

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MAR-VEL INTERNATIONAL, INC. : CIVIL ACTION
: :
v. : :
: :
BRADFORD MILNES, BRIAN MILNES, :
DEVON GREER, BOND PRODUCTS, :
INC. and EXTREME TACTICAL :
APPLICATION CORPORATION : NO. 06-cv-02703-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

July 25, 2006

The defendants have filed a motion seeking the admission *pro hac vice* of an attorney named John Vogel, Esquire, who is a member in good standing of the bar of the state of New York. The application is filed by an attorney named Sidney L. Gold, Esquire, of Sidney L. Gold & Associates, a Professional Corporation, with offices in Philadelphia and Radnor, Pennsylvania. The letterhead of the Gold Firm lists Mr. Vogel as "Of Counsel," with the notation (in extremely small print) that Mr. Vogel is admitted in New York only. The web page of the Gold Firm lists Mr. Vogel as "the managing attorney for the firm's Radnor office."

Pennsylvania Rule of Professional Conduct 5.5(b)
provides:

"a lawyer who is not admitted to practice in
this jurisdiction shall not:

- (1) except as authorized by these rules ... or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law."

On the present state of the record, it would seem that Mr. Vogel has violated and is violating that Rule (not, as plaintiffs seem to contend, because Mr. Vogel has been negotiating with them about this pending case - activity which does not necessarily constitute practicing law "before this court" - but because of his "office or other systematic and continuous presence in this jurisdiction for the practice of law").

The application for Mr. Vogel's *pro hac vice* admission will therefore be denied. Mr. Vogel will be granted a period of 60 days within which to achieve compliance with the applicable Rules of Professional Conduct.

An Order follows.

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AND NOW, this 25th day of July 2006, upon consideration of defendants' motion for the *pro hac vice* admission of John Vogel, Esquire, IT IS ORDERED:

1. The motion is DENIED.
2. The applicant, John Vogel, Esquire, shall, within 60 days, achieve compliance with the applicable Rules of Professional Conduct, and shall file a report with this court demonstrating that he has done so.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.