

SCANNED

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OPERATIVE PLASTERERS AND CEMENT
MASONS INTERNATIONAL
ASSOCIATION LOCAL 262 ANNUITY
FUND, Individually And On Behalf Of All
Others Similarly Situated,

Plaintiff,

v.

LEHMAN BROTHERS HOLDINGS, INC.,
RICHARD S. FULD JR., CHRISTOPHER M.
O'MEARA, JOSEPH M. GREGORY, and
ERIN CALLAN,

Defendants.

CIVIL ACTION NO. 1:08-cv-05523 (LAK)

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

NOTICE OF MOTION AND MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Avi Josefson, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:


Applicant's Name: Richard A. Russo, Jr.
Firm Name: Schiffrin Barroway Topaz & Kessler, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: russo@sbtclaw.com

9/10 925-6661368
AUG 22 2008

Richard A. Russo, Jr. is a member in good standing of the Bars of the State of Pennsylvania and the State of New Jersey. There are no pending disciplinary proceedings against Richard A. Russo, Jr. in any State or Federal Court.

Dated: August 20, 2008

Respectfully submitted,
**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**



Avi Josefson
1285 Avenue of the Americas
New York NY 10019
Telephone: 212-554-1400
Fax: 212-554-1444

Co-Lead Counsel for Lead Plaintiffs

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**AFFIDAVIT OF AVI JOSEFSON IN
SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

State of New York)
)
County of New York) ss.

Avi Josefson, being duly sworn, hereby deposes and says as follows:

1. I am an associate at Bernstein Litowitz Berger & Grossmann, LLP, Co-Lead Counsel for the Lead Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Lead Plaintiffs' motion to admit Richard A. Russo, Jr. as counsel *pro hac vice* to represent the Lead Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 2003. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Russo is an associate at Schiffrin Barroway Topaz & Kessler, LLP in Radnor, Pennsylvania.

4. I have found Mr. Russo to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move the admission of Richard A. Russo, Jr., *pro hac vice*.

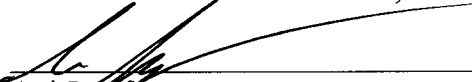
6. In compliance with Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I have attached Certificates of Good Standing for Mr. Russo from Pennsylvania and New Jersey issued within the past thirty days.

7. I respectfully submit a proposed order granting the admission of Richard A. Russo, Jr., *pro hac vice*, which is also attached.

WHEREFORE it is respectfully requested that the motion to admit Richard A. Russo, Jr., *pro hac vice*, to represent the Lead Plaintiffs in the above-captioned matter, be granted.

Dated: August 20, 2008

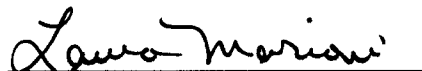
Respectfully submitted,
**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**

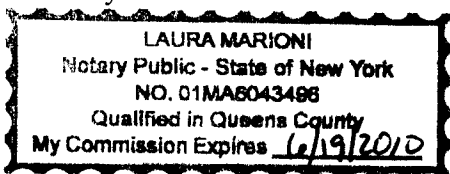

Avi Josefson
1285 Avenue of the Americas
New York NY 10019
Telephone: 212-554-1400
Fax: 212-554-1444

Sworn to and subscribed before me

Co-Lead Counsel for Lead Plaintiffs

this 20th day of August, 2008.


Notary Public





Supreme Court of Pennsylvania

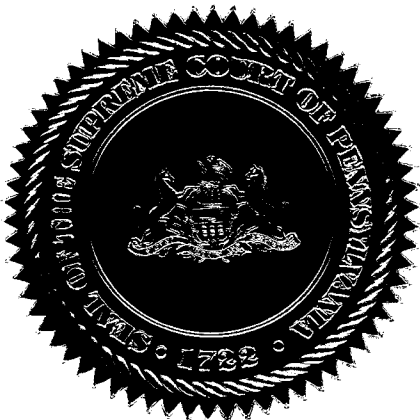
CERTIFICATE OF GOOD STANDING

Richard A. Russo, Jr., Esq.

DATE OF ADMISSION

October 25, 2006

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



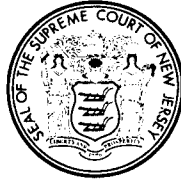
Witness my hand and official seal

Dated: August 5, 2008

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk

Supreme Court of New Jersey

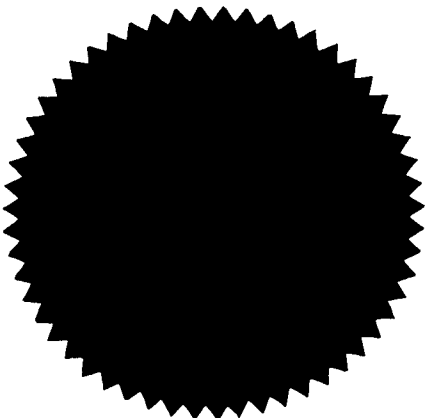


Certificate of Good Standing

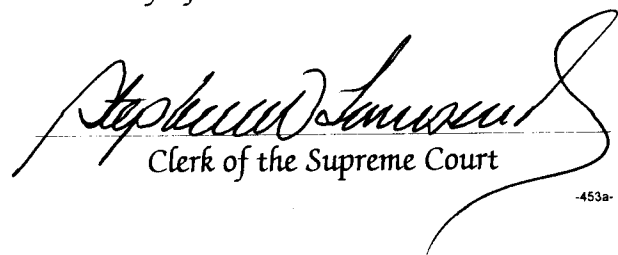
This is to certify that **RICHARD A RUSSO JR**
(No. **028602006**) was constituted and appointed an Attorney at Law of New Jersey on **November 16, 2006** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
5TH day of **August** , 20 **08**


Clerk of the Supreme Court

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**ORDER FOR ADMISSION *PRO HAC*
VICE ON WRITTEN MOTION**

Upon the motion of Avi Josefson, Co-Lead Counsel for the Lead Plaintiffs, and said
sponsor attorney's affirmation in support;

IT IS HEREBY ORDERED that

Applicant's Name: Richard A. Russo, Jr.
Firm Name: Schiffrin Barroway Topaz & Kessler, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: rrusso@sbtclaw.com

is admitted to practice *pro hac vice* as counsel for the Lead Plaintiffs in the above captioned case
in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules

governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____

Lewis A. Kaplan, U.S. District Judge

CERTIFICATE OF SERVICE

I, Avi Josefson, hereby certify that I filed true and correct copies of the foregoing documents:

- *PRO HAC VICE* MOTION, AFFIDAVIT, AND PROPOSED ORDER.

on Aug. 22, 2008 with the Clerk of the Court. All counsel on the attached Service List have been served copies of the forgoing documents via the U.S. Postal Service.

**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**



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