

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

MICHAEL E. MANN, PhD	)	
Pennsylvania State University	)	
Department of Meteorology	)	
University Park, PA 16802	)	Case No.: 2012 CA 008263B
	)	
Plaintiff,	)	Judge: Frederick H. Weisberg
	)	
v.	)	Next Scheduled Event: None
	)	
NATIONAL REVIEW, INC.	)	
215 Lexington Avenue	)	
New York, NY 10016,	)	
	)	
- and -	)	
	)	
COMPETITIVE ENTERPRISE INSTITUTE	)	
1899 L Street, NW	)	
Washington, DC 20036	)	
	)	
- and -	)	
	)	
RAND SIMBERG	)	
c/o Competitive Enterprise Institute	)	
1899 L Street, NW	)	
Washington, DC 20036	)	
	)	
- and -	)	
	)	
MARK STEYN	)	
Box 30	)	
Woodsville, NH 03784	)	
	)	
Defendants.	)	

**MOTION FOR ADMISSION *PRO HAC VICE* FOR DANIEL J. KORNSTEIN**

Michael J. Songer, a member of the Bar of this Court and attorney for Defendant Mark Steyn, respectfully moves that Daniel J. Kornstein be admitted *pro hac vice* as counsel for Mark Steyn in the above-captioned matter. Attached in support of this motion are: (1) Application for

Admission *Pro Hac Vice* of Daniel J. Kornstein; (2) Declaration of Daniel J. Kornstein; (3) Praecept of Appearance for Daniel J. Kornstein; (4) Receipt from Committee on Unauthorized Practice of Law; and (5) a Proposed Order.

Dated: March 24, 2014

Respectfully submitted,

/s/ Michael J. Songer  
Michael J. Songer (D.C. Bar No.: 453727)  
Daniel J. Kornstein  
*(pro hac vice motion pending)*  
Crowell & Moring LLP  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2595  
Telephone: (202) 624-2990  
Facsimile: (202) 628-5116  
Email: [msonger@crowell.com](mailto:msonger@crowell.com)  
*Counsel for Defendant Mark Steyn*

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing Motion for Admission *Pro Hac Vice* for Daniel J. Kornstein and accompanying documents were served by electronic means through CaseFileXpress filing system, concurrent with the filing of this document on this 24<sup>th</sup> day of March, 2014, to:

By CaseFileXpress E-service:

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*Counsel for National Review, Inc.*

Bruce D. Brown  
Mark I. Bailen  
Andrew W. Grossman  
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BAKER & HOSTETLER LLP  
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Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5304

*Counsel for Competitive Enterprise Institute and Rand Simberg*

/s/ Michael J. Songer

**Form 8. Application for Admission Pro Hac Vice.**

DISTRICT OF COLUMBIA  
COURT OF APPEALS

[or]

SUPERIOR COURT OF  
THE DISTRICT OF COLUMBIA

<u>Michael E. Mann, PH.D.</u>	)	
Plaintiff/Appellant,	)	APPLICATION FOR ADMISSION
	)	PRO HAC VICE
v.	)	
	)	
<u>Mark Steyn</u>	)	Case No. <u>2012 CA008263B</u>
Defendant/Appellee.	)	
<u>Mark Steyn</u>	)	

I declare under penalty of perjury:

- (1) That I have not applied for admission pro hac vice in more than five cases in courts of the District of Columbia this calendar year;
- (2) That I am a member in good standing of the highest court(s) of the State(s) of New York;  
(state all states)
- (3) That there are no disciplinary complaints pending against me for violation of the rules of the courts of those states;
- (4) That I have not been suspended or disbarred for disciplinary reasons from practice in any court;
- (5) That I am associated with Michael J. Songer, D. C. Bar No. 453727  
of the firm Crowell & Moring, under D.C. Superior Ct. Civ. R. 101.  
  
(name the D.C. Bar member under Super. Ct. Civ. R. 101;  
and give his/her D.C. Bar Number)
- (6) That I do not practice or hold out to practice law in the District of Columbia; and

(7) That I have read all of the rules of the relevant division of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals, and have complied fully with District of Columbia Court of Appeals Rule 49 and, as applicable, Super. Ct. Civ. R. 101. The reason(s) I am applying for admission pro hac vice are as follows: To assist in the representation of defendant Mark Steyn in this matter, I respectfully seek admission pro hac vice to the District of Columbia Bar.

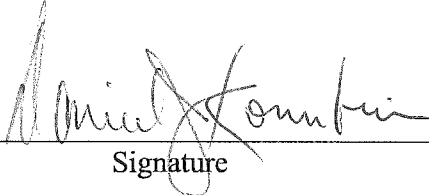
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I acknowledge the jurisdiction of the courts of the District of Columbia over my professional conduct, and I agree to be bound by the District of Columbia Court of Appeals Rules of Professional Conduct, in this matter, if I am admitted pro hac vice. I have applied for admission pro hac vice in the courts of the District of Columbia no times previously in this calendar year.

I attach hereto the receipt issued by the District of Columbia Court of Appeals Committee on the Unauthorized Practice of law as proof of my prior payment of the pro hac vice fee.

  
Signature

Daniel J. Komstein  
Print Name

March 21, 2014  
Date

---

Komstein Veisz Wexler & Pollard, LLP

757 Third Avenue, New York, New York 10017  
Address

(212) 418-8600  
Telephone Number

SUPERIOR COURT OF THE DIVISION OF COLUMBIA  
CIVIL DIVISION

---

MICHAEL E. MANN, PH.D.  
Pennsylvania State University  
Department of Meteorology  
University Park, PA 16802

Plaintiff,

v.

NATIONAL REVIEW, INC.  
215 Lexington Avenue  
New York, NY 10016,

- and -

COMPETITIVE ENTERPRISE INSTITUTE  
1899 L Street, N.W.  
Washington, D.C. 20036,

- and -

RAND SIMBERG  
c/o Competitive Enterprise Institute  
1899 L. Street, N.W.  
Washington, D.C. 20036,

- and -

MARK STEYN,  
c/o National Review, Inc.  
215 Lexington Avenue  
New York, NY 10016

Defendants.

---

Case No. 2012 CA 008263 B

Judge: Frederick H. Weisberg

**DECLARATION OF DANIEL J. KORNSTEIN**

I, Daniel J. Kornstein , declare under penalty of perjury:

1. I have not applied for admission *pro hac vice* in more than five cases in courts of the District of Columbia this calendar year.

2. I am a member in good standing of the following Courts: New York; U.S. Supreme Court; U.S. Courts of Appeals for the First, Second and Third Circuits; U.S. District Courts for the Southern, Eastern and Western Districts of New York; and the U.S. Tax Court.

3. There are no disciplinary complaints against me for violation of the rules of the Courts set forth in paragraph 2 of this Declaration.

4. I have not been suspended or disbarred for disciplinary reasons from practice in any court, or resigned with charges pending in any jurisdiction or court.

5. I am associated with Michael J. Songer, D.C. Bar No. 453727, of the firm Crowell & Moring, 1001 Pennsylvania Ave., NW, Washington DC 20004, under D.C. Superior Ct. Civ. R. 101.

6. I do not practice or hold out to practice law in the District of Columbia. I have never applied for admission to the D.C. Bar, and thus have not had an application for admission to the D.C. bar denied.

7. I have read all the rules of the relevant division of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals, and have complied fully with District of Columbia Court of Appeals Rule 49 and D.C. Superior Ct. Civ. R. 101. The reasons I am applying *pro hac vice* are as follows: Crowell & Moring represents Defendant Mark Steyn in the above-captioned matter. To assist in the representation of Mark Steyn in this matter, I respectfully seek admission *pro hac vice* to the District of Columbia Bar.



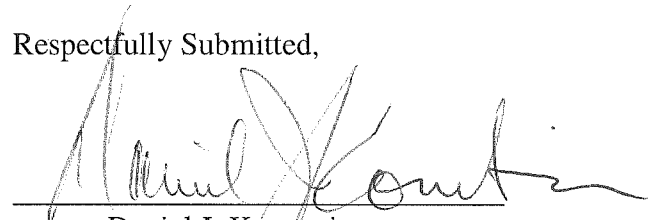
8. I acknowledge the jurisdiction of the Courts of the District of Columbia over my professional conduct, and I agree to be bound by the District of Columbia Court of Appeals Rules of Professional Conduct if I am admitted *pro hac vice*. I agree to promptly notify the Court if, during the course of the above-captioned proceedings, I am suspended or disbarred for disciplinary reasons, or if I resign with charges pending in any jurisdiction or court to which I am admitted.

9. I attach hereto the receipt issued by the District of Columbia Court of Appeals Committee on the Unauthorized Practice of Law as proof of my prior payment of the *pro hac vice* fee.

10. I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2014

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Daniel J. Kornstein", written over a horizontal line.

Daniel J. Kornstein  
KORNSTEIN VEISZ WEXLER  
& POLLARD, LLP  
757 Third Avenue  
New York, New York 10017  
(212) 418-8600

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

MICHAEL E. MANN, PhD	)	
Pennsylvania State University	)	
Department of Meteorology	)	
University Park, PA 16802	)	Case No.: 2012 CA 008263B
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Plaintiff,	)	Judge: Frederick H. Weisberg
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v.	)	Next Scheduled Event: None
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NATIONAL REVIEW, INC.	)	
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- and -	)	
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RAND SIMBERG	)	
c/o Competitive Enterprise Institute	)	
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Washington, DC 20036	)	
	)	
- and -	)	
	)	
MARK STEYN	)	
Box 30	)	
Woodsville, NH 03784	)	
	)	
Defendants.	)	

**PRAECIPE TO ENTER APPEARANCE**

Please take notice that the undersigned hereby request permission of this Court for Daniel J. Kornstein to appear and participate, *pro hac vice*, as counsel for Defendant, Mark Steyn.

Pursuant to Rule 101 of the Superior Court Rules of Civil Procedure, in support of this request the undersigned aver as follows:

1. Daniel J. Kornstein's address and telephone number are:

757 Third Avenue  
New York, NY 10017  
(212) 418-8610

2. Daniel J. Kornstein is a member of the New York State Bar.
3. Daniel J. Kornstein has not previously sought to appear pursuant to Rule 101.

Michael J. Songer, a member in good standing of the District of Columbia Bar and counsel of record in the above-captioned matter, joins in this Praecipe.

Dated: March 24, 2014

Respectfully submitted,

/s/ Daniel J. Kornstein

Daniel J. Kornstein  
(*pro hac vice motion pending*)  
Kornstein Veisz Wexler & Pollard, LLP  
757 Third Avenue  
New York, NY 10017  
Telephone: (212) 418-8610  
Facsimile: (212) 826-3640  
Email: [mplatt@kvvmail.com](mailto:mplatt@kvvmail.com)

/s/ Michael J. Songer

Michael J. Songer (D.C. Bar No.: 453727)  
Daniel J. Kornstein  
(*pro hac vice motion pending*)  
Crowell & Moring LLP  
1001 Pennsylvania Avenue, N.W.  
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Telephone: (202) 624-2990  
Facsimile: (202) 628-5116  
Email: [msonger@crowell.com](mailto:msonger@crowell.com)  
*Counsel for Defendant Mark Steyn*

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing Praecipe of Appearance was served by electronic means through CaseFileXpress filing system, concurrent with the filing of this document on this 24<sup>th</sup> day of March, 2014, to:

By CaseFileXpress E-service:

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*Counsel for Plaintiff*

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Washington, DC 20001  
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*Counsel for National Review, Inc.*

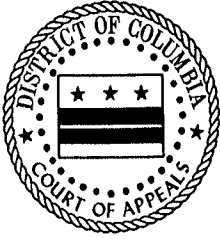
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BAKER & HOSTETLER LLP  
Washington Square  
Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5304

*Counsel for Competitive Enterprise Institute and Rand Simberg*

By United States Mail:

District of Columbia Court of Appeals' Committee on Unauthorized Practice  
Historic Courthouse  
430 E Street N.W.  
Washington, DC 20001

/s/ Michael J. Songer



District of Columbia Court of Appeals  
Committee on Unauthorized Practice of Law  
430 E Street, N.W. - Room 123  
Washington, D.C. 20001  
202 / 879-2777

## RECEIPT

APPLICATION TO APPEAR *PRO HAC VICE*

Of Daniel J. Kornstein

Name of Attorney

Case No. 2012 CA 008263B

Michael E. Mann, PhD vs. National Review, et al.

The District of Columbia Court of Appeals Committee on Unauthorized Practice of Law, in accordance with the provisions of D.C. App. Rule 49(c)(7), has received a copy of the application to appear *pro hac vice* and the required filing fee. As of this date, the Committee's records indicate that the attorney has not applied for admission *pro hac vice* in more than five (5) cases in the courts of the District of Columbia this calendar year.

03/24/2014

Date

A handwritten signature in cursive script, appearing to read "Brandon Hand", is written over a horizontal line.

for the

Committee on Unauthorized Practice of Law  
Room 123 - 202/879-2777

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

MICHAEL E. MANN, PhD	)	
Pennsylvania State University	)	
Department of Meteorology	)	
University Park, PA 16802	)	Case No.: 2012 CA 008263B
	)	
Plaintiff,	)	Judge: Frederick H. Weisberg
	)	
v.	)	Next Scheduled Event: None
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NATIONAL REVIEW, INC.	)	
215 Lexington Avenue	)	
New York, NY 10016,	)	
	)	
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RAND SIMBERG	)	
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1899 L Street, NW	)	
Washington, DC 20036	)	
	)	
- and -	)	
	)	
MARK STEYN	)	
Box 30	)	
Woodsville, NH 03784	)	
	)	
Defendants.	)	

**[PROPOSED] ORDER**

Upon consideration of the Motion for Admission *Pro Hac Vice* for Daniel J. Kornstein,

It is on this \_\_\_ day of \_\_\_\_\_, 2014, hereby

**ORDERED**, that the Motion is **GRANTED**.

**SO ORDERED.**

---

Frederick H. Weisberg  
**JUDGE**  
(Signed in Chambers)

COPIES TO:

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