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11 *(Pro Hac Vice Application Pending)*

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14 *(Pro Hac Vice Application Forthcoming)*

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21 Attorneys for Defendant

22 POLYMER80, INC.

23 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

24 **FOR THE COUNTY OF SACRAMENTO**

25 KELLY and DENIS O'SULLIVAN, in their
26 Individual Capacity and KELLY O'SULLIVAN as
27 Administrator for the Estate of TARA
28 O'SULLIVAN, Deceased,

Plaintiffs,

vs.

GHOST GUNNER INC., d/b/a
GHOSTGUNNER.NET; et al.,

Defendants.

Case No. 34-2021-00302934

[Hon. Christopher E. Krueger, Dept.: 54]

**NOTICE OF APPLICATION OF JAMES
J. McGUIRE, ESQ. TO APPEAR AS
COUNSEL TO DEFENDANT
POLYMER80, INC. PRO HAC VICE IN
THIS ACTION**

Date: November 9, 2021

Time: 9:00 a.m.

Dept: 54

Complaint Filed: June 17, 2021

Trial Date: Not Yet Set

Reservation ID: 2596463

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 1. PLEASE TAKE NOTICE THAT on November 9, 2021, at 9:00 a.m., or as soon
3 thereafter as the matter may be heard, in Department 54 of the above-captioned Court, located at 720
4 9th Street, Sacramento, California 95814, defendant POLYMER80, INC. ("Polymer80") will and
5 hereby does request that this Court issue an Order authorizing James J. McGuire, Esq. to appear as
6 counsel to said defendant *pro hac vice* in this action.

7 2. This Application is brought pursuant to Rule 9.40 of the California Rules of Court
8 and made on the grounds that Mr. McGuire has been retained to represent defendant Polymer80 in
9 this case, is a member in good standing of the New York State Bar, and has met the conditions for
10 admission as counsel to said defendant *pro hac vice* in this action.

11 3. A copy of the Application has been served on the California State Bar along with the
12 requisite processing fee of \$50 for Mr. McGuire.

13 4. The Application is based upon this Notice, the Memorandum of Points and
14 Authorities and Declaration of Germain D. Labat, Esq. in support of the instant motion, a related
15 proposed Order, and such other evidence and argument as may be submitted at the time of the
16 hearing.

17 Dated: October 5, 2021

18 GREENSPOON MARDER LLP

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20 By: _____

 GERMAIN D. LABAT

 Attorney for Defendant POLYMER80, INC.

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PROOF OF SERVICE

Kelly and Denis O'Sullivan, et al. v. Ghost Gunner Inc., et al.
Case No. 34-2021-00302934

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

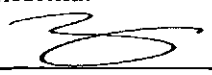
I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the action. My business address is 1875 Century Park East, Suite 1900, Los Angeles, CA 90067. On October 6, 2021, I served the document(s) on the interested parties in this action as follows:

NOTICE OF APPLICATION OF JAMES J. McGUIRE TO APPEAR AS COUNSEL *PRO HAC VICE*

By placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:
(SEE ATTACHED SERVICE LIST)

- ☐ **BY ELECTRONIC TRANSMISSION.** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the document to be sent to the persons at the e-mail addresses listed herein. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ **BY ELECTRONIC MAIL-** I caused the foregoing document(s) to be served on all parties at the e-mail addresses listed herein.
- ☐ **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after service of deposit for mailing in affidavit.
- ☐ **BY OVERNIGHT DELIVERY:** By causing such envelope to be deposited or delivered in a box or other facility regularly maintained by Federal Express authorized to receive documents, or delivering to a courier or driver authorized by said express service carrier to receive documents, the copy of the foregoing document in a sealed envelope designated by the express service carrier, addressed as stated above, with fees for overnight (next business day) delivery paid or provided for and causing such envelope to be delivered by said express service carrier.
- ☒ [State] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 6, 2021, at Los Angeles, California.



Tereza Perez

SERVICE LIST

Kelly and Denis O'Sullivan, et al. v. Ghost Gunner Inc., et al.
Case No. 34-2021-00302934

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Administrator for the Estate of Tara
O'Sullivan, Deceased.*

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