

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG

FILED

NOV 05 2007

U.S. DISTRICT COURT
MARTINSBURG, WV 25401

**LILLIAN C. ETTER, individually,
and as Co-Trustee of the McCLUGHAN
LIVING TRUST DATED JUNE 29, 2001,**

Plaintiff,

v.

Case No. 3:06-CV-139

**RANDY B. MAZZOTTI, individually,
and as Co-Trustee of the McCLUGHAN
LIVING TRUST DATED JUNE 29, 2001,
JULIE MAZZOTTI, and LACY J. MAZZOTTI**

Defendants.

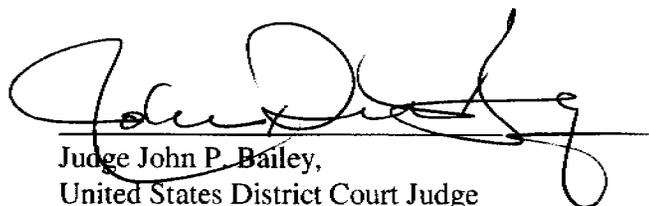
ORDER

This matter came before the Court on the 2nd day of November, 2007 upon the Court's Receipt of the *Pro Hac Vice Application of Warren Grossman and Defendants' Motion to Allow Counsel Warren Grossman to Participate in this Case*. Upon consideration by this Court of the Pro Hac Vice Application of Warren Grossman and Defendant's Motion to Allow Warren Grossman to Participate in this Case, the opposition of Plaintiff, and the arguments made by counsel during the telephonic hearing, and upon consideration of its file in this matter along with the applicable and governing statutes and case law, this Court is of the opinion that it should GRANT Defendants' Mr. Grossman's Pro Hac Vice Application and Defendant's Motion to Allow Warren Grossman to Participate in this Case and Attend Depositions with the proviso that this Court reserves the right to determine if and when Mr. Grossman may need to testify as a witness and therefore withdraw as counsel.

Accordingly, it is hereby ORDERED and ADJUDGED that Mr. Grossman's Pro Hac Vice Application is GRANTED and Defendants' Motion to Allow Mr. Grossman to Continue to Act as Counsel is GRANTED with the proviso that this Court reserves the right to determine if and when Mr. Grossman may need to testify as a witness and therefore withdraw as counsel. The objection and exception of the Plaintiff to this Order is noted.

The Clerk of the Court shall enter the foregoing as of the day and date hereinafter written and transmit an attested copy thereof to counsel of record at their respective addresses.

ENTER: 11-5-2007



Judge John P. Bailey,
United States District Court Judge