

Andrew J. Frisch, Esq.
950 Third Avenue, 15th Floor
New York, New York 10022
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Attorney for American National Insurance Company, American National
Life Insurance Company of Texas, Comprehensive Investment Services, Inc.
and the Moody Foundation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

Case No. 09 MD 2017 (LAK)

This Document Relates to
1:09-CV-02363

**NOTICE OF MOTION OF
ATTORNEY TO APPEAR AND
PARTICIPATE PRO HAC VICE**

PLEASE TAKE NOTICE that, upon the accompanying Certifications of Andrew
J. Frisch and M. David Leblanc and Exhibits annexed thereto, and upon all the pleadings and
proceedings heretofore had herein, the undersigned attorney for American National Insurance
Company, American National Life Insurance Company of Texas, Comprehensive Investment
Services, Inc. and the Moody Foundation will move before the Honorable Lewis A. Kaplan,
United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl

70056888 SEP 24 2009

Street, New York, New York 10007-1312, at a date and time to be set by the Court, for an Order permitting attorney M. David Leblanc to appear and participate *pro hac vice* in the above-captioned matter.

Dated: September 23, 2009
New York, New York

Respectfully Submitted,



Andrew J. Frisch, Esq.
950 Third Avenue, 15th Floor
New York, New York 10022
Telephone: (212) 784-2413
Facsimile: (212) 888-0919

Andrew J. Mytelka, Esq.
Janet L. Rushing, Esq.
Roni S. Mihaly, Esq.
Eric J. Kirkpatrick, Esq.
M. David Leblanc
Greer, Herz & Adams, L.L.P.
One Moody Plaza, 18th Floor
Galveston, Texas 77550
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Attorneys for American National Insurance
Company, American National Life Insurance
Company of Texas, Comprehensive Investment
Services, Inc. and the Moody Foundation

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Case No. 09 MD 2017 (LAK)

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09-CV-02363

**CERTIFICATION OF
ANDREW J. FRISCH, ESQ.**

I, ANDREW J. FRISCH, certify as follows:

1. I am counsel for defendants American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services, Inc. and the Moody Foundation in the above-captioned case. I respectfully submit this Certification in support of the accompanying applications of attorney M. David Leblanc of the firm of Greer, Herz & Adams, L.L.P., Galveston, Texas, to appear and participate in this matter *pro hac vice*.
2. I am a member in good standing of the bar of the United States District Court, Southern District of New York, and the State of New York.
3. Upon information and belief, attorney M. David Leblanc is admitted to


practice law in the courts of the State of Texas; is not currently suspended or disbarred by any jurisdiction in which he has been admitted to practice; and has not been the subject of any disciplinary action of the Bar or Court of any jurisdiction to which he has been admitted to practice.

4. I have appeared in this matter as attorney of record for American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services, Inc. and the Moody Foundation and, unless permitted to withdraw by order of this Court, will continue to accept service of all notices, orders and pleadings in this matter and will promptly notify attorney Leblanc of the same upon receipt.

WHEREFORE, it is respectfully requested that the accompanying application of attorney M. David Leblanc to appear and participate herein *pro hac vice* be granted.

I HEREBY CERTIFY, under penalties of perjury, that the foregoing is true and correct.

Dated: September 23, 2009
New York, New York



Andrew J. Frisch

Andrew J. Frisch, Esq.
950 Third Avenue, 15th Floor
New York, New York 10022
Telephone: (212) 784-2413
Facsimile: (212) 888-0919

Attorney for American National Insurance Company, American National
Life Insurance Company of Texas, Comprehensive Investment Services, Inc.
and The Moody Foundation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

Case No. 09 MD 2017 (LAK)

This Document Relates to
09-CV-02363

**CERTIFICATION OF
M. DAVID LEBLANC, ESQ.**

I, M. David Leblanc, certify as follows:

1. I am a partner at the law firm of Greer, Herz & Adams, L.L.P., counsel for American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services, Inc. and The Moody Foundation in the above-captioned matter. I respectfully submit this Certification in support of my application to appear and participate *pro hac vice* as counsel for American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services, Inc. and The Moody Foundation.

2. I am admitted to practice in the courts of the State of Texas (see annexed Certificate of Good Standing).

3. I am not currently suspended or disbarred by any jurisdiction in which I have been admitted. I have not been the subject of any disciplinary action by the Bar or Court of any jurisdiction in which I have been admitted to practice.

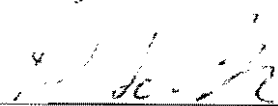
4. Unless I am permitted to withdraw by order of this Court, I will continue to represent my clients in the subject of this cause until a final determination thereof and with reference to all matters incident to this cause, I hereby consent to the jurisdiction of the United States District Court, Southern District of New York, and of the disciplinary tribunals of the Bar of the State of New York in all respects as if I were a regularly admitted and licensed member of the New York State Bar.

5. I will be supervised in this matter, with respect to the representation of my clients in this cause, by Andrew J. Frisch, who is a member in good standing of the Bar of this Court. As stated in the accompanying Certification of Mr. Frisch, he will continue to accept service of all notices, orders and pleadings in this matter and will promptly notify me of the same upon receipt.

I HEREBY CERTIFY under penalties of perjury that the foregoing is true and correct.

Dated: Galveston, Texas

September 12, 2009



M. David Leblanc

STATE BAR OF TEXAS



Office of The Chief Disciplinary Counsel

September 10, 2009

RE: **Mr. Michael David Leblanc**
State Bar Number - **00791090**

To Whom it May Concern:

This is to certify that Mr. Michael David Leblanc was licensed to practice law in Texas on November 04, 1994 and is an active member in good standing with the State Bar of Texas.

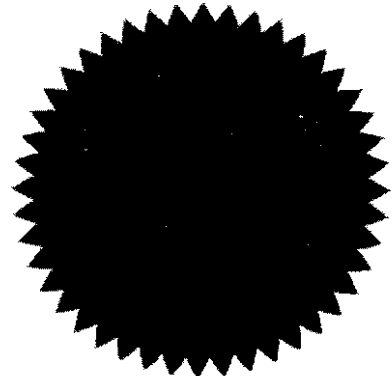
Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

A handwritten signature in black ink, appearing to read "L. Acevedo".

Linda A. Acevedo
Chief Disciplinary Counsel

LA/dh



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

Case No. 09 MD 2017 (LAK)

LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

ORDER

This Document Relates to
1:09-CV-02363

This matter being opened to the Court by Andrew J. Frisch, attorney for American National Insurance Company, American National Life Insurance Company of Texas, Comprehensive Investment Services, Inc. and the Moody Foundation, for an Order permitting attorney M. David Leblanc to appear and participate *pro hac vice*, the Court having given due consideration to the matter and for good cause shown,

IT IS ON THIS ____ DAY OF _____, 2009,

ORDERED that attorney M. David Leblanc is permitted to appear and participate *pro hac vice* in the above-captioned matter.

Dated: _____

Honorable Lewis A. Kaplan
United States District Judge

CERTIFICATE OF SERVICE

I, Andrew J. Frisch, certify the following to be true under the penalties of perjury:
on September 23, 2009, I served the within NOTICE OF APPLICATION OF ATTORNEY TO
APPEAR AND PARTICIPATE ANSWER *PRO HAC VICE* and accompanying papers on the
party listed below by depositing one true copy of same to the addresses listed below, enclosed in
a postpaid properly addressed wrapper, in an official depository under the exclusive care and
custody of the United States Postal Service within the State of New York.

Michael J. Chepiga
Mary Elizabeth McGarry
Erika H. Burk
Jonathan K. Youngblood
SIMPSON THACHER & BARTLETT, LLP
425 Lexington Avenue
New York, New York 10017

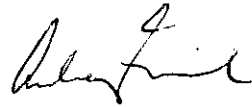
Miles N. Ruthberg
Jamie L. Wine
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885 Third Avenue
New York, New York 10022

Mark Paul Ressler
KASOWITZ, BENSON, TORRES
& FRIEDMAN, LLP
1633 BROADWAY
New York, New York 10019

Seth David Fier
PROSKAUER ROSE LLP
1585 Broadway
New York, New York 10036

Mitchell A. Lowenthal
CLEARY, GOTTlieb, STEEN & HAMILTON, LLP
One Liberty Plaza
New York, New York 10006

Dated: September 23, 2009
New York, New York

A handwritten signature in black ink, appearing to read "Andrew J. Frisch", written in a cursive style.

Andrew J. Frisch