

RECEIVED

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

MAY - 9 2016

SC SUPREME COURT

<u>Mark Kelley</u> Plaintiff	Opinion No. 5375 (S.C Ct. App. Filed January 13, 2016 Case No.	Supreme Court of South Carolina Tribunal
vs.	Mailing Address of Tribunal:	<u>1231 Gervais St</u> <u>Columbia, SC 29201</u>
<u>David Wren and Sun Publishing Co.</u> Defendant		

Comes now Mark I. Bailen, applicant herein, and respectfully represents the following:

1. Applicant resides at:  
1410 21<sup>st</sup> Street, NW  
Street Address  
Washington DC 20036  
City County State Zip Code  
202-297-3161  
Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)  
BakerHosteler LLP, with offices at  
1050 Connecticut Avenue, NW, Suite 1100  
Street Address  
Washington DC 20036  
City County State Zip Code  
202-861-1715 202-297-3161 202-861-1783 mbailen@bakerlaw.com  
Primary Telephone Cell Phone Fax Number Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by  
The Thomas Jefferson Center for the Protection of Free Expression to provide legal representation in connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since Sept. 11 of 1998, 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 dated within the last 90 days from the bar of the highest court of the District of Columbia or the State where applicant regularly practices law.

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:
U.S. Court of Appeals for D.C. Circuit	12.20.2004
U.S. Court of Appeals for the Second Circuit	12.10.2012

Court:	Date Admitted:
U.S. Court of Appeals for the Fourth Circuit	05.05.2015
U.S. District Court for the District of Columbia	02.05.2001
U.S. District Court for the District of Maryland	04.16.1998
U.S. District Court for the District of Massachusetts	10.19.2010
U.S. District Court, Southern District of New York	03.02.2012

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.)

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):

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):

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

9. Local counsel of record associated with applicant in this case is Kristen McDermott Woodrum of the BakerHostetler LLP law firm, which has offices at:

1170 Peachtree Street, N, Suite 2400

Street Address

<u>Atlanta</u>	<u>Fulton</u>	<u>GA</u>	<u>30309-7512</u>
City	County	State	Zip Code
<u>404-459-0050</u>	<u>843-475-4274</u>	<u>404-459-5734</u>	<u>kwoodrum@bakerlaw.com</u>
Primary Telephone	Cell Phone	Fax Number	Email Address

74220

South Carolina Bar Number

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).

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 tribunal for this case only.

DATED this 4th day of May, 2016

  
\_\_\_\_\_  
APPLICANT

**RECEIVED**

MAY -9 2016

**SC SUPREME COURT**

RECEIVED

MAY - 9 2016

VERIFICATION

SC SUPREME COURT

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

I, Mark I. Bailen, 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. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

[Signature]  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 6th day of May, 20 16

[Signature]

BARBARA J. MALLOY  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires November 14, 2017

Notary Public for the State of District of Columbia

My Commission Expires: 11-14-17



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 6th day of May, 20 16

[Signature]  
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

1231 GERVAIS STREET

<sup>overnight</sup> I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by <sup>delivered</sup> 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 <sup>29201</sup> 6th day of May, 20 16

[Signature]  
APPLICANT/AFFIANT



RECEIVED

MAY - 9 2016

SC SUPREME COURT

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

**MARK I BAILEN**

was on **SEPTEMBER 11, 1998** 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 **May 4, 2016**

JULIO A. CASTILLO  
Clerk of the Court

By: Monica Stone  
Deputy Clerk