

**IN THE SUPREME COURT OF THE STATE OF MONTANA
NO. DA 22-0034**

Ryan C. Rusche (MT Bar No. 5887)
Sonosky, Chambers, Sachse,
Endreson & Perry LLP
73 Lone Juniper Lane
Columbia Falls, MT 59912
Telephone: (202) 682-0240
Facsimile: (202) 682-0249
Email: rusche@sonosky.com

Attorney for Appellees

LUSTRE OIL COMPANY LLC, and
EREHWON OIL & GAS, LLC,

Appellants,

v.

ANADARKO MINERALS, INC. and
A&S MINERAL DEVELOPMENT CO. LLC,

Appellees.

**MOTION FOR *PRO HAC VICE* ADMISSION OF MATTHEW L.
MURDOCK**

I, Ryan C. Rusche, an active member in good standing of the bar of the State of Montana, respectfully move that this Court admit *pro hac vice*, Matthew L. Murdock, to appear as counsel for Appellees A&S Mineral Development Co., LLC and Anadarko Minerals, Inc., at oral argument in this appeal on October 26, 2022. Mr. Murdock is an attorney admitted to practice in the trial courts of North Dakota, New Mexico, and the District of Columbia, but not admitted to the bar of this Court.

Counsel for Appellants has been contacted regarding this motion and does not object to this motion. Mr. Murdock has filed an application with the State Bar of Montana and paid the applicable fee. Mr. Murdock's Pro Hac Vice Application is attached hereto as "Attachment A" and relevant correspondence with Montana State Bar Admissions Assistant, Sean O'Connor is attached hereto as "Attachment B".

DATED: October 17, 2022

Respectfully submitted,

**SONOSKY, CHAMBERS, SACHSE,
ENDRESON & PERRY, LLP**

By: /s/ Ryan C. Rusche
Ryan C. Rusche

Attachment A

Atty Status	<u>MT-NM-DC</u>
Discipline	<u>NONE</u>
Appearance: Applicant	<u>1ST</u> Firm <u>3RD</u>
MT Attorney	<u>SBM</u> <u>ODC</u>

(Boxes for State Bar use only.)

VERIFIED ONLINE

<u>68806781</u>
<u>104-22</u>
Application Number
<u>10/11/2022</u>
Date Received
<u>\$495.00</u>
Fee Paid
<u>10/11/2022</u>
Date Sent to Court or Agency
Staff Initials
<u>SS609</u>
Check No.

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.

- | | | |
|---------------------------|-----------------------|-----------------------------|
| <u>Matthew L. Murdock</u> | <u>(202) 682-0240</u> | <u>mmurdock@sonosky.com</u> |
| Applicant's Name | Phone | E-Mail |
- Sonosky, Chambers, Sachse, Endreson & Perry LLP
Firm Name (List all firm(s) with which you are associated.)
- | | | | |
|-----------------------------------|-------------------|-------------|--------------|
| <u>1425 K Street NW Suite 600</u> | <u>Washington</u> | <u>D.C.</u> | <u>20005</u> |
| Office Address | City | State | Zip |
- | | | | |
|--------------------------------|-------------------|-------------|--------------|
| <u>1515 15th St NW Apt 429</u> | <u>Washington</u> | <u>D.C.</u> | <u>20005</u> |
| 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.

<u>Ryan C. Rusche</u>	<u>Sonosky, Chambers, Sachse, Endreson & Perry LLP</u>	<u>(406) 890-8450</u>
Attorney & Firm Name		Daytime Phone Number

<u>1425 K Street NW Suite 600</u>	<u>Washington</u>	<u>D.C.</u>	<u>20005</u>
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.
 - State Courts: New Mexico (Sept. 23, 2013); North Dakota (Nov. 2, 2015);
District of Columbia (Feb. 5, 2018)
 - Federal Courts: U.S. District Court for District of New Mexico (Apr. 2014)

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?
If so, attach a description of the nature and status of each pending disciplinary proceeding. ___ Yes ☒ No
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> | | | |
| <hr/> | | | |
| <hr/> | | | |
| <hr/> | | | |
| B. CURRENT Case: (please include County) <u>Lustre Oil Company LLC & Frehwon Oil & Gas LLC v. Anadarko Minerals, Inc. & A&S Mineral Development Co., LLC, Case No. DA 22-0034, Montana Supreme Court,</u> | | | |
| <u>Helena, MT, Lewis & Clark County</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).

District of Columbia

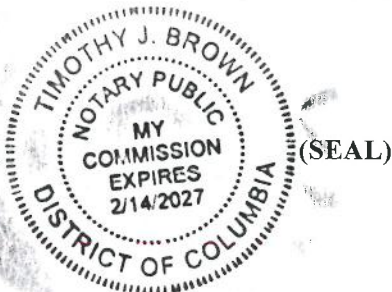
~~State of~~ District of
~~County of~~ Columbia

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]
Signature of Applicant

10-7-22
Date

Subscribed and sworn to (or affirmed) before me this 7th day of Oct, 2022



Notary Signature: [Signature]
Printed Name of Notary: Timothy J. Brown
Notary Public for the State of District of Columbia
Residing in: _____
My commission expires: 2-14-2027

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.

Timothy J. Brown
Notary Public, District of Columbia
My Commission Expires 2/14/2027

Signed and sworn to (or affirmed) before me
on 10-7-2022 by Matthew Musick
Date Name(s) of Individual(s) making Statement
[Signature]
Signature of Notarial Officer
Title of Office
My commission expires: 2-14-2027

Previous Cases: My firm, Sonosky, Chambers, Sachse, Endreson & Perry, LLP, has filed an application to appear as counsel pro hac vice in the following cases:

1. In The Matter of Application for Beneficial Water Use Permit No. 40S-30119937 by Transcanada Keystone Pipeline LP, Hearing Examiner David A. Vogler, Water Resources Div., Dept. of Natural Resources & Conservation (Aug. 2019)

Granted: Yes.

2. In the Matter Of The Adjudication Of the Existing Rights To The Use Of All The Water, Both Surface And Underground, Within The Milk River Below Whitewater Creek Drainage Area Including All Tributaries Of The Milk River Below Whitewater Creek In Valley County, Montana, Water Court of The State of Montana, Water Court Case No. 400-003

Granted: Yes.



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

October 11, 2022

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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Butte, MT 59703

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P.O. Box 9199
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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

BAR ADMISSIONS ASSISTANT

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

Matthew L. Murdock
Sonosky, Chambers, Sachse, Endreson & Perry, LLP
1425 K Street NW, Ste. 600
Washington DC 20005

Mr. Murdock:

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 3rd 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,

A handwritten signature of Sean O'Connor in black ink, followed by a horizontal line.

Sean O'Connor

Bar Admissions Assistant

cc: Ryan C. Rusche



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
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October 11, 2022

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kllynch@montanabar.org

BAR ADMISSIONS ASSISTANT

SEAN O'CONNOR
P.O. Box 577
Helena, MT 59624
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.

Matthew L. Murdock
Sonosky, Chambers, Sachse, Endreson & Perry, LLP
1425 K Street NW, Ste. 600
Washington DC 20005

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 3rd 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: Matthew L. Murdock
Ryan C. Rusche

CERTIFICATE OF SERVICE

I hereby certify that I have served true and accurate copies of the foregoing Motion for *Pro Hac Vice* Admission on the following on October 17, 2022:

James P. Parrot (Attorney for Appellants)
1675 Broadway, Suite 600
Denver CO 80202
JParrot@bwenerylaw.com
Service Method: eService & USPS Regular Mail

William E. Sparks (Attorney for Appellants)
10800 Gosling Road, Box 132618
Spring TX 77380
wsparks@bwenerylaw.com
Service Method: eService & USPS Regular Mail

James Andrew Patten (Attorney for Appellants)
2817 2nd Avenue North
Suite 300
Billings MT 59101
apatten@ppbglaw.com
Service Method: eService & USPS Regular Mail

Heather M. Ready (Attorney for Appellees)
2501 4th Ave. North
P.O. Box 928
Billings 59101
hready@elkriverlaw.com
Service Method: eService & USPS Regular Mail

Majel M. Russell (Attorney for Appellees)
2501 4th Ave. North
P.O. Box 928
Billings 59101
Service Method: USPS Regular Mail

/s/ Samantha Garleigh
Samantha Garleigh
Paralegal to Ryan C. Rusche

CERTIFICATE OF SERVICE

I, Ryan C. Rusche, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 10-17-2022:

Heather M. Ready (Attorney)
2501 Fourth Ave N
Billings MT 59103
Representing: A&S Mineral Development Co., LLC, Anadarko Minerals, Inc.
Service Method: eService

James P. Parrot (Attorney)
1675 Broadway, Suite 600
Denver CO 80202
Representing: Erehwon Oil & Gas, LLC, Lustre Oil Company LLC
Service Method: eService

William E. Sparks (Attorney)
10800 Gosling Road, Box 132618
Spring TX 77380
Representing: Erehwon Oil & Gas, LLC, Lustre Oil Company LLC
Service Method: eService

James Andrew Patten (Attorney)
2817 2nd Avenue North
Suite 300
Billings MT 59101
Representing: Erehwon Oil & Gas, LLC, Lustre Oil Company LLC
Service Method: eService

Majel M. Russell (Attorney)
2501 4th Ave. North
P.O. Box 928
Billings MT 59101
Representing: A&S Mineral Development Co., LLC, Anadarko Minerals, Inc.
Service Method: Conventional

Electronically Signed By: Ryan C. Rusche

Dated: 10-17-2022