

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE: AMENDMENT TO COURT OF CHANCERY RULES, SECTION XVI, RULE 170

This 16th day of January 2015, IT IS HEREBY ORDERED that Court of Chancery Rules, Section XVI shall be amended effective February 1st , 2015.

Rule 170 shall be amended as follows:

Rule 170. Attorneys.

(a) Admission. Any person admitted to practice in the Supreme Court of this State shall be entitled to practice as an attorney in this Court so long as such person remains entitled to practice in the Supreme Court and maintains an office in this State for the practice of law.

(b) Attorneys who are not members of the Delaware Bar may be admitted pro hac vice in the discretion of the Court and such admission shall be made only upon written motion by a member of the Delaware Bar who maintains an office in this State for the practice of law ("Delaware Counsel"). The admission of an attorney pro hac vice shall not relieve the moving attorney from responsibility to comply with any Rule or order of the Court.

(c) Any attorney seeking admission pro hac vice shall certify the following in a statement attached to the motion:

(i) That the attorney is a member in good standing of the Bar of another state;

(ii) That the attorney shall be bound by the Delaware Lawyers' Rules of Professional Conduct and has reviewed the Statement of Principles of Lawyer Conduct;

(iii) That the attorney and all attorneys of the attorney's firm who directly or indirectly provide services to the party or cause at issue shall be bound by all Rules of the Court;

(iv) That the attorney has consented to the appointment of the Register in Chancery of the county in which the matter pends as agent upon whom service of process may be made for all actions, including disciplinary actions, that may arise out of the practice of law under this Rule and any activities related thereto;

(v) The number of actions in any court of record of Delaware in which the attorney has appeared in the preceding 12 months;

(vi) That a payment for the pro hac vice admission assessment ~~in the amount of \$300~~ determined by the Delaware Supreme Court is attached to be deposited in the Supreme Court registration fund for the purpose of the governance of the Bar of its Court and may be distributed pursuant to Supreme Court Rule 69. The pro hac vice admission assessment shall be \$375 in calendar year 2015, \$400 in calendar year 2016, and

thereafter increased annually by the rate of inflation as determined by the Delaware Supreme Court;

(vii) Whether the applying attorney has been disbarred or suspended or is the object of pending disciplinary proceedings in any jurisdiction where the applying attorney has been admitted generally, pro hac vice, or in any other way; and

(viii) The identification of all states or other jurisdictions in which the applying attorney has at any time been admitted generally.

(d) Delaware counsel for any party shall appear in the action in which the motion for admission pro hac vice is filed and shall sign or receive service of all notices, orders, pleadings or other papers filed in the action, and shall attend all proceedings before the Court, Clerk of the Court, or other officers of the Court, unless excused by the Court. Attendance of Delaware Counsel at depositions shall not be required unless ordered by the Court.

(e) Withdrawal of attorneys admitted pro hac vice shall be governed by the provisions of Rule 5(aa). The Court may revoke a pro hac vice admission sua sponte, or upon the motion of a party, if it determines, after a hearing or other meaningful opportunity to respond, the continued admission pro hac vice to be inappropriate or inadvisable.

(f) The motion and certificate described in subsections (a) and (b) of this Rule shall be filed as soon as reasonably possible, and they shall be filed no later than the date of the 1st appearance of the attorney who seeks admission pro hac vice before the Court or the Clerk of the Court in the matter for which admission is sought.

(g) In exercising its discretion in ruling on a motion for admission pro hac vice, the Court shall also consider whether, in light of the nature and extent of the practice in the State of Delaware of the attorney seeking admission, that attorney is, in effect, practicing as a Delaware Counsel without complying with the Delaware requirements for admission to the Bar. In its consideration of this aspect of the motion, the Court may weigh the number of other admissions to practice sought and/or obtained by this attorney from Delaware courts, the question of whether or not the attorney in fact maintains an office in Delaware although the attorney is not admitted to practice in Delaware courts, and other relevant facts.

(h) The Delaware Counsel filing a motion pro hac vice for the admission of an attorney not a member of the Delaware Bar shall certify that the Delaware attorney finds the applicant to be a reputable and competent attorney, and is in a position to recommend the applicant's admission.