



# 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)

FILED

09/20/2022

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA  
Case Number: DA 22-0018

August 9, 2022

**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  
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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  
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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  
[soconnor@montanabar.org](mailto:soconnor@montanabar.org)

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

RE: Montana *Pro Hac Vice* Application

Dear Clerk:

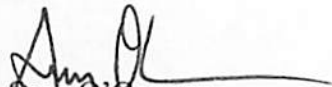
Enclosed is a copy of an application to appear *pro hac vice* before your court or agency from the attorney listed below.

Deepak Gupta  
Gupta Wessler PLLC  
2001 K Street NW, Suite 850 North  
Washington, DC 20006

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 2nd appearance for the attorney and the 2nd 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: Deepak Gupta  
Lawrence A. Anderson



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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  
[seconnor@montanabar.org](mailto:seconnor@montanabar.org)

Deepak Gupta  
Gupta Wessler PLLC  
2001 K Street NW, Suite 850 North  
Washington, DC 20006

Mr. Gupta:

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 2nd appearance for you and the 2nd 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: Lawrence A. Anderson

Atty Status	Jurisdiction(s)
Discipline	DC ✓
Appearance: Applicant	2ND Firm 2ND
MT Attorney	SBM ✓ ODC ✓

(Boxes for State Bar use only.)

VERIFIED ONLINE SO

83-22	
08/08/2022	Application Number
Date Received	Staff Initials
\$495.00	007
Fee Paid	Check No.
08/09/2022	
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

#59149876

### 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. | Deepak Gupta     | (202) 888-1741 | deepak@guptawessler.com |
|    | Applicant's Name | Phone          | E-Mail                  |
- |    |   |
|----|---|
| 2. | Gupta Wessler PLLC  |
|    | Firm Name (List all firm(s) with which you are associated.) |
- |    |                                   |            |       |       |
|----|-----------------------------------|------------|-------|-------|
| 3. | 2001 K Street NW, Suite 850 North | Washington | D.C.  | 20006 |
|    | Office Address                    | City       | State | Zip   |
- |    |                                 |            |       |       |
|----|---------------------------------|------------|-------|-------|
| 4. | 2301 Champlain Street, NW, #405 | Washington | D.C.  | 20009 |
|    | Residence Address               | City       | State | Zip   |
- 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.

Lawrence A. Anderson	Lawrence A. Anderson, Attorney at Law, P.C.	(406) 727-8466
Attorney & Firm Name	Daytime Phone Number	
300 4th Street North, P.O. Box 2608	Great Falls	Montana 59403
Address	City	State Zip
- 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 Court of Appeals, 12/12/2005

B. Federal Courts: Supreme Court of the United States, 4/20/2009; United States District Court for the District of Columbia, 10/2/2006;  
U.S. Court of Appeals for the First Circuit, 4/6/2018; U.S. Court of Appeals for the Second Circuit, 8/17/2012;  
U.S. Court of Appeals for the Third Circuit, 3/13/2014; U.S. Court of Appeals for the Fourth Circuit, 4/10/2012;  
U.S. Court of Appeals for the Fifth Circuit, 3/17/2015; U.S. Court of Appeals for the Sixth Circuit, 8/29/2015;  
U.S. Court of Appeals for the Seventh Circuit, 4/13/2018; U.S. Court of Appeals for the Eighth Circuit, 5/6/2013;  
U.S. Court of Appeals for the Ninth Circuit, 2/21/2006; U.S. Court of Appeals for the Eleventh Circuit, 1/9/2007;  
U.S. Court of Appeals for the Federal Circuit, 10/11/2018; U.S. Court for Federal Claims, 6/21/2013

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>Robert Dannels v. BNSF Railway Company, Cascade County, Montana</u>            |        |      |                    |
| <u>Supreme Court; No. DA-190343, July 12, 2019; Yes</u>  |        |      |                    |
| <hr/>  |        |      |                    |
| <hr/>  |        |      |                    |
| B. <b>CURRENT</b> Case: (please include County) <u>Ferguson v. State of Montana, Cascade County,</u> |        |      |                    |
| <u>Montana Supreme Court, No. DA 22-0018</u>   |        |      |                    |
| <hr/>  |        |      |                    |
| <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 Montana


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 \_\_\_\_\_ Date 8/2/2022

Subscribed and sworn to (or affirmed) before me this 2<sup>nd</sup> day of August, 2022.



Notary Signature:   
Printed Name of Notary: Abigail Cipparone  
Notary Public for the State of: District of Columbia  
Residing in: District of Columbia  
My commission expires: September 30, 2024

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.