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FILED

JAN 27 2016

**BRIAN R. MARTINOTTI
J.S.C.**

EVELYN HOLMES,

Plaintiff,

vs.

C.R. BARD, INC.,
AND JOHN DOES 1-20

Defendants.

:
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION – BERGEN COUNTY
: DOCKET NO. BER-L-017503-14
: MASTER CASE NO. BER-L-017717-14

:
: Civil Action
: Bard Litigation, Case No. 292

:
: **ORDER GRANTING MOTION FOR**
: **THE PRO HAC VICE ADMISSION**
: **OF J. MARK KELL**

THIS MATTER having come before the Court on the Motion of Plaintiff Evelyn Holmes (“Plaintiff”) for an Order admitting J. Mark Kell from the St. Peters, Missouri, office of Kell Lampin LLC, *pro hac vice* in the above matter; and the Court having read and considered all submissions in connection with the Motion; and good cause appearing;

IT IS on this 27 day of January, 2016,

ORDERED that J. Mark Kell is hereby admitted *pro hac vice* to represent Plaintiff in this litigation in association with New Jersey admitted counsel, Mitchell M. Breit of Simmons Hanly Conroy LLC in the above matter; and

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IT IS FURTHER ORDERED that:

1. Mr. Kell shall abide by the New Jersey Court Rules, including all disciplinary rules, Rule 1:20-1 and Rule 1:28-2;

2. Mr. Kell shall consent to the appointment of the Clerk of the Supreme Court as the agent upon whom service of process may be made for all actions against his firm that may arise out of his participation in this matter;

3. Mr. Kell shall notify the Court immediately of any matter affecting his standing at the Bar of any other court;

4. Mr. Kell shall have all pleadings, briefs, and other papers filed with the Court signed by an attorney of record authorized to practice in this State, who shall be held responsible for them, the conduct of the case, and the attorney admitted herein;

5. Mr. Kell shall not be designated as trial counsel for purposes of Rule 4:25-4;


6. No delay in discovery, motions, trial, or any other proceeding shall occur or be requested by reason of the inability of Mr. Kell to be in attendance;

7. Mr. Kell must, within 30 days, pay the fees required by Rule 1:20-1 and Rule 1:28-2;

8. Automatic termination of *pro hac vice* admission will occur for failure to make the required annual payment to the Ethics Financial Committee and the New Jersey Fund for Client Protection. Proof of such payment, after filing proof of the initial payment, shall be made no later than February of each year;

9. Noncompliance with any of these requirements shall constitute grounds for removal; and

IT IS FURTHER ORDERED that counsel for Plaintiff shall serve a copy of this order on all parties within seven (14) days.



Hon. Brian R. Martinotti

Opposed

Unopposed