

THE STATE OF SOUTH CAROLINA

In The Supreme Court

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APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

S.C. SUPREME COURT

G. Thomas Cooper, Jr., Circuit Court Judge Name

Appellate Case No. 2014-001465

Cephalon, Inc..... Appellant,

v.

Alan Wilson, in his capacity as
Attorney General for the State of South Carolina.....Respondent.

MOTION FOR ADMISSION PRO HAC VICE

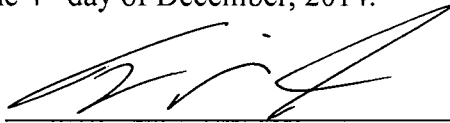
The undersigned local counsel hereby moves, together with the attached
Application and Affidavit, that:

John Beisner be admitted *pro hac vice* in the above-captioned case as associate
counsel. As local counsel, I understand that:

1. I will personally sign and include my South Carolina attorney identification
number on each pleading, motion, discovery procedure, or other document that I
serve or file in this court; and

2. All pleadings and other documents that I file in this case will contain my name, firm name, address, and phone number and those of my associate counsel admitted *pro hac vice*; and
3. Service of all pleadings and notices as required shall be sufficient if served upon me, and it is my responsibility to serve my associate counsel admitted *pro hac vice*; and
4. Unless excused by the court, I will be present at all pretrial conferences, hearings, and trials and may attend discovery proceedings. I will be prepared to actively participate if necessary.
5. Certification of Consultation
 - Prior to filing this Motion, I conferred with counsel for Appellant Cephalon, Inc. and Respondent, Alan Wilson, in his capacity as Attorney General for the State of South Carolina, both of whom have indicated the following position as to this Motion: will likely oppose; they do not intend to oppose.
 - Prior to filing this Motion, I attempted to confer with opposing counsel but was unable to do so for the following reason(s):
 - No duty of consultation is required because the opposing party is proceeding *pro se*.

Respectfully submitted this the 4th day of December, 2014.



Travis J. Iams
SC Bar No. 80252
Alston & Bird LLP
Bank of America Plaza
101 South Tryon Street
Suite 4000
Charlotte, NC 28280-4000
Telephone: 704-444-1137
Facsimile: 704-444-1737

Attorney for non-party, The Chamber of
Commerce of the United States of America and
Pharmaceutical Research and Manufacturers of
America

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Cephalon, Inc..... Appellant,

v.

Alan Wilson, in his capacity as
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PROOF OF SERVICE

I certify that I have served the foregoing *Motion for Admission Pro Hac Vice* admission for John Beisner and attached application on Appellant Cephalon, Inc.'s counsel of record and on Respondent's, Alan Wilson, counsel of record, by depositing a copy of same in the United States mail, postage prepaid, on December 4, 2014, addressed to their attorneys of record:

William W. Wilkins
Kirsten E. Small
Burl F. Williams
Nexsen Pruet, LLC
55 East Camperdown Way (29601)
Post Office Drawer 10648
Greenville, SC 29603-0648

Attorneys for Appellant Cephalon

Alan Wilson
John W. McIntosh, Esq.
C. Havird Jones, Jr.
S.C. Attorney General's Office
P. O. Box 11549
Columbia, SC 29211

Kenneth M. Suggs, Esq.
Gerald Jowers, Jr.
Janet Jenner & Suggs, PA

500 Taylor Street
Columbia, SC 29201

James T. Rutherford, Esq.
The Rutherford Law Firm, LLC
P. O. Box 1452
Columbia, SC 29202

*Attorneys for Respondent Alan Wilson, in
his capacity as Attorney General for the
State of South Carolina*

A handwritten signature in black ink, appearing to read "T. Iams", is written over a solid horizontal line.

Travis J. Iams

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

2014-001465

Supreme Court of South
Carolina

CEPHALON, INC.

Plaintiff

Case No.

Court

vs.

ALAN WILSON, IN HIS CAPACITY AS
ATTORNEY GENERAL FOR THE STATE
OF SOUTH CAROLINA

Defendant

Mailing Address of Court: Supreme Court
1231 Gervais Street
Columbia, SC 29201

Comes now John Beisner, applicant herein, and respectfully represents the following:

1. Applicant resides at:

1334 Kirby Road

Street Address

McLean

City

703-967-2439

Telephone

Fairfax County

County

VA

State

22101

Zip Code

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Skadden,

Arps, Slate, Meagher & Flom, LLP, with offices at, at

1440 New York Avenue, NW

Street Address

Washington

City

202-371-7000

Telephone

County

D.C.

State

202-661-8301

Fax Number

20005

Zip Code

3. Applicant has been retained personally or as a member of the above named law firm by The Chamber of Commerce of the United States of America and the Pharmaceutical Research and Manufacturers of America to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since August 28 of 1980, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of _____ where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
California Court of Appeals	1978
U.S. Supreme Court	1985
U.S. Court of Appeals for the First Circuit	2010
U.S. Court of Appeals for the Second Circuit	1993
U.S. Court of Appeals for the Third Circuit	1999
U.S. Court of Appeals for the Fourth Circuit	2003
U.S. Court of Appeals for the Fifth Circuit	1988
U.S. Court of Appeals for the Sixth Circuit	1998
U.S. Court of Appeals for the Seventh Circuit	2001

U.S. Court of Appeals for the Eighth Circuit	2002
U.S. Court of Appeals for the Ninth Circuit	1979
U.S. Court of Appeals for the Eleventh Circuit	2007
U.S. Court of Appeals for the D.C. Circuit	1982
U.S. District Court for the Southern District of California	1978
U.S. District Court for the District of Columbia	1981

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is Travis J. Iams, of the Alston & Bird, LLP law firm, which has offices at:

101 South Tryon Street, Suite 4000

Street Address

Mecklenburg

County

704-444-1000

Telephone

Charlotte

City

N.C.

State

28280-4000

Zip Code

If applicable list all other firms/attorneys you are associated with in this matter

David Venderbush

Alston & Bird, LLP

90 Park Avenue

New York, NY 10016

(212) 210-9400

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 24th day of November, 2014.

J.H. Berni
APPLICANT

VERIFICATION

STATE OF DC

COUNTY OF DC

I, J.H. Berni, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

J.H. Berni
APPLICANT/AFFIANT

Subscribed and sworn to before me this 24th day of November, 2014.

Katrina L. Loffelman
Notary Public for the District State of Columbia

My Commission Expires: 2/14/16



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 24th day of Nov., 2014.

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 24th day of November, 2014.

[Signature]
APPLICANT/AFFIANT



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

JOHN H. BEISNER

was on AUGUST 28, 1980 duly qualified and admitted as an attorney and counselor entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on October 10, 2014.

JULIO A. CASTILLO
Clerk of the Court

By:

Monette Stone
Deputy Clerk