

TO: ALL COUNSEL OF RECORD
and

Ms. Jeannene Smith, *pro se*
312 S. Lincoln Avenue
Cherry Hill, NJ 08002

YOU ARE HEREBY notified that on the 5th day of October, 2009, at 9:00 a.m., or as soon thereafter as counsel may be heard, at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, New Jersey 07101, Plaintiff, Masha Allen, by her Parent and Guardian, Faith Allen, by and through counsel, shall move for the admission, *pro hac vice*, of William Q. Bird, Esq. and Darren Summerville, Esq. in the above-captioned matter.

In support of this Motion, Plaintiff will rely upon the attached Motion and Affidavits of William Q. Bird, Esq. and Darren Summerville, Esq. Oral argument is not requested on this Motion.

You are hereby notified that if you do not respond to this Motion within the time allowed by the Federal Rules of Civil Procedure, that relief may be granted in the form requested in the attached proposed Order.

Respectfully submitted,

DILWORTH PAXSON LLP

/s/ Thomas Vecchio

Francis P. Maneri, Esquire

Thomas Vecchio, Esquire

DILWORTH PAXSON LLP

1500 Market Street, Suite 3500E

Philadelphia, PA 19102-2101

Telephone: (215) 575-7000

Facsimile: (215) 575-7200

Date: September 11, 2009

Attorneys for Plaintiff

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Local Rule 101.1(c) and the attached Affidavits of William Q. Bird, Esq. and Darren Summerville, Esq., the undersigned attorney moves for the admission *pro hac vice* of William Q. Bird, Esq. and Darren Summerville, Esq., attorneys with the law firm of Bird Law Group, P.C. 2170 Defoor Hills Road, Atlanta, Georgia, 30318, as co-counsel for Plaintiff, Masha Allen, by her Parent and Guardian, Faith Allen. Counsel for Plaintiff, Families thru International Adoption, Inc., Reaching Out thru International Adoption, Inc., and Adagio Health Inc., have advised that they do not object to this Motion being granted. The undersigned attempted to reach Defendant Jeannene Smith at the telephone number provided on the docket which is disconnected.

Pursuant to Local Rule 7.1(d)(4), Plaintiff states that no brief is necessary to support its Motion because the motion is a pro-forma filing that pleads all the necessary facts to support entry of the requested relief under applicable law and is uncontested by the parties.

Respectfully submitted,

DILWORTH PAXSON LLP

/s/ Thomas Vecchio

Francis P. Maneri, Esquire

Thomas Vecchio, Esquire

DILWORTH PAXSON LLP

1500 Market Street, Suite 3500E

Philadelphia, PA 19102-2101

Attorneys for Plaintiff

Date: September 11, 2009

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2009, I served a true and correct copy of the foregoing Notice of Motion for the *Pro Hac Vice* Admission of William Q. Bird, Esq. and Darren Summerville, Esq and accompanying papers, electronically via the CM/ECF System and additionally by the method indicated below:

VIA OVERNIGHT MAIL AND FACSIMILE

Robert N. Hunn, Esquire
Kolsby, Gordon, Robin & Shore, Esqs.
One Liberty Place
2000 Market Street, 28th Floor
Philadelphia , PA 19103
Fax: (215) 851-9701
Email: rhunn@kolsbygordon.com

Steven A. Haber, Esquire
Obermayer, Rebmann,
Maxwell & Hippel, LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia , PA 19103-1895
Fax: (215) 665-3165
Email: steven.haber@obermayer.com

Alan J. Baratz, Esquire
Weiner Lesniak
629 Parsippany Road
P. O. Box 438
Parsippany, NJ 07054-0438
Fax: (973) 403-0010
Email: ajbaratz@weinerlesniak.com

Donald C. Cofsky, Esquire
Cofsky & Zeidman, Llc
209 N. Haddon Avenue
Haddonfield , NJ 08033-2322
Fax: (856) 429-6328
Email: dcc@209law.com

VIA FIRST CLASS MAIL

Jeannene Smith
312 S. Lincoln Avenue
Cherry Hill, NJ 08002
Pro Se Defendant

/s/ Thomas Vecchio

Thomas Vecchio

This document has been electronically filed and is available for viewing and downloading from the CM/ECF system.

provided by New Jersey Court Rule 1:28-2(a) and (2) make payment of \$150.00 payable to the Clerk of this Court.

U.S.D.J.

Thomas Vecchio, Esquire
DILWORTH PAXSON LLP
1500 Market Street, Suite 3500E
Philadelphia, PA 19102-2101
Telephone: (215) 575-7000
Facsimile: (215) 575-7200
tvecchio@dilworthlaw.com

Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MASHA ALLEN, by her Parent and Guardian,
FAITH ALLEN,)

Plaintiff(s),)

v.)

FAMILIES THRU INTERNATIONAL
ADOPTION, INC.)

and)

CHILD PROMISE, INC. (formerly known as
Reaching Out Thru International Adoption, Inc.))
and REACHING OUT THRU)
INTERNATIONAL ADOPTION, INC.)

and)

JEANNENE SMITH,)
Defendants,)

and)

FAMILIES THRU INTERNATIONAL
ADOPTION, INC.,)

Third Party Plaintiff)

v.)

ADAGIO HEALTH, INC. (formerly known as
Family Health Council, Inc., and trading as
"Family Adoption Center"))

Third Party Defendant)

Civil Action No. 08-4614 (JHR)
Judge Joseph H. Rodriguez

**AFFIDAVIT OF DARREN
SUMMERVILLE IN SUPPORT
OF MOTION FOR *PRO HAC*
VICE ADMISSION**

STATE OF GEORGIA)
) ss
COUNTY OF FULTON)

Darren Summerville, being of full age, being duly sworn on oath, deposes and says:

1. I am an attorney with the law firm of Bird Law Group, P.C., 2170 Defoor Hills Road, Atlanta, Georgia 30318, and a member of good standing of the Bar of Georgia to which I was admitted in November 2002. I am also a member of good standing of the Georgia Supreme Court, admitted September 27, 2005; the Georgia Court of Appeals, admitted September 22, 2005; the U.S. District Court for the Middle District of Georgia, admitted February 15, 2006; All Georgia Trial Courts, admitted November 13, 2002; and the U.S. Circuit Court of Appeals (11th Circuit), admitted September 30, 2005.

2. I respectfully submit this affidavit in support of the motion to allow me to appear in this matter *pro hac vice*.

3. The firm Bird Law Group, P.C. is associated in this matter with Francis P. Maneri and Thomas Vecchio with the firm Dilworth Paxson LLP, 1500 Market Street, Suite 3500E, Philadelphia, Pennsylvania 19102-2101, who are admitted to practice in this Court.

4. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has previously been imposed upon me in any jurisdiction.

5. If admitted *pro hac vice* I shall:

a. Abide by the provisions of Rule 1:21-2 and Rules Governing the Courts of the State of New Jersey, including all disciplinary rules, during the time of this *pro hac vice* admission;

b. Make payment to the Ethics Financial Committee and the Lawyer's Fund for Client Protection as required by Rule 1:20-1(b) and Rule 1:28-2;

c. Consent to the appointment of the Clerk of the District Court of New Jersey as agent upon whom service of process may be made for all actions that may arise out of my participation in this matter;

d. Notify the Court immediately of any matter affecting my standing at Bar of any other Court; and


e. Have all pleadings, briefs and other papers filed with the Court signed by a member in good standing of the New Jersey Bar who practices with the firm Dilworth Paxson LLP, attorneys of record for plaintiff, who shall be responsible for the conduct of the cause and conduct of the attorney admitted hereby.

6. The foregoing statements are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Darren Summerville

Sworn to and subscribed before me
this 10th day of Sept, 2009.



Notary Public

My commission expires 7-1-2012

Notary Public, Rockdale County, Georgia
My Commission Expires July 1, 2012

Thomas Vecchio, Esquire
DILWORTH PAXSON LLP
1500 Market Street, Suite 3500E
Philadelphia, PA 19102-2101
Telephone: (215) 575-7000
Facsimile: (215) 575-7200
tvecchio@dilworthlaw.com

Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MASHA ALLEN, by her Parent and Guardian,
FAITH ALLEN,

Plaintiff(s),

v.

FAMILIES THRU INTERNATIONAL
ADOPTION, INC.

and

CHILD PROMISE, INC. (formerly known as
Reaching Out Thru International Adoption, Inc.)
and REACHING OUT THRU
INTERNATIONAL ADOPTION, INC.

and

JEANNENE SMITH,

Defendants,

and

FAMILIES THRU INTERNATIONAL
ADOPTION, INC.,

Third Party Plaintiff

v.

ADAGIO HEALTH, INC. (formerly known as
Family Health Council, Inc., and trading as
"Family Adoption Center")

Third Party Defendant

Civil Action No. 08-4614 (JHR)
Judge Joseph H. Rodriguez

**AFFIDAVIT OF WILLIAM Q.
BIRD IN SUPPORT OF MOTION
FOR *PRO HAC VICE*
ADMISSION**

STATE OF GEORGIA)
) ss
COUNTY OF FULTON)

William Q. Bird, being of full age, being duly sworn on oath, deposes and says:

1. I am an attorney with the law firm of Bird Law Group, P.C., 2170 Defoor Hills Road, Atlanta, Georgia 30318, and a member of good standing of the Bar of Georgia to which I was admitted in October 1972. I am also a member of good standing of the U.S. District Court for the Northern District of Georgia, admitted October 13, 1972; the U.S. District Court for the Middle District of Georgia, admitted June 19, 1990; the United States Supreme Court, admitted June 15, 1987; the U.S. Circuit Court of Appeals (5th Circuit), admitted July 29, 1982; the U.S. Circuit Court of Appeals (11th Circuit), admitted July 29, 1982 (readmitted June 14, 1999); and the U.S. District Court for the Western District of Illinois, admitted February 5, 1997 (readmitted June 14, 1999).

2. I respectfully submit this affidavit in support of the motion to allow me to appear in this matter *pro hac vice*.

3. The firm Bird Law Group, P.C. is associated in this matter with Francis P. Maneri and Thomas Vecchio with the firm Dilworth Paxson LLP, 1500 Market Street, Suite 3500E, Philadelphia, Pennsylvania 19102-2101, who are admitted to practice in this Court.

4. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has previously been imposed upon me in any jurisdiction.

5. If admitted *pro hac vice* I shall:

a. Abide by the provisions of Rule 1:21-2 and Rules Governing the Courts of the State of New Jersey, including all disciplinary rules, during the time of this *pro hac vice* admission;

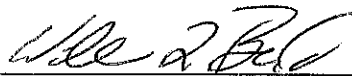
b. Make payment to the Ethics Financial Committee and the Lawyer's Fund for Client Protection as required by Rule 1:20-1(b) and Rule 1:28-2;

c. Consent to the appointment of the Clerk of the District Court of New Jersey as agent upon whom service of process may be made for all actions that may arise out of my participation in this matter;

d. Notify the Court immediately of any matter affecting my standing at Bar of any other Court; and

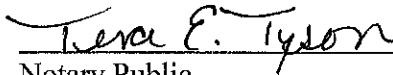
e. Have all pleadings, briefs and other papers filed with the Court signed by a member in good standing of the New Jersey Bar who practices with the firm Dilworth Paxson LLP, attorneys of record for plaintiff, who shall be responsible for the conduct of the cause and conduct of the attorney admitted hereby.

6. The foregoing statements are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



William Q. Bird

Sworn to and subscribed before me
this 10th day of Sept., 2009.



Notary Public

My commission expires 7-1-2012