

MAY 07 2020  
SCANNED

LIBB  
FILED

#P63964408

5/08/2020

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA  
Case Number: AC 17-0694

Atty Status	Jurisdiction(s) <u>DC</u> <u>CA</u>
Discipline	<u>NONE</u>
Appearance: Applicant	<u>ST</u> Firm <u>BTH</u>
MT Attorney	<u>SBM</u> <u>ODC</u>

(Boxes for State Bar use only.)

52-20	Application Number
05/05/2020	50
Date Received	Staff Initials
DAIS	SAB522
Fee Paid	Check No.
05/05/2020	
Date Sent to Court or Agency	

STATE BAR OF MONTANA  
P.O. Box 577, Helena, MT 59624  
Street Address: 33 S. Last Chance Gulch, Suite 1B, Helena, MT 59601  
Telephone: (406) 442-7660  
Fax: (406) 442-7763

### PRO HAC VICE APPLICATION

The original application must be submitted to the State Bar of Montana with a fee of \$495 for each *pro hac vice* appearance requested and a certificate of good standing from each state the attorney is a member of.

1. Mark D. Plevin 415-365-7446 mplevin@crowell.com  
Applicant's Name Phone E-Mail
2. Crowell & Moring LLP  
Firm Name (List all firm(s) with which you are associated.)
3. Three Embarcadero Ctr, 26th Floor San Francisco CA 94111  
Office Address City State Zip
4. 2344 California Street San Francisco CA 94115  
Residence Address City State Zip
5. List the name, address, and telephone number of the active member of the State Bar of Montana who is the attorney of record in the case for which this application is being made.  
Mark S. Williams, Williams Law Firm, PC 406-721-4350  
Attorney & Firm Name Daytime Phone Number  
235 E. Pine, PO Box 9440 Missoula MT 59807-9440  
Address City State Zip
6. List all state and federal courts in which you have been admitted to practice and the dates of admission **and** provide certification of good standing for each State only. Do not include pro hac vice admissions.  
A. State Courts: District of Columbia (12-18-1981); California (6-12-1990)  
\_\_\_\_\_  
\_\_\_\_\_  
B. Federal Courts: See attachment  
\_\_\_\_\_  
\_\_\_\_\_



7. Are you currently suspended, disbarred, or otherwise not licensed to practice in any of the above courts?  
If so, attach copies of all relevant court documents or disciplinary documents. ☐ Yes ☒ No
8. Are you subject to pending disciplinary proceedings in any jurisdiction? ☐ Yes ☒ No  
If so, attach a description of the nature and status of each pending disciplinary proceeding.
9. Do you maintain a residence in Montana? ☐ Yes ☒ No
10. Are you regularly employed in Montana? ☐ Yes ☒ No
11. Are you regularly engaged in the practice of law or in substantial business or professional activities in Montana? ☐ Yes ☒ No
12. Do you have an application for admission to the State Bar of Montana pending? ☐ Yes ☒ No
13. List the title of each state court and cause in Montana in which you **OR YOUR FIRM** have filed an application to appear as counsel pro hac vice, the date of each application, and whether it was granted or denied. (Do not list Federal court pro hac vice appearances.)

**List the current title, court, and cause number for which you are applying.**

- | Title, Court, Cause #  | County | Date | Granted: (Yes, No) |
|--|--------|------|--------------------|
| A. Previous Cases: <u>SEE ATTACHED</u> <u>so</u>   |        |      |                    |
| <hr/>  |        |      |                    |
| <hr/>  |        |      |                    |
| <hr/>  |        |      |                    |
| B. CURRENT Case: (please include County) <u>Asbestos Claims Court of the State of Montana, No.</u> |        |      |                    |
| <u>AC 17-0694 (Robinson Insulation Co. Receivership)</u>   |        |      |                    |
| <hr/>  |        |      |                    |

14. I agree to comply with the applicable statutes, laws, and procedural rules of the State of Montana. I further agree to be bound by the Montana Rules of Professional Conduct (except as to Rules 6.1-6.4) and will submit to the jurisdiction of the Montana courts, the Montana disciplinary process, and the State Bar of Montana with respect to acts and omissions occurring during admission under this application.
15. I understand that a lawyer not admitted to practice in Montana is subject to the disciplinary authority of Montana for conduct that constitutes a violation of the Montana Rules of Professional Conduct and that: a) involves the practice of law in Montana by that lawyer; or b) involves that lawyer holding himself or herself out as practicing law in Montana; or c) involves the practice of law in Montana by another lawyer over whom this lawyer has the obligation of supervision or control.
16. I state that payment has been made to the State Bar of Montana in accordance with the requirements of Section IV of the Rules for Admission and in accordance with the requirements of Rule 6 of the Rules for Lawyer Disciplinary Enforcement.
17. I understand I have an on-going obligation to advise the State Bar of Montana and court/administrative agency if my standing or status changes in any of the jurisdictions in which I am admitted during the term of my pro hac vice admission.

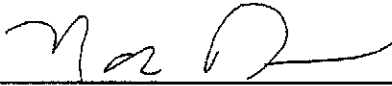


18. I agree to provide the State Bar of Montana with the court or administrative agency's order to grant or deny this application. (All applications will be counted as an appearance unless the State Bar of Montana is advised the application was denied by the Court.)
19. I agree to notify the State Bar of Montana of any appeals if the case is referred to a higher court. (If the above action proceeds to a court of higher jurisdiction, I understand the appealed case will not be counted as an additional appearance.)
20. I agree to provide current certificates of good standing from the jurisdiction(s) in which I am admitted.
21. I understand that the \$495 assessment is an annual assessment and agree to promptly pay the assessment as long as this proceeding is pending before a Montana administrative agency or any Montana court (except federal court).

State of California

County of San Francisco

The above statements are true based upon applicant's knowledge and belief. Further, I agree to submit to the pro hac vice rules, the Montana Rules of Professional Conduct, and the Montana Rules for Lawyer Disciplinary Enforcement.

  
\_\_\_\_\_  
Signature of Applicant                      April 28, 2020  
Date

**SEE ATTACHED DECLARATION IN LIEU OF NOTARY REQUIREMENT..**

Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_.

(SEAL)

Notary Signature: \_\_\_\_\_  
Printed Name of Notary: \_\_\_\_\_  
Notary Public for the State of: \_\_\_\_\_  
Residing in: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**ATTACH:    Certificate(s) of Good Standing  
              \$495.00 Pro Hac Vice Fee**

*Rules and information about pro hac vice are available on the State Bar's website at [www.montanabar.org](http://www.montanabar.org). Please direct questions to Sean O'Connor: [soconnor@montanabar.org](mailto:soconnor@montanabar.org) or (406) 447-2204.*



# DECLARATION OF MARK D. PLEVIN

I, Mark D. Plevin, swear under penalty of perjury that the statements made in the foregoing application for Admission *Pro Hac Vice* are true and correct.

Executed at San Francisco, California on this 28th day of April 2020.

A handwritten signature in black ink, appearing to read 'Mark D. Plevin', is written over a horizontal line.

Mark D. Plevin



***SUPPLEMENT TO PRO HAC VICE APPLICATION  
OF MARK D. PLEVIN  
TO THE STATE BAR OF MONTANA***

Answers to Question 6.B:

<b>Federal Court</b>	<b>Admission</b>
District of the District of Columbia	February 1, 1982
Northern District of California	August 25, 1989
Eastern District of Michigan	July 12, 2007
Central District of California	August 17, 2007
Northern District of Illinois	June 11, 2014
Eastern District of California	July 21, 2016
U.S. Court of International Trade	July 14, 2009
U.S. Court of Appeals, DC Circuit	May 28, 1991
U.S. Court of Appeals, 3d Circuit	August 22, 2003
U.S. Court of Appeals, 4th Circuit	April 30, 2014
U.S. Court of Appeals, 5th Circuit	July 8, 2001
U.S. Court of Appeals, 6th Circuit	December 19, 1984
U.S. Court of Appeals, 7th Circuit	August 23, 1996
U.S. Court of Appeals, 9th Circuit	July 5, 1990
U.S. Court of Appeals, Federal Circuit	November 12, 2010



**Crowell & Moring LLP pro hac vice appearances in MT since 11/1998**

App Date	Bar App #	Case #	Case Name	Venue	Attorney	Granted	Appearance
12/20/2002	140-02	CDV 92-486	National Wildlife Federation et al, v. Golden Sunlight Mines, et al	Lewis & Clark County	R. Timothy McCrum	Yes	1
9/10/2010	159-35	DV-08-10896	MEIC, NWF & GWA v. MDEQ & Golden Sunlight	Jefferson County	R. Timothy McCrum	Yes	2
12/10/2013 05/12/2014	58-13 13-14	BER 2012-12-WQ	In the Matter of the Notice of Appeal and Request for Hearing by, Western Energy Co. Re Its MP DES Permit No. MT0023965 Issued for Western Energy Co.'s Rosebud Mine in Colstrip, MT	Board of Environmental Review	John C. Martin Duane Siler	Yes	3
1/31/2014	13-14	CDV-2012-1075	MEIC/Sierra Club v. MT DEQ/Western Energy	Lewis & Clark County	Duane Siler	Yes	4
5/12/2014	53-14	DV-2014-36	MEIC v. MDEQ, Golden Sunlight Mines	Jefferson County	R. Timothy McCrum	Yes	5
02/03/2016 02/03/2016 02/08/2016	11-16 12-16 16-16	BER 2016-03	In the Matter of: the Notice of Appeal and Request for Hearing by, MEIC & Sierra Club of DEQ's Approval of Amendment No. 4 to Coal Mine Permit No. C19840003B Issued to Western Energy, Co.	Board of Environmental Review	John C. Martin Tyler O'Connor Daniel Leff	Yes	6
3/3/2020	23-20	DA 19-0533	National Indemnity Co. v State of MT	MT Supreme Court	Laura Foggan	Yes	7

**Note: Next appearance will be the firm's eighth appearance.**





**The State Bar  
of California**

180 Howard Street, San Francisco, CA 94105

888-800-3400

AttorneyRegulation@calbar.ca.gov

6122

MAY 07 2020

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**OFFICE OF ATTORNEY REGULATION  
& CONSUMER RESOURCES**

May 4, 2020

Mark S. Williams  
Williams Law Firm  
235 E. Pine  
P.O. Box 9440  
Missoula, MT 59807

Re: State Bar Number 146278 – Mark David Plevin  
Pro Hac Vice App for MDP

To Whom it May Concern:

In response to your recent request, enclosed please find the certificate(s) of standing for the above-referenced individual.

Should you need further information, please do not hesitate to contact 1-888-800-3400 or AttorneyRegulation@calbar.ca.gov.

Sincerely,

Denise Velasco  
Attorney Regulation & Consumer Resources  
The State Bar of California

Enclosure(s):

3      Standard

Delivery Method: Regular Mail  
PH: 406-721-4350





The State Bar  
*of California*

OFFICE OF ATTORNEY REGULATION  
& CONSUMER RESOURCES

180 Howard Street, San Francisco, CA 94105

888-800-3400

AttorneyRegulation@calbar.ca.gov

## CERTIFICATE OF STANDING

May 3, 2020

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MARK DAVID PLEVIN, #146278 was admitted to the practice of law in this state by the Supreme Court of California on June 12, 1990 and has been since that date, and is at date hereof, an ACTIVE licensee of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "D. Velasco", is positioned above the name of the signatory.

Denise Velasco  
Custodian of Records





The State Bar  
*of California*

OFFICE OF ATTORNEY REGULATION  
& CONSUMER RESOURCES

180 Howard Street, San Francisco, CA 94105

888-800-3400

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THE STATE BAR OF CALIFORNIA

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Denise Velasco  
Custodian of Records





The State Bar  
*of California*

OFFICE OF ATTORNEY REGULATION  
& CONSUMER RESOURCES

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THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "N/O" followed by a horizontal line.

Denise Velasco  
Custodian of Records





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**COMMISSION ON CHARACTER AND FITNESS  
OF THE SUPREME COURT OF THE STATE OF MONTANA**

33 South Last Chance Gulch, Suite 1B • P.O. BOX 577 • HELENA, MONTANA 59624  
(406) 442-7660 Fax (406) 442-7763 Web Site: [www.montanabar.org](http://www.montanabar.org)

May 5, 2020

**C&F COMMISSION:**

**CHAIR**

ANNIE GOODWIN  
P.O. Box 1131  
Helena, MT 59601

**VICE CHAIR**

BARBARA BELL  
P.O. Box 1525  
Great Falls, MT 59403-1525

**MEMBERS**

ROBERT M. CARLSON  
P.O. Box 509  
Butte, MT 59703

BARBARA M. HOWE, L.C.S.W.  
P.O. Box 577  
Helena, MT 59624

REX RENK  
P.O. Box 577  
Helena, MT 59624

ROBERT J. SULLIVAN  
P.O. Box 9199  
Missoula, MT 59807

ALICE STANLEY  
P.O. Box 577  
Helena, MT 59624

MICHAEL W. TOLSTEDT  
P.O. Box 577  
Helena, MT 59624

HON. CAROLYN S. OSTBY  
P.O. Box 1247  
Bozeman, MT 59711

**BAR ADMISSIONS  
ADMINISTRATOR**

KATHIE LYNCH  
P.O. Box 577  
Helena, MT 59624  
[klynch@montanabar.org](mailto:klynch@montanabar.org)

**BAR ADMISSIONS  
ASSISTANT**

SEAN O'CONNOR  
P.O. Box 577  
Helena, MT 59624  
[seanconnor@montanabar.org](mailto:seanconnor@montanabar.org)

Clerk of Asbestos Court  
Tammy Peterson  
P.O. Box 203002  
Helena, MT 59620

RE: Montana *Pro Hac Vice* Application

Dear Clerk:

Enclosed is a copy of an application to appear *pro hac vice* before your court or agency from the attorney listed below.

Mark D. Plevin  
Crowell & Moring LLP  
Three Embarcadero Ctr., 26th Floor  
San Francisco, CA 94115

The attorney has complied with the rules governing a *pro hac vice* appearance and is currently in good standing with the other state or jurisdiction(s) in which they are admitted. Further, the Montana counsel listed in the application is in good standing with the State Bar of Montana.

**This is the 1st appearance for the attorney and the 8th appearance for the firm.** under the *pro hac vice* rules. Section VI(C) of the Rules for Admission to the State Bar of Montana states: *Except upon a showing of good cause, no attorney or firm may appear pro hac vice in more than two actions or proceedings in any state court or administrative agency in Montana.* Please provide my office with a copy of your decision to grant or deny this application. Please contact me at (406) 447-2204 if you have questions or need further information.

Sincerely,

Sean O'Connor

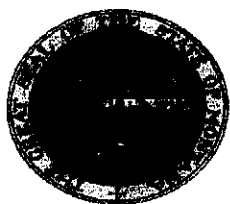
Bar Admissions Assistant

Enclosure

cc: Mark D. Plevin  
Mark S. Williams



MAY 07 2020



# COMMISSION ON CHARACTER AND FITNESS OF THE SUPREME COURT OF THE STATE OF MONTANA

33 S. Last Chance Gulch, Suite 1B • P.O. BOX 577 • HELENA, MONTANA 59624  
(406) 442-7660 Fax (406) 442-7763 Web Site: [www.montanabar.org](http://www.montanabar.org)

May 5, 2020

## C&F COMMISSION:

### CHAIR

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P.O. Box 1131  
Helena, MT 59601

### VICE CHAIR

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P.O. Box 1525  
Great Falls, MT 59403-1525

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KATHIE LYNCH  
P.O. Box 577  
Helena, MT 59624  
[klynch@montanabar.org](mailto:klynch@montanabar.org)

### BAR ADMISSIONS ASSISTANT

SEAN O'CONNOR  
P.O. Box 577  
Helena, MT 59624  
[seanoc@montanabar.org](mailto:seanoc@montanabar.org)

Mark D. Plevin  
Crowell & Moring LLP  
Three Embarcadero Ctr., 26th Floor  
San Francisco, CA 94115

Dear Mr. Plevin:

This letter is to confirm receipt of your application to appear *pro hac vice* in an action or proceeding in the State of Montana. Except upon a showing of good cause, no attorney or firm may appear *pro hac vice* in more than two actions in any state court or administrative agency in Montana. **This is the 1st appearance for you and the 8th appearance for your firm.**

A copy of your application has been forwarded to the court or agency indicated on your application. This letter is not an approval of your appearance, since the court or agency is the entity who will determine whether to grant or refuse your application. In most courts, an attorney seeking to appear *pro hac vice* will need to file a motion and proposed order accompanied by this confirmation letter from the State Bar of Montana. You may contact the clerk's office if you need further information on your application status or have specific filing questions. Upon receipt, please provide a copy of the court's order to the State Bar of Montana.

An attorney appearing *pro hac vice* is subject to the jurisdiction of the Montana courts with respect to Montana laws governing the conduct of attorneys to the same extent as an attorney admitted to practice in the courts of this state. These rules can be found on our website at <http://www.montanabar.org>.

Please feel free to contact me if you have any questions at (406)447-2204.

Sincerely,

Sean O'Connor

Bar Admissions Assistant

cc: Mark S. Williams