

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT, INC.,

Defendant.

C.A. No. 1:19-cv-11586- FDS

**DEFENDANT'S ASSENTED MOTION FOR ADMISSION *PRO HAC VICE***

Pursuant to Rule 83.5.3(b) of the Local Rules of the United States District Court for the District of Massachusetts, Jennifer B. Furey of the law firm Goulston & Storrs PC, a member of the bar of this Court, respectfully moves that Brian D. Matty, Esq. who is a member of the bar of the State of New York, be granted leave to appear and practice in this Court in the above-captioned action *pro hac vice*. Attached to this Motion as Exhibit A is a Certification signed by Brian D. Matty, Esq. stating that (1) he is a member of the bar in and in good standing in every jurisdiction where he has been admitted to practice; (2) there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; and (3) he is familiar with the Local Rules for the United States District Court for the District of Massachusetts.

WHEREFORE, Defendant Fitbit, Inc., through its counsel Jennifer B. Furey, respectfully requests that this Court allow this Motion for Admission *Pro Hac Vice* of Brian D. Matty, Esq.

Dated: February 9, 2021

Respectfully submitted,

FITBIT, INC.,  
By its counsel,

/s/ Jennifer B. Furey

Jennifer B. Furey (BBO # 634174)  
Andrew T. O'Connor (BBO # 664811)  
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**RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), counsel for Defendant Fitbit, Inc. met and conferred with counsel for Plaintiff, who confirmed that Plaintiff Philips North America LLC assents to this motion.

/s/ Andrew T. O'Connor

Andrew T. O'Connor

**CERTIFICATE OF SERVICE**

I hereby certify that, on February 9, 2021, I electronically filed the foregoing with the Clerk's Office using the Court's CM/ECF system, which will send notification of this filing (NEF) to all registered participants, and paper copies will be sent to those indicated as non-registered participants.

/s/ Jennifer B. Furey

Jennifer B. Furey