

**IN THE DISTRICT COURT OF APPEAL  
FIFTH DISTRICT, STATE OF FLORIDA**

**CASE NO. 5D23-2758**

YOWIE NORTH AMERICA, INC., and  
YOWIE EQUIPMENT HOLDINGS, INC.,

Appellants,

v.

ATLANTIC CANDY COMPANY, n/k/a  
WHETSTONE INDUSTRIES, INC.,  
and HENRY WHETSTONE, JR.,

Appellees.

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**ATTORNEY JOSHUA C. DICKINSON'S VERIFIED MOTION  
FOR ADMISSION TO APPEAR *PRO HAC VICE***

Comes now, Joshua C. Dickinson ("Movant"), who respectfully represents the following in accordance with Fla. R. Jud. Admin. 2.510 to be admitted *pro hac vice*:

1. Movant resides in Omaha, Nebraska, and is not a resident of the State of Florida.
2. Movant is an attorney and a member of the law firm of Spencer Fane LLP, 13815 FNB Pkwy Suite 200, Omaha, NE 68154; (402) 965-8600.

3. Movant has been retained personally or as a member of the above-named law firm by Appellees, Yowie North America, Inc. and Yowie Equipment Holding, Inc., (collectively, "Appellees") to provide legal representation in connection with the above-styled matter now pending before the above-named court of the State of Florida.

4. Movant is an active member in good standing and currently eligible to practice law in the following jurisdiction(s):

JURISDICTION	ATTORNEY/BAR NUMBER
<u>Missouri state and federal courts</u>	<u>51446</u>
<u>Nebraska state and federal courts</u>	<u>23700</u>
<u>Kansas state and federal courts</u>	<u>20632</u>
<u>Iowa state and federal courts</u>	<u>24274</u>
<u>8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Circuit Courts of Appeal</u>	<u>N/A</u>

5. There are no disciplinary proceedings pending against Movant.

6. Within the past five (5) years, Movant has not been subject to any disciplinary proceedings.

7. Movant has never been subject to suspension proceedings.

8. Movant has never been subject to any disbarment proceedings.

9. Movant, either by resignation, withdrawal, or otherwise, has never been terminated or attempted to terminate Movant's office as an

attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings.

10. Movant is not an active member of the Florida Bar.

11. Movant is not now and has never been a member of the Florida Bar.

12. Movant is not a suspended member of the Florida Bar.

13. Movant is not a disbarred member of the Florida Bar nor has Movant received a disciplinary resignation from the Florida Bar.

14. Movant has not previously been disciplined or held in contempt by reason of misconduct committed while engaged in representation pursuant to Florida Rule of Judicial Administration 2.510.

15. Movant has filed motion(s) to appear as counsel in Florida State courts during the past five (5) years in the following matter(s) PHV #120860:

<u>Case No.</u>	<u>Court</u>	<u>Case Matter</u>
CA16-0074	Circuit Court of the 7th Judicial Circuit in and for St. Johns County, Florida	Yowie North America, Inc., et al. v. Whetstone Chocolate Factory, Inc., et al,
5D23-1513	Fifth District Court of Appeals	Atlantic Candy Company N/K/A Whetstone Industries, Inc., et al. v. Yowie North America, Inc., et al.
3:14-cv-1286-HES-PDB	USDC – Middle District of Florida	Whetstone Industries, Inc., et al., v. Yowie Group, LTD, et al.,

All *pro hac vice* motions were filed and were granted.

16. Local counsel of record associated with Movant in this matter is J. Kirby McDonough, Florida Bar Number 79031, who is an active member in good standing of the Florida Bar and has offices at Spencer Fane LLP, 201 N. Franklin Street, Suite 2150, Tampa, Florida 32602, (813) 424-3500.

17. Movant has read the applicable provisions of the Florida Rule of Judicial Administration 2.510 and Rule 1-3.10 of the Rules Regulating the Florida Bar and certifies that this verified motion complies with those rules.

18. Movant agrees to comply with the provisions of the Florida Rules of Professional Conduct and consents to the jurisdiction of the courts and the Bar of the State of Florida.

WHEREFORE, Movant respectfully requests permission to appear in this court for this cause only.

Respectfully Submitted,



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Joshua C. Dickinson  
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(816)-474-3216(facsimile)  
[jdickinson@spencerfane.com](mailto:jdickinson@spencerfane.com)  
Counsel for Appellees

STATE OF NEBRASKA


COUNTY OF DOUGLAS

I, JOSHUA C. DICKINSON, do hereby swear or affirm under penalty of perjury that I am the Movant in the above-styled matter; that I have read the foregoing Motion and know the contents thereof, and the contents are true of my own knowledge and belief.

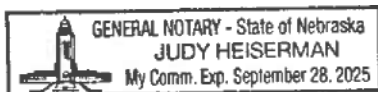
DATED this 18<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
MOVANT

On the 18<sup>th</sup> day of April, 2024, before me personally appeared the above named person, being of lawful age and being first duly sworn, who stated that he had read the foregoing motion and that the statements contained therein are true and correct according to his best information, knowledge and belief.

  
\_\_\_\_\_  
Notary

(SEAL)



I hereby consent to be associated as local counsel of record in this cause pursuant to Florida Rule of Judicial Administration 2.510.

DATED this 18<sup>th</sup> day of April, 2024.

**SPENCER FANE LLP**

By: /s/ J. Kirby McDonough

Joshua C. Dickinson

*(Pending Pro Hac Vice)*

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*Attorneys for Appellees*

## **CERTIFICATE OF SERVICE**

I hereby certify that, on this 18<sup>th</sup> day of April, 2024, a true and correct copy of the foregoing document was filed using this Court's electronic filing system which will automatically transmit a copy of the foregoing to all those parties entitled to receive notice, to the following:

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*Counsel for Appellee*

*/s/ J. Kirby McDonough*  
\_\_\_\_\_ *Attorney for Appellant*

**CERTIFICATE OF COMPLIANCE WITH FONT REQUIREMENT**

I certify that the font used in this Motion is 14-point Times New Roman and is in compliance with the Florida Rules of Appellate Procedure.

## SERVICE LIST

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