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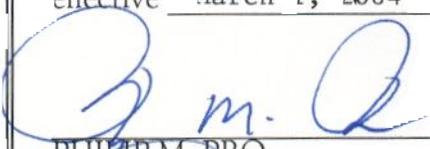
**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN THE MATTER OF ADOPTING
TEMPORARY LOCAL RULES.

SPECIAL ORDER NO. 107

ORDER

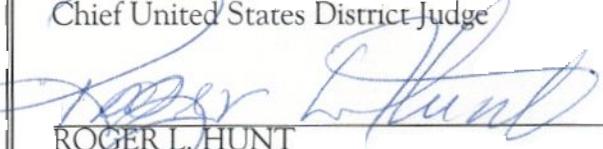
The Court having reviewed and approved the attached local rules LR IA 10-1 (attachment #1), LR IA 10-1(a) (attachment #2) and LR IA 10-2 (attachment #3), it is ordered that these rules will temporarily replace LR IA 10-1 and LR IA 10-2 until the local rules are formally amended, effective March 1, 2004.



PHILIP M. PRO
Chief United States District Judge



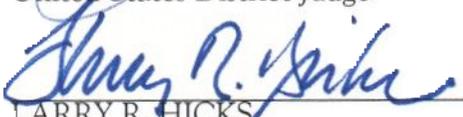
HOWARD D. MCKIBBEN
United States District Judge



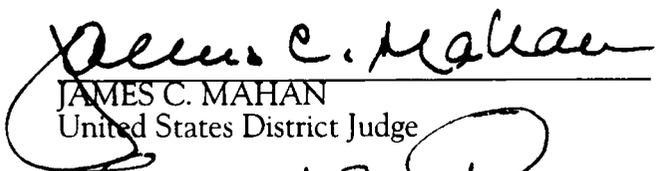
ROGER L. HUNT
United States District Judge



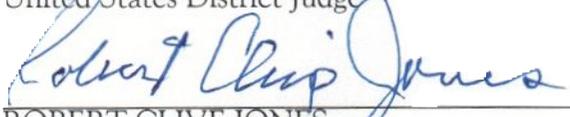
KENT J. DAWSON
United States District Judge



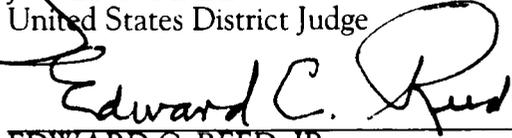
LARRY R. HICKS
United States District Judge



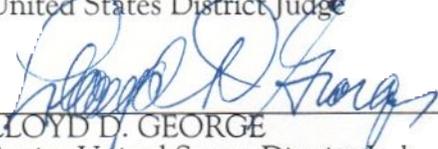
JAMES C. MAHAN
United States District Judge



ROBERT CLIVE JONES
United States District Judge



EDWARD C. REED, JR.
Senior United States District Judge



LLOYD D. GEORGE
Senior United States District Judge



DAVID W. HAGEN
Senior United States District Judge

LR IA 10-1. ADMISSION TO THE BAR OF THIS COURT; ELIGIBILITY AND PROCEDURE.

(a) *In order to practice before the District or Bankruptcy Court an attorney must be admitted to practice under the following provisions.* An attorney who has been admitted to practice before the Supreme Court of Nevada, and who is of good moral and professional character, is eligible for admission to the bar of this court. ~~Should such attorney live outside Nevada, the court may, in a particular case and at any time, order such attorney to associate a resident Nevada attorney as co-counsel and specify the responsibilities of each attorney to the case.~~

(b) A member of the bar of this court shall certify in a written motion on a form provided by the clerk that the petitioner is a member of the State Bar of Nevada and of good moral and professional character.

(c) The applicant shall subscribe the roll of attorneys and pay the clerk the admission fee fixed by the Judicial Conference of the United States plus such additional amount as the court shall fix from time to time.

(d) The applicant must take the following oath or affirmation after which the clerk shall issue a certificate of admission to the applicant:

I solemnly swear (or affirm) that I will support the Constitution of the United States; that I will bear true faith and allegiance to the Government of the United States; that I will maintain the respect due to the Courts of Justice and Judicial Officers, and that I will conduct myself as an attorney and counselor of this Court uprightly, so help me God.

LR IA 10-1(a). **PRACTICE OF ATTORNEYS ADMITTED IN NEVADA BUT NOT
MAINTAINING NEVADA OFFICES.**

1. *Application of rule.* This rule applies to an attorney who is admitted to practice in Nevada but who does not maintain an office in Nevada. A post office box or mail drop location shall not constitute an office under this rule.

2. *Association or designation for service.* Upon filing any pleadings or other papers in this court, an attorney who is subject to this rule shall either associate a licensed Nevada attorney maintaining an office in Nevada or designate a licensed Nevada attorney maintaining an office in Nevada, upon whom all papers, process, or pleadings required to be served upon the attorney may be so served, including service by hand-delivery or facsimile transmission. The name and office address of the associated or designated attorney shall be endorsed upon the pleadings or papers filed in the courts of this state, and service upon the associated or designated attorney shall be deemed to be service upon the attorney filing the pleading or other paper.

LR IA 10-2. ADMISSION TO PRACTICE IN A PARTICULAR CASE.

(a) An attorney, who is not a member of the bar of this court, who has been retained or appointed to appear in a particular case may do so only with permission of the court. Application for such permission shall be by verified petition on the form furnished by the clerk. The attorney may submit the verified petition if the following conditions are met:

- (1) The attorney is not a member of the State Bar of Nevada;
- (2) The attorney is not a resident of the State of Nevada;
- (3) The attorney is not regularly employed in the State of Nevada;
- (4) The attorney is not engaged in substantial business, professional, or other activities in the State of Nevada;
- (5) The attorney is a member in good standing and eligible to practice before the bar of any jurisdiction of the United States; and
- (6) The attorney associates an active member in good standing of the State Bar of Nevada as counsel of record in the action or proceeding.

(b) The verified petition required by the rule shall be on a form furnished by the clerk. The verified petition shall be accompanied by the admission fee set by the court. The petition shall state:

- (1) The attorney's residence and office address;
- (2) The court or courts to which the attorney has been admitted to practice and the date of such admission;
- (3) That the attorney is a member in good standing of such court or courts;
- (4) That the attorney is not currently suspended or disbarred in any court;
- (5) Whether the attorney is currently subject to any disciplinary proceedings by any organization with authority to discipline attorneys at law;
- (6) Whether the attorney has ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law;
- (7) The title and case number of any matter, including arbitrations, mediations, or matters before an administrative agency or governmental body, in which the attorney or any member of the firm of attorneys with which the attorney is associated has filed an application to appear as counsel under this rule in the preceding three (3) years, the date of each application, and whether it was granted (if the firm has offices in multiple cities, only the information dealing with his or her office location need be provided);
- (8) That the attorney certifies that he or she shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; and

(9) That the attorney understands and shall comply with the standards of professional conduct of the State of Nevada and all other standards of professional conduct required of members of the bar of this court.

(c) An attorney whose verified petition is pending shall take no action in the case beyond filing the first pleading or motion. The first pleading or motion shall state that the attorney "has complied with LR IA 10-2" or "will comply with LR IA 10-2 within ____ days." Until permission is granted, the clerk shall not issue summons or other writ.

(d) Unless otherwise ordered by the court, any attorney who is granted permission to practice pursuant to this rule shall associate a resident member of the bar of this court as co-counsel. The attorneys shall confirm the association by filing a completed designation of resident counsel on the form provided by the clerk. The resident attorney must have authority to sign binding stipulations. The time for performing any act under these rules or the Federal Rules of Civil, Criminal and Bankruptcy Procedure shall run from the date of service on the resident attorney. Unless otherwise ordered by the court, such resident attorney need not personally attend all proceedings in court.

(e) In civil cases, attorneys shall have forty-five (45) days after their first appearance to comply with all the provisions of this rule.

(f) In criminal cases, attorneys shall have ten (10) days after their first appearance to comply with all the provisions of this rule. In addition, the defendant(s) shall execute designation(s) of retained counsel, which shall also bear the signatures of both the attorney appearing pro hac vice and the associated resident attorney. Such designation(s) shall be filed and served within the same ten (10) day period.

(g) In bankruptcy cases, attorneys shall have ten (10) days after their first appearance to comply with all of the provisions of this rule.

(h) When all the provisions of this rule are satisfied, the court may enter an order approving the verified petition for permission to practice in the particular case. Such permission is limited to the particular case and no certificate shall be issued by the clerk.

(i) The granting or denial of a petition to practice under this rule is discretionary. The court may revoke the authority of the person permitted to appear as counsel under this rule to make continued appearances under this rule. Absent special circumstances, repeated appearances by any attorney or firm of attorneys under this rule shall be cause for denial of the verified petition of such attorney.

(1) It shall be presumed in civil and criminal cases, absent special circumstances, and only upon a showing of good cause, that more than five (5) appearances by any attorney or firm of attorneys in the same office location granted under this rule in a three (3) year period is excessive use of this rule. It shall be presumed in bankruptcy cases, absent special circumstances, and only upon

a showing of good cause, that more than ten (10) appearances by any attorney or firm of attorneys in the same office location granted under this rule in a one (1) year period is excessive use of this rule.

(2) The attorney shall have the burden to establish special circumstances and good cause for an appearance in excess of limitations set forth in subsection (h)(1) of this rule. The attorney shall set forth the special circumstances and good cause in an affidavit attached to the original verified petition.

(j) The petitioner shall attach a certified list of the prior appearances of petitioner and/or petitioner's firm (or office if there are offices in multiple cities.)

(k) When all the provisions of this rule are satisfied, the court may enter an order approving the verified petition for permission to practice in the particular case. Such permission is limited to the particular case and no certificate shall be issued by the clerk.

(l) Failure to comply timely with this rule may result in the striking of any and all documents previously filed by such attorney, the imposition of other sanctions, or both.