

NEW YORK SUPREME COURT
APPELLATE DIVISION – SECOND DEPARTMENT

JOSE AYBAR, et al.

Plaintiffs-Respondents,

and

US TIRE AND WHEELS OF QUEENS,
LLC, et al.

Defendants-Respondents

vs.

THE GOODYEAR TIRE & RUBBER
COMPANY and FORD MOTOR
COMPANY,

Third-Party Defendants-
Appellants

Case No. 2019-12110

**NOTICE OF MOTION
FOR ADMISSION OF
MICHAEL J. WEST
TO PRACTICE
*PRO HAC VICE***

PLEASE TAKE NOTICE that upon the affirmation of Michael J. West, dated January 21, 2020, and the affirmation of Sean Marotta, also dated January 21, 2020, and all the pleadings and prior proceedings heretofore had herein, Third-Party Defendant-Appellant Ford Motor Company will move this Court located at 5 Monroe Place, Brooklyn, New York 11201 on Monday, February 3, 2020 at 10:00 a.m., or as soon thereafter as counsel may be heard, for an order pursuant to Rule 670.6(e) of the Rules of Practice of the Appellate Division, Second Department allowing the admission *pro hac vice* of:

Applicant's Name: Michael J. West, Esquire
Firm Name: HOGAN LOVELLS US LLP
Address: 555 13th Street, N.W.
City/State/Zip: Washington, D.C. 20004-1109
Phone Number: (202) 637-5790
Fax Number: (202) 637-5910
E-Mail Address: michael.west@hoganlovells.com

as counsel on appeal for Third-Party Defendant-Appellant Ford Motor Company, in this litigation.

Dated: January 21, 2020

Respectfully submitted,



Sean Marotta
Hogan Lovells US LLP
390 Madison Avenue
New York, New York 10017
Telephone: (202) 637-5600
Facsimile: (202) 637-5910
sean.marotta@hoganlovells.com

*Attorney for Third-Party Defendant-
Appellant Ford Motor Company*

TO: OMRANI & TAUB, P.C.
Attorneys for Plaintiffs-Respondents
ORLANDO GONZALEZ, JESENIA AYBAR as Administratrix of THE ESTATE OF
NOELIA OLIVERAS; JESENIA AYBAR as Legal Guardian on behalf of K.C., a minor;
ANNA AYBAR; and JESENIA AYBAR as Administratrix of THE ESTATE OF T.C.
488 Madison Avenue
New York, NY 10022
(212) 714-1515

LANGDON & EMISON, of Counsel to OMRANI & TAUB, P.C.
Attorneys for Plaintiffs-Respondents (same Plaintiffs-Respondents listed above)
ORLANDO GONZALEZ, JESENIA AYBAR as Administratrix of THE ESTATE OF
NOELIA OLIVERAS; JESENIA AYBAR as Legal Guardian on behalf of K.C., a minor;
ANNA AYBAR; and JESENIA AYBAR as Administratrix of THE ESTATE OF T.C.

911 Main Street, P.O. Box 220
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New York, NY 10022
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Attorneys for Defendant-Respondent
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Attorneys for Third-Party Defendant
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(212) 593-6700

DLA PIPER LLP (US)
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THE GOODYEAR TIRE & RUBBER CO.
1251 Avenue of the Americas, 27th Floor
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(212) 334-4500

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Case No. 2019-12110

**AFFIRMATION OF
SEAN MAROTTA
IN SUPPORT OF
THE APPLICATION FOR
ADMISSION *PRO HAC VICE*
OF MICHAEL J. WEST**

I, SEAN MAROTTA, hereby affirm:

1. I am a member of the bar of this Court and associated with the firm HOGAN LOVELLS US LLP. I am appellate counsel for Third-Party Defendant-Appellant Ford Motor Company, in the above-captioned appeal. I am familiar with the proceedings in this case. I make this affirmation on personal knowledge of the facts set forth herein and in support of the application requesting that Michael J. West be admitted to practice *pro hac vice* pursuant to Section 670.6(e) of the Rules of Practice of the Appellate Division, Second Department, to represent Third-Party Defendant-Appellant Ford Motor Company as appellate counsel 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 New York State on February 17, 2011. I shall appear

with Mr. West on the appeal and shall be one of the people upon whom all papers in connection with this appeal shall be served.

3. A copy of Mr. West's affirmation in support of this application for admission *pro hac vice* is attached hereto as **Exhibit A**.

4. Mr. West is an associate with Hogan Lovells US LLP, resident in the firm's Washington, D.C. office.

5. Mr. West is a member in good standing of the Bar of the District of Columbia. A Certificate from the District of Columbia Court of Appeals stating that Mr. West is a member in good standing of that Court and of the District of Columbia Bar is attached to the Affirmation of Mr. West (Attachment 1 to Exhibit A).

6. I respectfully submit a proposed order granting the admission of Michael J. West, *pro hac vice*, which is attached hereto as **Exhibit B**.

7. I affirm under penalty of perjury that the foregoing is true and correct.
WHEREFORE I respectfully request that the motion to admit Michael J. West, *pro hac vice*, to represent Third-Party Defendant-Appellant Ford Motor Company as appellate counsel in the above-captioned matter, be granted.

Dated: January 21, 2020



Sean Marotta

EXHIBIT A

NEW YORK SUPREME COURT
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Appellants

Case No. 2019-12110

**AFFIRMATION OF
MICHAEL J. WEST
IN SUPPORT OF THE
APPLICATION FOR
ADMISSION *PRO HAC VICE***

I, MICHAEL J. WEST, hereby affirm:

1. I make this affirmation in support of my application, pursuant to Rules of the New York Supreme Court, Appellate Division, Second Department, Section 670.6(e), for admission *pro hac vice* to this Court for the purpose of representing Third-Party Defendant-Appellant Ford Motor Company as appellate counsel.

2. I am admitted to practice and am a member in good standing of the District of Columbia Bar. I have included as **Attachment 1** a certificate of good standing from the District of Columbia Court of Appeals stating that I am a member in good standing of the Bar of the District of Columbia.

3. I am not now, and never have been, the subject of a disciplinary proceeding in any court.

4. I am an associate with the law firm of Hogan Lovells US LLP, resident in its office located at 555 Thirteenth Street, N.W., Washington DC 20004.

5. SEAN MAROTTA, of Hogan Lovells US LLP, also resident in its office located at 555 Thirteenth Street, N.W., Washington DC 20004, is appellate counsel for Third-Party Defendant-Appellant Ford Motor Company.

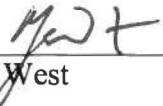
6. I am familiar with the proceedings in this case.

7. I shall comply with the standards of professional conduct imposed upon members of the New York bar and all rules of this Court.

8. I affirm under penalty of perjury that the foregoing is true and correct.

WHEREFORE, I respectfully request that I be admitted *pro hac vice* to this Court for the purpose of representing Third-Party Defendant-Appellant Ford Motor Company as appellate counsel in connection with this matter.

Dated: January 21, 2020



Michael J. West

**ATTACHMENT 1
TO EXHIBIT A**



On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that

Michael West

was duly qualified and admitted on February 21, 2019 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 January 16, 2020.

Julio A. Castillo
JULIO A. CASTILLO
Clerk of the Court

Issued By: *ABM*
District of Columbia Bar Membership

For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbar.org.

EXHIBIT B

NEW YORK SUPREME COURT
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**ORDER ADMITTING COUNSEL *PRO HAC
VICE***

Upon the motion of attorney SEAN MAROTTA for MICHAEL J. WEST and the affirmations in support;

IT IS HEREBY ORDERED that

Applicant's Name: Michael J. West, Esquire
Firm Name: HOGAN LOVELLS US LLP
Address: 555 13th Street, N.W.
City/State/Zip: Washington, D.C. 20004-1109
Phone Number: (202) 637-5790
Fax Number: (202) 637-5910
E-Mail Address: michael.west@hoganlovells.com

is admitted to practice *pro hac vice* as counsel for Third-Party Defendant-Appellant Ford Motor Company, in the above-captioned case in the Supreme Court of the State of New York, Appellate Division, Second Department. All attorneys appearing before this Court

are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys.

Dated: Brooklyn, New York

_____, 2020

Associate Justice
Appellate Division: Second Department