

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AARON SWARTZ,

Defendant.

Crim. No. 11-CR-10260-NMG

MOTION OF DEFENDANT

TO ADMIT ELLIOT R. PETERS *PRO HAC VICE*

In accordance with Local Rule 83.5.3(b), through the undersigned attorney duly admitted to practice before this Court, the defendant hereby moves that Elliot R. Peters be permitted to represent him in the above captioned action for all matters related to this case.

In support of this motion, the undersigned states:

1. Elliot R. Peters is an attorney with the law firm of Kecker & Van Nest, LLP, 633 Battery Street, San Francisco, California 94111-1809.
2. Elliot R. Peters is admitted to practice before the State Bar of California (California State Bar No. 158708), United States District Court, Northern District of California and United States Court of Appeals for the Ninth Circuit.
3. Pursuant to Local Rule 85.5.3, a Certificate setting forth the necessary information for the admission of Elliot R. Peters *pro hac vice* is submitted herewith as Exhibit A. The email address of Mr. Peters is as follows:

epeters@kvn.com

4. The undersigned member of this Bar has agreed to act as local counsel for the above-listed defendant in this proceeding and, as such, agrees to be the recipient of all pleadings

and communications on behalf of the above-listed defendants. The address and telephone number to which all such pleadings and communications may be sent are as follows:

Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111-1809

Wherefore, the undersigned respectfully requests that this Court admit Elliot R. Peters *pro hac vice* to practice as a visiting attorney before this Court representing the above-listed defendants in all matters related to this proceeding. The appropriate admission fee in the amount of \$100.00 has been paid. A [Proposed] Order is attached hereto.

LOCAL RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), counsel for the above-listed defendants has conferred with counsel for plaintiff regarding this motion. Counsel for plaintiff has ASSENTED to the allowance of this motion.

Dated: November 8, 2012

Respectfully submitted,

/s/ Michael J. Pineault

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Attorneys for Defendant AARON SWARTZ

CERTIFICATE OF SERVICE

I, Michael J. Pineault, hereby certify that on this date, November 8, 2012, a copy of the foregoing document has been served via CM/ECF Electronic Filing, upon Assistant U.S.

Attorney Steven P. Heymann.

/s/ Michael J. Pineault
Michael J. Pineault