

No. SC04-925
Lower Tribunal No. 2D04-2045

IN THE SUPREME COURT OF FLORIDA

JEB BUSH, Governor of the State of Florida,

Appellant,

vs.

**MICHAEL SCHIAVO, as guardian of the person of
THERESA MARIE SCHIAVO,**

Appellee.

**VERIFIED MOTION OF DAVID S. ETTINGER AND
JON B. EISENBERG TO APPEAR *PRO HAC VICE***

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Pursuant to Florida Rule of Appellate Procedure 9.440(a), Florida Rule of Judicial Administration 2.061 and Rules Regulating the Florida Bar 1-3.10, the undersigned counsel move this Court to permit them to appear in the above-captioned cause as attorneys from a foreign jurisdiction and, in support of this motion, state as follows:

1. David S. Ettinger and Jon B. Eisenberg are partners in Horvitz & Levy LLP. Our office addresses are 15760 Ventura Blvd., 18th Floor, Encino, CA 91436,

telephone number 818-995-0800, and 1970 Broadway, Suite 1200, Oakland, CA 94612, telephone number 510-452-2581.

2. We are active members in good standing of the State Bar of California and have been admitted to practice in all California state courts, the United States Supreme Court, the United States Court of Appeals for the Ninth Circuit, the United States District Court for the Northern District of California (Jon B. Eisenberg only), and the United States District Court for the Central District of California.

3. In the preceding five years, we have not moved for permission to appear *pro hac vice* in the Florida state courts.

4. We have never been the subject of disciplinary proceedings, nor have we been suspended or disbarred by any court.

5. We seek to appear before this Court to represent a nationwide group of bioethicists working in medicine, nursing, and academia, and Autonomy, Inc. Our representation commenced on or about October 28, 2003.

6. We have read all applicable provisions of the Florida Rules of Appellate Procedure, the Judicial Administration Rules, and the Rules Regulating the Florida Bar, and this motion for leave to appear is filed in compliance therewith.

7. For purposes of representing the amici curiae, we are associated with Bruce G. Howie. Mr. Howie is a member in good standing of the Florida Bar. His

Florida Bar Number is 263230. His work address is 5720 Central Ave., St. Petersburg, FL 33707. His telephone number is 727-344-1111.

We affirm under penalty of perjury that the foregoing is true.

Dated: July 30, 2004

By _____
David S. Ettinger

Dated: July 26, 2004

By _____
Jon B. Eisenberg

I hereby agree to have David S. Ettinger and Jon B. Eisenberg associated with me on a pro hac vice basis for the litigation of the above-captioned action.

Dated: July 26, 2004

By _____

Bruce G. Howie
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