

**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

FILED

09/21/2021

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA
Case Number: OP 21-0395

C&F COMMISSION:

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P.O. Box 1131
Helena, MT 59601

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Great Falls, MT 59403-1525

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**BAR ADMISSIONS
ASSISTANT**

SEAN O'CONNOR
P.O. Box 577
Helena, MT 59624
soconnor@montanabar.org

September 17, 2021

Clerk of the Montana Supreme Court
Bowen Greenwood
P.O. Box 202003
Helena, MT 59620-3003

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.

Devi Rao
Roderick & Solange MacArthur Justice Center
501 H Street NE, Suite 275
Washington, DC 20002

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 1st 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: Devi Rao
Caitlin Boland Aarab

FILED

SEP 20 2021

Bowen Greenwood
Clerk of Supreme Court
State of Montana

OP 21-0395

Atty Status CA DC ✓
 Discipline NONE
 Appearance: Applicant ST Firm ST
 MT Attorney SBM ✓ ODC ✓

(Boxes for State Bar use only.)

#P68044076
 71-21
 Application Number SO
 Date Received 09/16/2021
 Staff Initials 616
 Fee Paid \$495.00
 Check No. 09/17/2021
 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

FILED

SEP 20 2021

Bowen Greenwood
 Clerk of Supreme Court
 State of Montana

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. Devi Rao 202-869-3490 devi.rao@macarthurjustice.org
 Applicant's Name Phone E-Mail
2. Roderick & Solange MacArthur Justice Center
 Firm Name (List all firm(s) with which you are associated.)
3. 501 H Street NE, Suite 275 Washington D.C. D.C. 20002
 Office Address City State Zip
4. 401 11th St. NE Washington D.C. D.C. 20002
 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.
***Counsel listed below is local co-counsel representing amici in the matter listed in 13.B.*
Caitlin Boland Aarab, Boland Aarab PLLP 406-315-3737
 Attorney & Firm Name Daytime Phone Number
11 Fifth Street N, Suite 207 Great Falls MT 59401
 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: California (January 19, 2011); Washington D.C. (November 4, 2011)

B. Federal Courts: United States Supreme Court (Apr. 21, 2014); U.S. Court of Appeals for the Second Circuit (Apr. 9, 2020); U.S. Court of Appeals for the Third Circuit (Aug. 2020); U.S. Court of Appeals for the Fourth Circuit (Nov. 19, 2019); U.S. Court of Appeals for the Fifth Circuit (Aug. 2020); U.S. Court of Appeals for the Sixth Circuit (June 21, 2021); U.S. Court of Appeals for the Seventh Circuit (Aug. 25, 2017); U.S. Court of Appeals for the Ninth Circuit (June 2011); U.S. Court of Appeals for the Tenth Circuit (July 16, 2020); U.S. Court of Appeals for the Eleventh Circuit (Feb. 26, 2019); U.S. Court of Appeals for the D.C. Circuit (Mar. 15, 2016); U.S. Court of Appeals (2016); U.S. District Court for the District of Columbia (Feb. 5, 2018)

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>N/A</u>			
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<hr/>			
<hr/>			
B. CURRENT Case: (please include County) <u>L.B. v. United States of America, et al., Supreme Court of</u>			
<u>Montana, Case No. OP 21-0395</u>			
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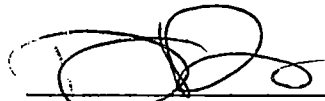
14. I agree to comply with the applicable statutes, laws, and procedural rules of the State of Montana. I further agree to be bound by the Montana Rules of Professional Conduct (except as to Rules 6.1-6.4) and will submit to the jurisdiction of the Montana courts, the Montana disciplinary process, and 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 DC

County of _____

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

9/14/21
Date

Subscribed and sworn to (or affirmed) before me this 14th day of September, 2021.



Notary Signature: Cari Tindle
Printed Name of Notary: Cari Tindle
Notary Public for the State of: D.C.
Residing in: Washington, DC
My commission expires: 10/31/2023

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. Please direct questions to Sean O'Connor: soconnor@montanabar.org or (406) 447-2204.