

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

ROY S. MOORE,

Plaintiff,

v.

GUY CECIL; PRIORITIES USA;
SENATE MAJORITY PAC (SMP);
BULLY PULPIT INTERACTIVE
LLC; and WATERFRONT
STRATEGIES,

Defendants.

Civil Action

Case No. 4:19-cv-01855-CLM

**MOTION FOR LEAVE TO FILE OPPOSITION TO LARRY KLAYMAN'S
MOTION TO APPEAR *PRO HAC VICE***

COME NOW Defendants Guy Cecil, Priorities USA, Senate Majority Pac, Bully Pulpit Interactive LLC and Waterfront strategies (collectively, the "Defendants"), and respectfully move this Court to grant Defendants leave to file an opposition to Larry Klayman's Amended Motion to Appear *Pro Hac Vice* (Doc. 5). In support thereof, Defendants state the following:

1. This action was commenced on November 15, 2019. Defendants have not yet been served with the summons and complaint.¹

¹ To the extent necessary, Defendants expressly preserve all defenses based on Fed.R.Civ.P. 12.

2. On November 21, 2019, Plaintiff filed a motion and later that same day an amended motion to have Larry E. Klayman (“Klayman”) admitted *pro hac vice* in this matter (Docs. 4 & 5).

3. Defendants object to the *pro hac vice* admission of Klayman and request an opportunity to file a more complete objection to Plaintiff’s motion setting forth in detail the factual and legal basis for that objection. Defendants understand that *pro hac vice* admission is generally routine and that objections are rare. Defendants’ objection to Klayman’s admission in this case, however, is based on Klayman’s long and sordid ethical history, including numerous instances of ethical and professional misconduct resulting in the denial or revocation of his *pro hac vice* status. *See, e.g., Robles v. In the Name of Humanity, We REFUSE to Accept a Fascist America*, No. 17-cv-04864-CW, 2018 WL 2329728, at *1 (N.D. Cal., May 23, 2018) (“Over the years, numerous courts have sanctioned Klayman, called his behavior into question, or revoked his *pro hac vice* admission. Two courts have banned Klayman from their courts for life.”). In fact, Klayman is currently the subject of formal disciplinary proceedings in the District of Columbia for additional instances of unethical behavior. *See* “Ethics panel, citing ‘egregious’ violations, recommends 33-month suspension for Larry Klayman” *ABA Journal* (July 29, 2019) (<http://www.abajournal.com/web/article/ethics-committee-recommends-suspension-larry-klayman>).

4. Klayman is required by Rule VII of the *Rules Governing Admission to the Alabama State Bar* to serve a copy of his *pro hac vice* application on the Alabama State Bar, together with a notice of a hearing for the Court to rule on the application. Rule VII(D). According to the State Bar's rules, "[t]he notice of hearing shall be given at least 21 days before the time designated for the hearing, unless the court or agency has prescribed a shorter period." The Alabama State Bar is then required to file a statement with the Court regarding any prior *pro hac vice* admissions by the applicant and "[n]o application shall be granted before this statement of the Alabama State Bar has been filed with the court or agency." *Id.* Defendants do not require the full 21 days to file their objection in this matter and this Court is obviously free to set a more abbreviated submission schedule.

5. Defendants respectfully request that this Court enter an Order permitting Defendants to file a more thorough and detailed objection to Klayman's *pro hac vice* admission in this case.

Respectfully submitted,

/s/ Barry A. Ragsdale

Barry A. Ragsdale

Meghan S. Cole

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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2019, I electronically filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system which will give notice of the foregoing to all counsel of record.

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/s/ Barry A. Ragsdale

OF COUNSEL