FILING FEE
PAID
Pro hac Vice 18022
Steven M. Larimore, Clerk

FILED by ____ D.C.
APR 27 2011
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. – MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(Miami Division)

CASE NO. 10-CV-24597-AJ

NAKED, LLC,

Plaintiff,

v.

CHURCH & DWIGHT CO., INC.,

Defendant.
_____/

MOTION TO APPEAR *PRO HAC VICE*, CONSENT TO DESIGNATION, AND REQUEST TO ELECTRONICALLY RECEIVE NOTICES OF ELECTRONIC FILING

In accordance with Local Rules 4(b) of the Special Rules Governing the Admission and Practice of Attorneys of the United States District Court for the Southern District of Florida, the undersigned respectfully moves for the admission *pro hac vice* of James H. Shalek, Esquire, of the law firm of Proskauer Rose LLP, with offices at 11 Times Square, New York, NY 10036, (212) 969-3000, for purposes of appearance as co-counsel on behalf of the Defendant Church & Dwight Co., Inc., in the above-styled case only, and pursuant to Rule 2B of the CM/ECF Administrative Procedures, to permit James H. Shalek, Esquire to receive electronic filings in this case, and in support thereof states as follows:

1. James H. Shalek, Esquire is not admitted to practice in the Southern District of Florida and is a member in good standing and eligible to practice law in the States of California and New York, and is admitted in the following jurisdictions:

   a. United States District Court, California, Central District

   b. United States District Court, California, Northern District

c. United States District Court, California, Eastern District

d. United States District Court, California, Southern District

e. United States District Court, New York, Southern District

f. United States District Court, New York, Eastern District

g. United States District Court, New York, Northern District

h. United States District Court, New York, Western District

i. United States Court of Appeals for the Federal Circuit

j. United States Court of Appeals for the Eleventh Circuit.

2. Movant, Matthew Triggs, Esquire, of the law firm of Proskauer Rose LLP, 2255 Glades Road, Suite 421 Atrium, Boca Raton, Florida 33431, Telephone (561) 241-7400, is a member in good standing of The Florida Bar and the United States District Court for the Southern District of Florida, maintains an office in this State for the practice of law, and is authorized to file through the Court's electronic filing system. Movant consents to be designated as a member of the Bar of this Court with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, upon whom filings shall be served, who shall be required to electronically file all documents and things that may be filed electronically, and who shall be responsible for filing documents in compliance with the CM/ECF Administrative Procedures. *See* Section 2B of the CM/ECF Administrative Procedures.

3. In accordance with the local rules of this Court, James H. Shalek, Esquire has made payment of this Court's $75 admission fee. A certification in accordance with Rule 4(b) is attached hereto.

4. James H. Shalek, Esquire, by and through designated counsel and pursuant to Section 2B CM/ECF Administrative Procedures, hereby requests the Court to provide Notice of Electronic Filings to James H. Shalek, Esquire at email address: jshalek@proskauer.com.

5. Pursuant to Local Rule 7.1(A)(3), Counsel for Defendant has conferred with Counsel for Plaintiff and is authorized to represent that counsel for Plaintiff has no objection to the requested relief.

WHEREFORE, Matthew Triggs, Esquire, moves this Court to enter an Order permitting James H. Shalek, Esquire, to appear before this Court on behalf of the Defendant Church & Dwight Co., Inc., for all purposes relating to the proceedings in the above-styled matter and directing the Clerk to provide notice of electronic filings to James H. Shalek, Esquire.

DATED the 27th day of April, 2011.

PROSKAUER ROSE LLP
Counsel for Defendant Church & Dwight Co., Inc.
2255 Glades Road, Suite 421 Atrium
Boca Raton, Florida 33431
Telephone: (561) 241-7400
Facsimile: (561) 241-7145

By: _____
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(Miami Division)

CASE NO. 10-CV-24597-AJ

NAKED, LLC,

Plaintiff,

v.

CHURCH & DWIGHT CO., INC.,

Defendant.
_____/

CERTIFICATION OF JAMES H. SHALEK

James H. Shalek, Esquire, pursuant to Rule 4(b) of the Special Rules Governing the Admission and Practice of Attorneys, hereby certifies that (1) I have studied the Local Rules of the United States District Court for the Southern District of Florida; and (2) I am a member in good standing of the Bars in the States of California and New York, and am admitted to practice in the following jurisdictions:

a. United States District Court, California, Central District

b. United States District Court, California, Northern District

c. United States District Court, California, Eastern District

d. United States District Court, California, Southern District

e. United States District Court, New York, Southern District

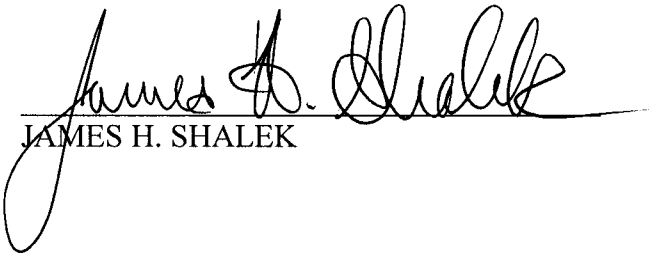
f. United States District Court, New York, Eastern District

g. United States District Court, New York, Northern District

h. United States District Court, New York, Western District

i. United States Court of Appeals for the Federal Circuit

j. United States Court of Appeals for the Eleventh Circuit.



JAMES H. SHALEK

State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, **Robert D. Mayberger**, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

James Holman Shalek

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the **18th day of March, 1997**, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this **15th day of April, 2011**.

SUPREME COURT APPELLATE DIVISION THIRD DEPARTMENT

Robert D Mayberger
Clerk

Supreme Court of California

FREDERICK K. OHLRICH
Clerk of the Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

JAMES HOLMAN SHALEK

I, FREDERICK K. OHLRICH, *Clerk of the Supreme Court of the State of California, do hereby certify that JAMES HOLMAN SHALEK was on the 29th day of November 1978, duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.*

Witness my hand and the seal of the court
on the 19th day of April, 2011.

FREDERICK K. OHLRICH
Clerk of the Supreme Court

By: _____
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished U.S. Mail to the addressees set forth on the attached Service List this 27th day of April, 2011.

Matthew Triggs

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
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CASE NO. 10-CV-24597-AJ

NAKED, LLC,

Plaintiff,

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CHURCH & DWIGHT CO., INC.,

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ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE*, CONSENT TO DESIGNATION AND REQUEST TO ELECTRONICALLY RECEIVE NOTICES OF ELECTRONIC FILING

THIS CAUSE having come before the Court on the Motion to Appear *Pro Hac Vice* for James H. Shalek, Esquire, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing (the "Motion"), pursuant to the Special Rules Governing the Admission and Practice of Attorneys in the United States District Court for the Southern District of Florida and Section 2B of the CM/ECF Administrative Procedures. This Court having considered the motion and all other relevant factors, it is hereby

ORDERED AND ADJUDGED that:

The Motion is GRANTED. James H. Shalek, Esquire, of Proskauer Rose LLP, with offices at 11 Times Square, New York, NY 10036, (212) 969-3000, may appear and participate in this action on behalf of the Defendant Church & Dwight Co., Inc. The Clerk shall provide electronic notification of all electronic filings to James H. Shalek, Esquire, at jshalek@proskauer.com.

DONE AND ORDERED in Chambers at Miami, Florida, this _____ day of April, 2011.

ADALBERTO JORDAN
United States District Judge

COPIES FURNISHED:
See attached Service List

Service List
Case No. 10-CV-24597-AJ
United States District Court, Southern District of Florida

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Via ECF

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Richard M. Goldstein, Esq. (*Pro Hac Vice* papers to be filed)
Baldassare Vinti, Esq. (*Pro Hac Vice* papers to be filed)
Colin G. Cabral, Esq. (*Pro Hac Vice* papers to be filed)
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