

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

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QBE INSURANCE CORPORATION,

Plaintiff,

-against-

ADJO CONTRACTING CORPORATION, TRAVELERS INDEMNITY COMPANY, ARCHSTONE f/k/a ARCHSTONE-SMITH OPERATING TRUST, TISHMAN SPEYER ARCHSTONE-SMITH WESTBURY, L.P. f/k/a ASN ROOSEVELT CENTER, LLC, ASN ROOSEVELT CENTER LLC d/b/a ARCHSTONE WESTBURY, ARCHSTONE-SMITH TRUST, ARCHSTONE SMITH OPERATING TRUST, ARCHSTONE SMITH OPERATING TRUST, ARCHSTONE-SMITH COMMUNITIES, LLC, ARCHSTONE-SMITH, INC., LEHMAN BROTHERS HOLDINGS, INC., TISHMAN SPEYER PROPERTIES, LP, TOCCI BUILDING CORPORATION OF NEW JERSEY, INC., LIBERTY MUTUAL INSURANCE COMPANY, PERKINS EASTMAN ARCHITECTS, INC., ELDORADO STONE, LLC, AMERICAN ENGINEERING SERVICES, P.C., APRO CONSTRUCTION GROUP, ATLAS COMFORT SYSTEMS, USA, L.P. d/b/a ATLAS AIR CONDITIONING, BUILDERS HARDWARE, CLEM'S ORNAMENTAL IRON WORKS, DA VINCI CONSTRUCTION OF NASSAU, INC. d/b/a DA VINCI CONSTRUCTION, FOUR SEASONS INSULATION CORP., HAVANA CONSTRUCTION CORP., HOUSTON STAFFORD ELECTRICAL CONTRACTORS, L.P. d/b/a HOUSTON STAFFORD ELECTRIC, KLEET LUMBER COMPANY, KNIGHT WATERPROOFING COMPANY, INC., MANNING PLUMBING AND HEATING CORP., METRO PAINTING, M.I. CONCRETE CORP., MID-ATLANTIC STONE, INC., PATTI ROOFING, LLC, SIDNEY B. BOWNE & SON, LLP, SIPALA LANDSCAPE SERVICES, INC., STAT FIRE SUPPRESSION, INC., SUPERSEAL MANUFACTURING CO., THREE B'S PLUMBING HEATING AND AIR CONDITIONING CORP., UNIVERSAL FOREST PRODUCTS, and John DiGiovanna, Richardo Francois, Trent Hunter, Pasquale Marchese, Andrea Sorrentino, Jessica Ventimiglia, Individually, and on behalf of themselves and all other persons similarly situated,

Defendants.  
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Index No.: ~~601685/2009~~

601695/2009

**ORDER GRANTING  
MOTION FOR  
ADMISSION OF  
COUNSEL *PRO HAC*  
VICE**

*Motion Seq# 14  
Motion Date: 12/4/09*

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THE TRAVELERS INDEMNITY COMPANY,

Third-Party Plaintiff,

-against-

ACE AMERICAN INSURANCE COMPANY, AMERICAN EUROPEAN INSURANCE COMPANY f/k/a MERCHANTS INSURANCE COMPANY OF NEW HAMPSHIRE, INC., AMERICAN STATES INSURANCE COMPANY, CONTINENTAL CASUALTY COMPANY, DELOS INSURANCE COMPANY f/k/a SIRIUS AMERICA INSURANCE COMPANY, ERIE INSURANCE EXCHANGE, EVEREST INDEMNITY INSURANCE COMPANY, FARM FAMILY CASUALTY INSURANCE COMPANY, INTERSTATE FIRE AND CASUALTY COMPANY, LIBERTY MUTUAL FIRE INSURANCE COMPANY, MERCHANTS MUTUAL INSURANCE COMPANY, NAVIGATORS SPECIALTY INSURANCE COMPANY f/k/a NIC INSURANCE COMPANY, OHIO CASUALTY INSURANCE COMPANY, PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, SCOTTSDALE INSURANCE COMPANY,

Third-Party Defendants.

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ARCHSTONE f/k/a ARCHSTONE-SMITH OPERATING TRUST, ARCHSTONE WESTBURY LP, f/k/a TISHMAN SPEYER ARCHSTONE-SMITH WESTBURY, L.P., f/k/a ASN ROOSEVELT CENTER LLC; ARCHSTONE MULTIFAMILY SERIES I TRUST, f/k/a ARCHSTONE-SMITH TRUST; ARCHSTONE COMMUNITIES LLC, f/k/a ARCHSTONE-SMITH COMMUNITIES LLC; AND TISHMAN SPEYER PROPERTIES LP,

Second Third-Party Plaintiffs,

-against-

ACE AMERICAN INSURANCE COMPANY, AMERICAN EUROPEAN INSURANCE COMPANY f/k/a MERCHANTS INSURANCE COMPANY OF NEW HAMPSHIRE INC., AMERICAN STATES INSURANCE COMPANY, ATLANTIC CASUALTY INSURANCE COMPANY, CONTINENTAL CASUALTY CO, DELOS INSURANCE COMPANY f/k/a

SIRIUS AMERICA INSURANCE COMPANY, DISCOVER PROPERTY & CASUALTY INSURANCE COMPANY, ERIE INSURANCE EXCHANGE, EVEREST INDEMNITY INSURANCE COMPANY, FARM FAMILY CASUALTY INSURANCE COMPANY, FEDERATED MUTUAL INSURANCE COMPANY, HARTFORD FIRE INSURANCE COMPANY, INTERSTATE FIRE AND CASUALTY COMPANY, LIBERTY MUTUAL FIRE INSURANCE COMPANY, MERCHANTS MUTUAL INSURANCE COMPANY, NAVIGATORS SPECIALTY INSURANCE COMPANY f/k/a NIC INSURANCE COMPANY, OHIO CASUALTY INSURANCE COMPANY, PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, SCOTTSDALE INSURANCE COMPANY, ZURICH AMERICAN INSURANCE COMPANY,

Second Third-Party Defendants.

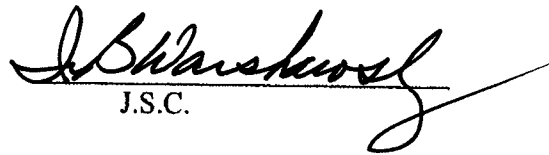
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CONSOLIDATED FOR DISCOVERY WITH ACTION  
BEARING NASSAU COUNTY INDEX NO. 001018/2008

**ORDER GRANTING MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE***

This matter having been presented to the Court by the motion of Third-Party Defendant/Second Third-Party Defendant ERIE INSURANCE EXCHANGE for an Order permitting Allan Molotsky, M. Jane Goode and Steven J.Schildt of the law firm of Post & Schell, Four Penn Center, 1600 John F. Kennedy Blvd, Philadelphia, PA 19103 to appear and participate as counsel on behalf of the ERIE INSURANCE EXCHANGE Third-Party Defendant/Second Third-Party Defendants in the above-captioned case;

Good cause has been shown upon the reading and filing of the Notice of Motion, the proposed Order, the affidavit of Allan Molotsky sworn to on the 19<sup>th</sup> day of November, 2009, the affidavit of M. Jane Goode, sworn to on the 16<sup>th</sup> day of November, 2009 and the Affidavit of Steven J. Schildt sworn to on the 16<sup>th</sup> day of November, 2009 and the lack of opposition thereto, and after due deliberation thereon;

It is this 4 day of ~~November~~ <sup>December</sup> 2009, ORDERED that M. Jane Goode, Allan Molotsky and Steven J. Schildt of the law firm of Post & Schell, Four Penn Center, 1600 John F. Kennedy Blvd, Philadelphia, PA 19103 are hereby GRANTED leave to appear *pro hac vice* for Third-Party Defendant/Second Third-Party Defendant ERIE INSURANCE EXCHANGE in the actions. It is also Ordered that a copy of this Order with notice of entry thereon be served on all parties to the action.

  
J.S.C.

**ENTERED**  
DEC 07 2009  
NASSAU COUNTY  
COUNTY CLERK'S OFFICE