

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,
Plaintiff,**

Civil Case No. 16-6848

v.

**PLATINUM MANAGEMENT (NY) LLC, *et al.*;
Defendants.**

To: All Counsel of Record (via ECF)

NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE

PLEASE TAKE NOTICE that upon the annexed affidavit of movant in support of this motion and the Certificates of Good Standing annexed thereto, we will move this Court pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of movant, a member of the firm of Barnes & Thornburg, LLP, and a member in good standing of the bars of the States of Ohio, Pennsylvania, and Florida as attorney pro hac vice to argue or try this case in whole or in part as counsel for non-party Navidea Biopharmaceuticals, Inc. There are no pending disciplinary proceedings against me in any state or federal court.

Dated: June 13, 2018

Respectfully submitted,

/s/ Robert C. Folland

Robert C. Folland
Barnes & Thornburg LLP
41 S. High Street, Suite 3300
Columbus, Ohio 43215
Phone: 614-628-0096
Fax: 614-628-1433
Rob.Folland@btlaw.com
*Counsel for Navidea Biopharmaceuticals,
Inc.*

CERTIFICATE OF SERVICE

The undersigned certifies that on this 13th day of June, 2018, a copy of the foregoing *Notice of Motion to Admit Counsel Pro Hac Vice* (the “Motion”) was served via the Court’s CM/ECF system, upon all counsel of record. Copies of the Motion were also served U.S. Mail, postage prepaid, on all parties not registered to receive service via the Court’s CM/ECF system, if any.

/s/ Robert C. Folland

Robert C. Folland

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,
Plaintiff,

Civil Case No. 16-6848

v.

PLATINUM MANAGEMENT (NY) LLC, *et al.*;
Defendants.

**AFFIDAVIT OF ROBERT C. FOLLAND IN SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

Now comes the Affiant, Robert C. Folland, being first duly cautioned and sworn, and states under oath based on personal knowledge as follows:

1. I am of sound, competent mind and over the age of 18.
2. I am a partner with the law firm of Barnes & Thornburg, LLP.
3. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
4. I am counsel for non-party Navidea Biopharmaceuticals, Inc. (“Navidea”) in *Platinum-Montaur Life Sciences, LLC v. Navidea Biopharmaceuticals, Inc.*, S.D.N.Y. Case No. 17-cv-9591 (the “Navidea Litigation”).
5. In the Navidea Litigation, Navidea seeks to assert a Third-Party Complaint against Platinum Partners Credit Opportunities Master Fund LP (“PPCO”).
6. Navidea will seek leave from this Court, via a forthcoming motion, to assert a Third-Party Complaint against PPCO in the Navidea Litigation.
7. I have been granted *pro hac vice* admission in the Navidea Litigation.
8. As shown in the Certificates of Good Standing annexed hereto I am a member in good standing of the Bar of the States of Ohio, Pennsylvania, and Florida.

9. There are no pending disciplinary proceedings against me in any State or Federal Court.


10. I have not been convicted of a felony.

11. I have not been censured, suspended, disbarred or denied admission or readmission by any court.

12. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate pro hac vice in this one case for Navidea Biopharmaceuticals, Inc.

13. Further Affiant saith naught.

Executed on June 13, 2018.



Robert C. Folland

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Sworn to and subscribed in my presence this 13th day of June, 2018.



Notary Public



BEVERLY J. KANTOR
Notary Public, State of Ohio
My Commission Expires December 19, 2021

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE

Civil Case No. 16-6848

COMMISSION,

Plaintiff,

v.

PLATINUM MANAGEMENT (NY) LLC, *et al.*;

Defendants.

ORDER FOR ADMISSION PRO HAC VICE

The motion of Robert C. Folland, for admission to practice Pro Hac Vice in the above captioned action is granted.

Robert C. Folland has declared that he/she is a member in good standing of the bar(s) of the state(s) of Ohio, Pennsylvania, and Florida; and that his/her contact information is as follows:

Applicant's Name: Robert C. Folland

Firm Name: Barnes & Thornburg LLP

Address: 41 S. High Street, Suite 3300

City / State / Zip: Columbus, OH 43215

Telephone / Fax: 614-628-1429/614-628-1433

Robert C. Folland having requested admission Pro Hac Vice to appear for all purposes as counsel for Navidea Biopharmaceuticals, Inc. in the above entitled action;

IT IS HEREBY ORDERED that Robert C. Folland is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Eastern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys.

Dated: _____, 2018

SO ORDERED.

Hon. Brian M. Cogan
Judge, United States District Court
for the Eastern District of New York

Submitted: June 13, 2018

The Supreme Court of Ohio

CERTIFICATE OF GOOD STANDING

I, GINA WHITE PALMER, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio, **Robert Christopher Folland** (Attorney Reg. No. **0065728**) was admitted to the practice of law in Ohio on **November 30, 1995**; has registered as an **active** attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

I further certify that the records of the Clerk's Office of the Supreme Court of Ohio do not indicate that the Board of Professional Conduct has filed a report recommending that the Supreme Court impose discipline against Robert Christopher Folland pursuant to Gov. Bar R. V ("Disciplinary Procedure"). I further certify that the records of the Clerk's Office do not indicate that the Supreme Court has imposed discipline against Robert Christopher Folland pursuant to Gov. Bar R. V. I further certify that the records of the Clerk's Office do not indicate that a disciplinary matter was or is currently pending against Robert Christopher Folland with the Supreme Court.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 31st day of May, 2018.

GINA WHITE PALMER

Director, Attorney Services Division



Martha S. Asseff

Attorney Services Counsel



No. 2018-05-31-1

Verify by email: GoodStandingRequests@sc.ohio.gov

The Supreme Court of Ohio

CERTIFICATE OF GOOD STANDING


I, GINA WHITE PALMER, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Robert Christopher Folland
Attorney Registration No. **0065728**

was admitted to the practice of law in Ohio on November 30, 1995; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have
subscribed my name and affixed the seal of the
Supreme Court, this 5th day of June, 2018.

GINA WHITE PALMER
Director, Attorney Services Division


Martha S. Asseff
Attorney Services Counsel



No. 2018-06-05-1

Verify by email at GoodStandingRequests@sc.ohio.gov



The Florida Bar

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Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 1007951
Robert C. Folland
Mr. Robert C. Folland
445 Cove Tower Dr. Apt. 604
Naples, FL 34110

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **April 20, 2018**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 22nd day of **May, 2018**.

A handwritten signature in black ink that reads "Pam Gerard".

Pam Gerard, Manager
Membership Records Dept.
The Florida Bar

PG:R10
CTM-12510





Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Robert Christopher Folland, Esq.

DATE OF ADMISSION

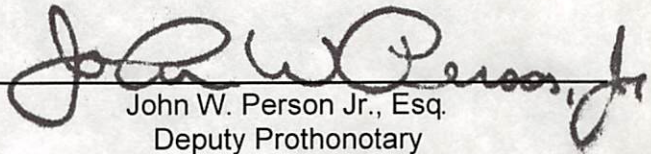
July 20, 2015

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 31, 2018


John W. Person Jr., Esq.
Deputy Prothonotary