Address  
(optional): \_\_\_\_\_

Does your E-Mail Software support HTML messages? Yes X No \_\_\_\_\_

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the Western District of New York or otherwise permitted as a filing user.

Date admitted to practice in this Court: pending

If admitted pro hac vice:

Date motion for pro hac vice granted: pending in case number: 1:13-CV-00291

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents. Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised.

*Stephen P. Halbrook*

Signature of Registrant

4-8-13

Date

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

**APPENDIX TO CIVILITY PRINCIPLES**

**OATH OF OFFICE**

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York;

I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed on members of the bar as conditions for the privilege to practice law in this State and before this Court.

*Stephen P. Hallmark*

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**Submit completed Registration Form to:**

**Michael J. Roemer, Clerk  
United States District Court  
Attn: CM/ECF Registration  
2 Niagara Square  
Buffalo, New York 14202**

**Your login and password will be sent to you by the Office of the Clerk via U.S. mail marked “Confidential.” If you prefer to pick up your login and password in person at the Clerk’s Office, please mark your initials below as approval for an alternate delivery method:**

**Attorney Initials: \_\_\_\_\_**