Ruby Wayne Wood (SBN 229538)
Goodwin|Procter LLP
601 S. Figueroa Street, 41st Floor
Los Angeles, CA 90017
Tel.: 213.426.2500
Fax.: 213.623.1673

**UNITED STATES DISTRICT COURT**
**CENTRAL DISTRICT OF CALIFORNIA**

| | |
|---|---|
| Research Affiliates LLC<br>Plaintiff(s)<br>v.<br>WisdomTree Investments, Inc., et al<br>Defendant(s). | CASE NUMBER<br>8:11-cv-01846-DOC-AN<br><br>**APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE** |

NOTICE: Effective November 1, 2011, the fee for *Pro Hac Vice* Appearance is $325.00 for **each case** application. Please submit the fee with your application, if you are efiling the application attach a copy of your receipt. Pursuant to Local Rule 83-2.4, submission of this application and the fee is waived for attorneys for the United States, its departments and agencies with Appointment Affidavits on file with the Clerk. If no Appointment Affidavit is on file, submission of the application is required. **The Pro Hac Vice appearance fee must be paid in full before any appearance will be permitted. Proof of payment receipt must be attached to this application.**

A **CERTIFICATE OF GOOD STANDING** for the applicant from the state in which the applicant is a member of the bar, and which has been issued within 30 days, must be attached to this application.

I, Michael S. DeVincenzo, hereby apply to the Court under Local Rules 83-2.3 and 83-2.8.2 for permission to appear and participate in the above-entitled action on behalf of ☐ Plaintiff ☒ Defendant: ALPS Distributors Inc, Mellon Capital Management Corp, WisdomTree Asset Management Inc, WisdomTree Investments Inc., WisdomTree Retirement Services Inc., WisdomTree Trust by whom I have been retained.

My business information is:

Goodwin|Procter LLP
*Firm Name*

The New York Times Building, 620 Eighth Avenue
*Street Address*

New York, NY 10018 — *City, State, Zip*

mdevincenzo@goodwinprocter.com — *E-Mail Address*

212.813.8800 — *Telephone Number*

212.355.3333 — *Fax Number*

I am a member in good standing and eligible to practice before the following courts. List all that apply. Attach additional pages if necessary.

| *Title of Court* | *Date of Admission* |
|---|---|
| New York State Bar | 11/14/2001 |
| Southern District of New York; Northern District of New York | 9/11/2007; 11/21/2011 |
| Northern District of Illinois | 5/21/2009 |



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I am not a resident of the State of California. I am not regularly employed in, or engaged in substantial business, professional, or other activities in the State of California. I am not currently suspended from, and I have never been disbarred from practice in any court.

I have concurrently, and within three (3) years of this application, made *Pro Hac Vice* applications to this Court in the following actions. List all that apply. Attach additional pages if necessary.

| *Case Number* | *Title of Action* | *Date of Application* | *Application Granted or Denied* |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

If any *Pro Hac Vice* applications submitted within three (3) years of this application have been denied by the Court, please explain:

I designate Ruby Wayne Wood as local counsel, whose business information is as follows:

Goodwin|Procter LLP
*Firm Name*

601 S. Figueroa Street, 41st Floor
*Street Address*

Los Angeles, CA 90017
*City, State, Zip*

rwood@goodwinprocter.com
*E-Mail Address*

213.426.2500
*Telephone Number*

213.623.1673
*Fax Number*

who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, as the attorney with whom the Court and opposing counsel may readily communicate regarding the conduct of this case, and upon whom papers may be served.

I declare under penalty of perjury that the foregoing is true and correct and that I am familiar with the Local Rules, the Local Criminal Rules, the F.R. Civ. P., the F.R. Crim. P., and the F.R. Evidence. I also consent to electronic service.

Dated April 5,2012

Michael S. DeVincenzo
*Applicant's Name (please print)*

*Applicant's Signature*

I hereby consent to the foregoing designation as local counsel and I consent to electronic service.

Dated April 5,2012

Ruby Wayne Wood
*Designee 's Name (please print)*

/s/ Ruby Wayne Wood
*Designee 's Signature*

SBN 229538
*Designee's California State Bar Number*

**NOTE: COUNSEL AND PARTIES ARE REMINDED TO SUBMIT A COMPLETED *ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE* (G-64 ORDER) ALONG WITH THIS APPLICATION.**



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# Appellate Division of the Supreme Court of the State of New York Second Judicial Department

I, **Aprilanne Agostino**, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Michael Salvatore DeVincenzo** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the **14 th** day of **November 2001**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

**In Witness Whereof**, I have hereunto set my hand and affixed the seal of said Appellate Division on April 05, 2012.

Aprilanne Agostino

Clerk of the Court

**PROOF OF SERVICE**

I am employed in the City of Washington, District of Columbia. I am over the age of 18 and not a party to the within action. My business address is Goodwin Procter LLP, 901 New York Avenue, NW, Washington, DC 20001.

On April 5, 2012, I served the following documents on the person(s) listed below:

**APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE**

**ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE**

David S. Steuer
**WILSON SONSINI GOODRICH & ROSATI, P.C.**
650 Page Mill Road
Palo Alto, CA 94304-1050
E-Mail: *dsteuer@wsgr.com*
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Attorneys for Plaintiff **RESEARCH AFFILIATES, LLC**

Natalie J. Morgan
**WILSON SONSINI GOODRICH & ROSATI, P.C.**
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Fax: 858.350-2399

Attorneys for Plaintiff **RESEARCH AFFILIATES, LLC**

☐ (MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

☑ **(CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."**

☐ (EXPRESS MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing Express Mail for mailing. On the same day that Express Mail is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail.

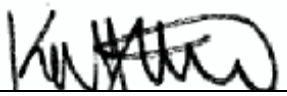
☐ (OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by Federal Express , an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.

☐ (E-MAIL or ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

Executed on April 5, 2012, at Washington, District of Columbia.

Katharine J. Westfall
(Type or print name)


(Signature)