

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KIMBERLY COLE, ALAN COLE,  
JAMES MONICA, LINDA BOYD,  
MICHAEL MCMAHON, RAY  
SMINKEY, JAMES MEDDERS, JUDY  
MEDDERS, ROBERT PEPERNO,  
SARAH PEPERNO, KELLY MCCOY,  
LESA WATTS, CHAD MEADOW,  
JOHN PLISKO, SUSAN PLISKO,  
KENNETH McLAUGHLIN, RYAN  
KENNY, ALEXANDER DAVIS, and  
ANDREA DAVIS, on behalf of  
themselves and all others similarly  
situated,

Plaintiffs,

vs.

NIBCO, Inc.,

Defendant.

Civil Action No. 13-7871-FLW-  
TJB

**NOTICE OF MOTION FOR  
*PRO HAC VICE* ADMISSION  
OF CHRISTOPHER A.  
BANDAS**

**PLEASE TAKE NOTICE** that on April 1, 2019 at 9:00 am, or as soon thereafter as counsel may be heard, Objecting Class Member Jeffrey Palmer shall move under Local Civ. R. 101.1(c) for an Order permitting the *pro hac vice* admission of Christopher A. Bandas.

**PLEASE TAKE FURTHER NOTICE** that Objecting Class Member Jeffrey Palmer will rely upon the Certifications of Janet Gold and Christopher A. Bandas in support of this motion.

**PLEASE TAKE FURTHER NOTICE** that Class Counsel and Defendant's counsel have not consented to this Motion. No brief is necessary as this Motion does not raise novel or complex issues of law.

A proposed form of Order is attached.

DATED: February 27, 2019

Respectfully submitted,

/s/ Janet L. Gold, Esquire  
Janet L. Gold, Esquire  
Eisenberg, Gold & Agrawal, P.C.  
1040 North Kings Highway, Suite 200  
Cherry Hill, New Jersey 08034  
Tel: (856) 330-6200  
Fax: (856) 330-6207  
jgold @egclawfirm.com

Robert W. Clore  
*Pro Hac Vice* Admission Pending  
Christopher A. Bandas  
*Pro Hac Vice* Admission Pending  
Bandas Law Firm, P.C.  
500 North Shoreline, Suite 1020  
Corpus Christi, TX 78401  
Tel: (361) 698-5200  
Fax: (361) 698-5200  
rBandas@bandaslawfirm.com  
cbandas@bandaslawfirm.com

*Counsel for Objecting Class Member Jeffrey Palmer*

### **Certificate of Service**

The undersigned certifies that today she filed the foregoing objection and associated declarations on ECF which will send electronic notification to all attorneys registered for ECF-filing.

DATED: February 27, 2019

*/s/ Janet L. Gold, Esquire*  
\_\_\_\_\_  
Janet L. Gold, Esquire  
Eisenberg, Gold & Agrawal, P.C.  
1040 North Kings Highway, Suite 200  
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Tel: (856) 330-6200  
Fax: (856) 330-6207  
jgold @egclawfirm.com  
*Attorney for Objector/Class Member*

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Defendant.

Civil Action No. 13-7871-FLW-  
TJB

**CERTIFICATION OF JANET  
L. GOLD IN SUPPORT OF  
*PRO HAC VICE* ADMISSION  
OF CHRISTOPHER A.  
BANDAS**

**Janet L. Gold**, of full age, certifies as follows:

1. I am an attorney at law of the State of New Jersey, a member in good standing of the bar of this Court, and a member of the firm Eisenberg, Gold & Agrawal, P.C., co-counsel for Objecting Class Member Jeffrey Palmer in this matter. I have personal knowledge of the facts set forth herein.

2. I make this certification in support of Plaintiffs' motion to admit Christopher A. Bandas *pro hac vice* as counsel for Plaintiffs.

3. Christopher A. Bandas is an attorney and the sole shareholder with the firm of Bandas Law Firm, PC, located at 500 North Shoreline Blvd., Suite 1020, Corpus Christi, Texas 78401.

4. Mr. Bandas has advised me that he is a member in good standing of the bars the State Bar of Texas; the Supreme Court of Texas; the United States District Court for the Southern District of Texas; the United States Court of Appeals, District of Columbia Circuit; the United States District Court, Northern District of Texas; the United States District Court, Eastern District of Texas; the United States District Court, Western District of Texas; the United States District Court, Western District of Michigan; the United States Courts of Appeals for the Second Circuit, Third Circuit, Fourth Circuit, Fifth Circuit, Sixth Circuit, Seventh Circuit, Eighth Circuit, Ninth Circuit, Eleventh Circuit, and the United States Supreme Court.

He is not under suspension, nor has he ever been suspended or disbarred from any court. He did disclose to me that in 2013, his *pro hac vice* admission was rescinded in the Western District of Washington when he posted an appeal bond after a court ordered deadline. That matter is closed. *Dennings v. Clearwire Corp.*, No. 2:10-cv-01859, ECF Doc. 165-4 (Aug. 15, 2013) ECF Doc. 166 (W.D. Wash. Aug. 20, 2013). I am also aware that Mr. Bandas, as set forth in his certificate, is

under investigation by the Illinois Attorney & Registration Disciplinary Commission in connection with an allegation of the unauthorized practice of law for failing to move *pro hac vice* in a matter in Illinois.

Mr. Bandas also disclosed to me that he has had trouble in the past in failing to seek *pro hac vice* admission in representation of objecting class members in the past. Mr. Bandas has set forth those matters in his certificate for *pro hac vice* admission which involve. By seeking admission *pro hac vice* before this Court, Mr. Bandas is seeking to put himself before the Court in connection with his representation of the Objecting Class Member, Jeffrey Palmer. Mr. Bandas is fully familiar with the proposed settlement and request for attorneys' fees by class counsel, and the objection thereto.

5. There is good cause for the *pro hac vice* admission of Mr. Bandas, as he is fully familiar with the proposed settlement and request for attorneys' fees by class counsel, and the objection thereto, and no delay in the conduct of the proceedings would be occasioned by him acting as attorney for Objecting Class Member Jeffrey Palmer in this matter.

6. Pursuant to Local Civil Rule 101.1(c)(4), my firm will appear in this action, including all court appearances on behalf of Objecting Class Member Jeffrey Palmer and agree to accept service of all notices, orders, and pleadings in this action. I or an attorney from my firm will sign and file all pleadings, enter all

appearances, sign all stipulations, and other such documents in this matter. I agree to be responsible for the conduct of the above-named counsel should he be admitted *pro hac vice*.

DATED: February 27, 2019

Respectfully submitted,

*/s/ Janet L. Gold, Esquire*

Janet L. Gold, Esquire

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KIMBERLY COLE, ALAN COLE,  
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KENNY, ALEXANDER DAVIS, and  
ANDREA DAVIS, on behalf of  
themselves and all others similarly  
situated,

Plaintiffs,

vs.

NIBCO, Inc.,

Defendant.

Civil Action No. 13-7871-FLW-  
TJB

**CERTIFICATION OF  
CHRISTOPHER A. BANDAS  
IN SUPPORT OF *PRO HAC  
VICE* ADMISSION**

**Christopher A. Bandas**, of full age, certifies as follows:

1. I am an attorney and the sole shareholder of Bandas Law Firm, PC, located at 500 North Shoreline Blvd., Suite 1020, Corpus Christi, Texas 78401, co-counsel for Objecting Class Member Jeffrey Palmer in the captioned matter. I make this certification on my personal knowledge in support of Objecting Class Member Jeffrey Palmer's application to have me admitted *pro hac vice* in the



captioned matter. I am fully familiar with the proposed settlement, request for class counsels' attorneys' fees, and Mr. Palmer's objections thereto.

2. I am a member in good standing of the bars of the State Bar of Texas (admitted 1993); the Supreme Court of Texas (admitted 1993); the United States District Court for the Southern District of Texas (admitted 2013); the United States Court of Appeals, District of Columbia Circuit (admitted 2008); the United States District Court, Northern District of Texas (admitted 1998); the United States District Court, Eastern District of Texas (admitted 2001); the United States District Court, Western District of Texas (admitted 2005); the United States District Court, Western District of Michigan (admitted 2007); the United States Courts of Appeals for the Second Circuit (admitted 2016; inactive), Third Circuit (admitted 2008), Fourth Circuit (admitted 2018), Fifth Circuit (admitted 1995), Sixth Circuit (admitted 2017), Seventh Circuit (admitted 2011), Eighth Circuit (admitted 2012), Ninth Circuit (admitted 2006), Eleventh Circuit (admitted 2012), and the United States Supreme Court (admitted 2006).

The names and addresses of the offices maintaining the rolls of members of the bar in these jurisdictions are as follows:

State Bar of Texas  
Membership Department  
P.O. Box 12487  
Austin, Texas 78711

The Texas Supreme Court

Clerk's Office  
P.O. Box 12248, Austin, Texas 78711

The United States District Court for the Northern District of Texas  
Clerk's Office  
1100 Commerce Street, Room 1452  
Dallas, TX 75242

The United States District Court for the Eastern District of Texas  
Clerk's Office  
William M. Steger Federal Building and United States Courthouse  
211 West Ferguson Street Room 106  
Tyler, Texas 75702

The United States District Court for the Western District of Texas  
Clerk's Office  
655 E. Cesar E. Chavez Blvd., Room G65  
San Antonio, Texas 78206

The United States District Court for the Western District of Michigan  
Thomas L. Dorwin, Clerk of Court  
399 Federal Building  
110 Michigan NW  
Grand Rapids, Mich. 49503

The United States Court of Appeals for the District of Columbia Circuit  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue, N.W.  
Room 5205  
Washington, DC 20001

United States District Court for the Southern District of Texas  
515 Rusk Avenue  
Houston, Texas 77002

United States Court of Appeals for the Second Circuit  
Clerk's Office  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

United States Court of Appeals for the Third Circuit  
Clerk's Office  
21400 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1790

United States Court of Appeals for the Fourth Circuit  
Clerk's Office  
1100 East Main Street, Suite 501  
Richmond, Virginia 23219

United States Court of Appeals for the Fifth Circuit  
Clerk's Office  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130-3408

United States Court of Appeals for the Sixth Circuit  
Clerk's Office  
540 Potter Stewart U.S. Courthouse  
100 East Fifth Street  
Cincinnati, Ohio 45202

United States Court of Appeals for the Seventh Circuit  
Clerk's Office  
Everett McKinley Dirksen United States Courthouse  
219 S. Dearborn Street  
Room 2722  
Chicago, IL 60604

United States Court of Appeals for the Eighth Circuit  
Clerk's Office  
Thomas F. Eagleton Courthouse  
Room 24.329  
111 South 10th Street  
St. Louis, MO 63102

United States Court of Appeals for the Ninth Circuit Court  
Clerk's Office

P.O. Box 193939  
San Francisco, CA 94119-3939

United States Court of Appeals for the Eleventh Circuit Court  
John Ley, Clerk of Court  
56 Forsyth St., N.W.  
Atlanta, Georgia 30303

United States Supreme Court  
Clerk's Office  
1 First Street, NE  
Washington, DC 20543

3. I am not under suspension, nor have I ever been suspended or disbarred from any court. However, my *pro hac vice* admission was rescinded in the Western District of Washington when I posted an appeal bond after a court ordered deadline. That matter is closed. *Dennings v. Clearwire Corp.*, No. 2:10-cv-01859, ECF Doc. 165-4 (Aug. 15, 2013) ECF Doc. 166 (W.D. Wash. Aug. 20, 2013). There is one disciplinary proceeding pending against me in Illinois before the Illinois Attorney Registration & Disciplinary Commission.

A complaint was previously filed with the Illinois Attorney Registration & Disciplinary Commission arising from *Clark v. Gannett Co., Inc.*, No. 2016-CH-06603 (Cir. Ct. Cook Cnty, Ill. Jul. 19, 2017) in connection with an allegation of unauthorized practice of law in Illinois based on representation of a class member without moving for *pro hac vice* admission. After investigating the matter, the Illinois ARDC initially took no action. The First District Court of Appeals on November 20, 2018, issued an opinion, referring the matter again to the ARDC,

and that matter is currently pending. I do not know the likely time of the disposition of that investigation.

Additionally, in *Edelson PC v. The Bandas Law Firm PC*, No. 16-cv-11057, ECF Doc. 178 (N.D. Ill. Jan. 17, 2019), which also stemmed from the *Clark v. Gannett* litigation listed above, the Court addressed a complaint about the unauthorized practice of law in Illinois, and entered an injunction requiring me, *inter alia*, to obtain *pro hac vice* admission in connection with objections, and to further attach a copy of the order to any such application. Consistent with newly amended FED. R. CIV. P 23, the order also requires that any objection filed by me “state[] whether it applies only to the objector, to a specific subset of the class, or to the entire class, and also state[] with specificity the grounds for the objection” and that “[a]ny payment in connection with the objection is disclosed and approved by the court and, unless approved by the court after a hearing, no payment or other consideration is provided in connection with forgoing or withdrawing the objection or forgoing dismissing, or abandoning an appeal from a judgment approving the proposal.” *Id.* at 2. My *pro hac vice* application is thus filed with the intent of honoring this order to appear before the Court in any proceeding in which I represent an objecting class member.

In *Garber v. Office of the Comm’r of Baseball*, 12-CV-03704, Doc. 608, at 2, 8-12 (S.D.N.Y. Feb. 27, 2017), the Court admonished me in connection with my

representation of an objecting class member, and expressed concern over my failure to appear before the Court. The Court declined to enter sanctions against me, but required that I provide a copy of the order to any attorney who serves as local counsel for a class member that I represent in the Southern District of New York. Again, by my request for *pro hac vice* admission, I seek to put myself before the Court in connection with my representation of the objecting class member, Jeffrey Palmer.

4. I am conversant with the local civil rules of the United States District Court for the District of New Jersey, and will abide by those rules.

5. Upon entry of the requested order, payment in the appropriate amount will be forwarded to the New Jersey Lawyers' Fund For Client Protection as provided by New Jersey Court Rule 1:28-2(a).

6. In accordance with Local Civil Rule 101.1(c)(3), upon entry of the requested order, payment in the amount of \$150.00 will be forwarded to the Clerk, United States District Court.

7. I understand that in accordance with Local Civil Rule 101.1(c)(5), a lawyer admitted *pro hac vice* is within the disciplinary jurisdiction of this Court. I agree to comply with the requirements of Local Civil Rule 101.1(c). I agree to take no fee in any tort case in excess of New Jersey Court Rule 1:21-7 governing contingent fees.

8. The firm of Eisenberg, Gold & Agrawal, P.C. of Cherry Hill, New Jersey has agreed to work with my firm in the litigation of this action.

9. I respectfully request that this court grant Objecting Class Member Jeffrey Palmer's application to have me admitted *pro hac vice* for all purposes in this action, including appearance at the fairness hearing. Class counsel and Counsel for Defendant have advised that they oppose admission of our co-counsel.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: February 27, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Bandas', written over a horizontal line.

Christopher A. Bandas

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

EDELSON PC,

*Plaintiff,*

v.

THE BANDAS LAW FIRM PC, et al

*Defendants.*

Case No. 1:16-cv-11057

**FINAL JUDGMENT ORDER**

IT IS HEREBY ADJUDGED and DECREED that final judgment is entered in this matter on Count V of Plaintiff Edelson PC's complaint in favor of Plaintiff and against Christopher Bandas and the Bandas Law Firm PC ("Defendants").

**I. REASONS FOR ISSUANCE OF INJUNCTION**

Defendants do not dispute that that they engaged in the unauthorized practice of law in *Clark v. Gannett Co., Inc.* Defendants further do not dispute that they engaged in the following conduct without obtaining authorization from the Illinois Supreme Court to practice law in Illinois: agreeing to represent Gary Stewart in the *Gannett* litigation, drafting the objection of Stewart in *Gannett*, providing legal advice to Stewart related to *Gannett*, contacting and arranging for C. Jeffrey Thut to appear in Defendants' stead in *Gannett*, allowing C. Jeffrey Thut to assist Defendants in the unauthorized practice of law, representing Stewart in discussions with class counsel regarding Stewart's objection, entering into negotiations with class counsel in *Gannett* on behalf of Stewart, and agreeing to resolve Stewart's objection in exchange for \$225,000 in



attorneys' fees with no changes to the settlement agreement. Accordingly, the Court finds that issuance of a permanent injunction against Defendants is appropriate.

## II. ACTS RESTRAINED OR REQUIRED

Defendants The Bandas Law Firm, P.C. and Christopher A. Bandas are hereby restrained and permanently enjoined from engaging in the following actions:

1. Providing any advice or other service requiring the use of any degree of legal skill or knowledge related to any state or federal court proceedings in the State of Illinois, regardless of whether Defendants or their clients are physically located within the State of Illinois, without obtaining admission to the bar of Illinois or leave to appear *pro hac vice* from the court before which the proceeding is pending. The restrained advice and services include but are not limited to providing legal advice, acting as general counsel, drafting documents, negotiating, or accepting payment of attorneys' fees.
2. Soliciting attorneys located in the State of Illinois to sign pleadings or other documents drafted by Defendants in a case where Defendants do not appear;
3. Paying, or offering to pay, or to loan any client any monies in connection with any class action objection unless such payment is awarded or expressly approved by a court;
4. Seeking admission, *pro hac vice* or otherwise, to practice in any state or federal court without fully and truthfully responding to all questions on the application and without attaching a copy of this judgment;
5. Defendants shall not file or cause to be filed any objection to any proposed class action settlement in any state or federal court unless:

a. Such objection states whether it applies only to the objector, to a specific subset of the class, or to the entire class, and also states with specificity the grounds for the objection; and

b. Any payment in connection with the objection is disclosed and approved by the court and, unless approved by the court after a hearing, no payment or other consideration is provided in connection with forgoing or withdrawing the objection or forgoing dismissing, or abandoning an appeal from a judgment approving the proposal;

6. Defendants, having consulted with their clients, shall immediately and unconditionally withdraw objections and filings related thereto any and all objections now pending in Illinois state and federal courts, including *Clark v. Gannett Co., Inc.* Defendants shall have no further direct or indirect involvement in those matters, and Defendants shall accept no compensation of any kind related to those matters.

**III. CONTINUING JURISDICTION**

Without affecting the finality of this judgment, the Court retains jurisdiction to enforce the injunction set forth herein.


**IV. COSTS**

Defendants shall pay Plaintiff's costs in the amount of \$5,447.65.

**V. NO JUST REASON FOR DELAY**

The Court finds pursuant to Rule 54(b) that is no just reason for delay of entry of this judgment.

IT IS SO ORDERED.

  
REBECCA R. PALLMEYER  
United States District Judge

JUDGMENT ENTERED: January 17, 2019

\_\_\_\_\_  
CLERK, U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KIMBERLY COLE, ALAN COLE,  
JAMES MONICA, LINDA BOYD,  
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KENNETH McLAUGHLIN, RYAN  
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Civil Action No. 13-7871-FLW-  
TJB

**[PROPOSED] ORDER FOR  
*PRO HAC VICE* ADMISSION  
OF CHRISTOPHER A.  
BANDAS**

This matter having been presented to the Court by Janet L. Gold, Eisenberg, Gold & Agrawal, P.C for the entry of an Order allowing the appearance *pro hac vice* of Christopher A. Bandas for all purposes in the above captioned matter, and the Court having reviewed the Certifications of Janet L. Gold and Christopher A. Bandas and it appearing that Christopher A. Bandas is an attorney and the sole shareholder of the firm of Bandas Law Firm, PC, located at 500 North Shoreline Blvd., Suite 1020, Corpus Christi, Texas 78401; and that Janet L. Gold, Eisenberg,

Gold & Agrawal, P.C. has agreed to act as local counsel; and for good cause having been shown;

**IT IS** on this \_\_\_\_\_ day of , 2019

**ORDERED**, that Christopher A. Bandas is hereby admitted *pro hac vice* for all purposes of representing Plaintiffs in the above entitled action, and it is

**FURTHER ORDERED** that, pursuant to Local Rule 101.1(c) Christopher A. Bandas shall make a payment to the New Jersey Lawyer's Fund for Client Protection as provided by New Jersey Court Rule 1:28-2(a) if they have not already made contributions,

**FURTHER ORDERED** that pursuant to Local Rule 101.1(c)(3), Christopher A. Bandas shall make a payment of \$150.00, payable to the Clerk, United States District Court,

**FURTHER ORDERED** that Christopher A. Bandas shall be bound by the General and Admiralty Rules of the United States District Court for the District of New Jersey, including but not limited to the provisions of Local Rule 103.1, Judicial Ethics and Professional Responsibility, and the Local Rule 104.1, Discipline of Attorneys; and it is

**FURTHER ORDERED** that pursuant to Local Rule 101.1(c), Christopher A. Bandas shall be deemed to have agreed to take no fee in any tort case in excess of the New Jersey Court Contingency Fee Rule, Rule 1:27-7, as amended.

SO ORDERED:

\_\_\_\_\_  
Honorable \_\_\_\_\_, U.S.M.J.