

MATTHEW M. GRIFFIN, ESQ.
Nevada Bar No. 8097
JOHN W. GRIFFIN, ESQ.
Nevada Bar No. 6661
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Tracie K. Lindeman
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL A. CARRIGAN, Fourth Ward City
Council Member of the City of Sparks,

Appellant,

vs.

THE COMMISSION ON ETHICS OF THE
STATE OF NEVADA,

Respondent.

Case No.: 51920

MOTION TO ASSOCIATE COUNSEL

Appellant, Michael A. Carrigan, hereby moves the Court for an order permitting Mark S. Davies, Esq., to practice in Nevada pursuant to Nevada Supreme Court Rule 42 (SCR 42). This motion is supported by the attached "Verified Application for Association of Counsel" (Exhibit A), "Certificates of Good Standing" from Washington, D.C. and Illinois (Exhibit B) and the State Bar of Nevada Statement. (Exhibit C)

DATED this 13th day of July, 2011.

Submitted by,

GRIFFIN, ROWE & NAVE, LLP


MATTHEW M. GRIFFIN, ESQ.
Nevada Bar No. 8097
1400 S. Virginia Street, Ste. A
Reno, NV 89502
Telephone: (775) 323-1240

CERTIFICATE OF SERVICE

Pursuant to Rule 25(d) of the Nevada Rules of Appellate Procedure, I hereby certify that on this 13th day of July, 2011, a true and correct copy of the above Motion to Associate Counsel was served electronically by E-Flex and via U.S. Mail, on the following:

Yvonne Nevarez-Goodson, Esq.
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703

Brenda J. Erdoes
Kevin C. Powers
Senior Principal Deputy Legislative Counsel
Legislative Counsel Bureau
401 S. Carson St.
Carson City, Nevada 89701

Via U.S. Mail ONLY:

Adriana G. Fralick, Esq.
General Counsel
3476 Executive Pointe Way, Ste. 10
Carson City, Nevada 89706

DATED: July 13, 2011

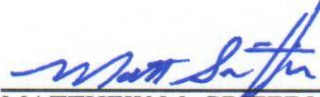

MATTHEW M. GRIFFIN, ESQ.
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Exhibit A

Exhibit A

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL A. CARRIGAN,) No. 51920
)
Appellant,)
)
v.) VERIFIED APPLICATION FOR
) ASSOCIATION OF COUNSEL UNDER
THE COMMISSION ON) NEVADA SUPREME COURT RULE 42
ETHICS OF THE STATE OF)
NEVADA,)
)
Respondent.)
_____)

Mark S. Davies, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 4705 49th Street, NW
Street Address

Washington, DC
City County State

20016, (202) 244-7194
Zip Code Telephone

2. Petitioner is an attorney at law and a member of the law firm of

Orrick, Herrington & Sutcliffe LLP

with offices at 1152 15th Street NW
Street Address

Washington, DC
City County State

20005, (202) 339-8631, mark.davies@orrick.com
Zip Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by _____
_____ Appellant Michael A. Carrigan _____ to provide legal representation in connection
with the above-entitled matter now pending before the above referenced court.

4. Since February 7 of 1997, petitioner has been, and presently is, a member of good standing
of the bar of the highest court of the District of Columbia where petitioner regularly practices
law.

5. Petitioner was admitted to practice before the following United States District Courts, United States
Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the
dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>Illinois</u>	<u>11/13/1995</u>
<u>U.S. Court of Appeals, 4th Circuit</u>	<u>4/21/1997</u>
<u>U.S. Court of Appeals, D.C. Circuit</u>	<u>9/8/1997</u>
<u>U.S. Court of Appeals, 10th Circuit</u>	<u>11/23/1999</u>
<u>U.S. Court of Appeals, 5th Circuit</u>	<u>11/24/1999</u>
<u>U.S. Supreme Court</u>	<u>11/29/2000</u>
<u>U.S. Court of Appeals, Federal Circuit</u>	<u>9/8/2006</u>
<u>U.S. Court of Appeals, 1st Circuit</u>	<u>12/18/2007</u>
<u>U.S. Court of Appeals, 2nd Circuit</u>	<u>4/20/2009</u>

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided

(Give particulars; e.g., Court, jurisdiction, date): N/A

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status):_

N/A

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): N/A

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement): N/A

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; N/A

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
<u>No prior applications.</u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

John W. Griffin 6661
First Name Middle Name Last Name Bar #

who has offices at The Capitol Company
Firm Name/Company

1400 South Virginia Street, Suite A, Reno, Washoe
Street Address City County

89502, (775) 412-7766
Zip Code Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME

MAILING ADDRESS

<u>Michael A. Carrigan, Appellant</u>	<u>3393 Alpland Lane, Sparks, NV 89434</u>
<u>Chester H. Adams, Douglas R. Thornley (Counsel for Appellant)</u>	<u>431 Prater Way, Sparks, NV 89432</u>
<u>John W. Griffin, Matthew M. Griffin (Counsel for Appellant)</u>	<u>1400 South Virginia Street, Suite A, Reno NV 89502</u>
<u>Nevada Commission on Ethics, Respondent</u>	<u>704 W. Nye Lane, Suite 204, Carson City NV 89703</u>
<u>Adriana G. Fralick, Yvonne M. Nevarez-Goodson (Counsel for Respondent)</u>	<u>(same as for the Commission)</u>

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

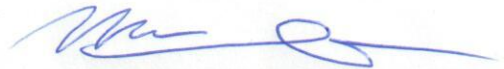
15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Mark S. Davies, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am 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; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 7th day of July, 2011



Petitioner/Affiant

If this signature is not in blue ink, you have a copy.

STATE OF D.C.)
COUNTY OF D.C.) ss

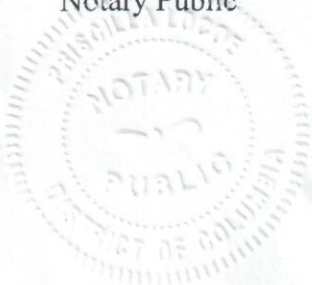
Subscribed and sworn to before me

this 7th day of July, 2011



Notary Public

My Commission Expires April 14, 2013



I JOHN W. GRIFFIN hereby consent as Nevada Counsel of Record to the
Print NV Counsel name

designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 5th day of July, 20 11

John W. Griffin
Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE OF NEVADA)
COUNTY OF WASHOE) ss

Subscribed and sworn to before me

this 5th day of July, 20 11

Sarah L. Zola
Notary Public

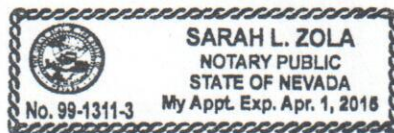


Exhibit B

Exhibit B



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia
Court of Appeals, do hereby certify that

MARK S. DAVIES

was on the 7TH day of FEBRUARY, 1997
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on June
29, 2011.

JULIO A. CASTILLO
Clerk of the Court

By:


Deputy Clerk

Certificate of Admission To the Bar of Illinois

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

Mark S. Davies

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 13, 1995 and is in good standing, so far as the records of this office disclose.



In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Friday, July 01, 2011.

Carolyn Taft Grosboll

Clerk

Because Mark S. Davies has not registered pursuant to Supreme Court Rule 756, he is not entitled to practice law or hold himself out as being authorized to practice law in Illinois.

Mark S. Davies has been removed from the master roll of attorneys because of failure to comply or report compliance with MCLE requirements. Such removal is not a disciplinary sanction. Supreme Court Rule 796.

Exhibit C

Exhibit C

1 STAT

2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 51920

5
6 Michael A. Carrigan

7 vs.

8 The Commission on Ethics
9 of the State of Nevada

10 _____/
11 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE
12 42 (3) (b)

13 THE STATE BAR OF NEVADA, in response to the application of
14 Petitioner, submits the following statement pursuant to SCR42(3):

15 SCR42(6)**Discretion.** The granting or denial of a motion to associate
16 counsel pursuant to this rule by the court is discretionary. The
17 court, arbitrator, mediator, or administrative or governmental
18 hearing officer may revoke the authority of the person permitted to
19 appear under this rule. Absent special circumstances, repeated
20 appearances by any person or firm of attorneys pursuant to this rule
21 shall be cause for denial of the motion to associate such person.

22 (a) **Limitation.** It shall be presumed, absent special
23 circumstances, and only upon showing of good cause, that
24 more than 5 appearances by any attorney granted under
25 this rule in a 3-year period is excessive use of this
26 rule.

27 (b) **Burden on applicant.** The applicant shall have the
28 burden to establish special circumstances and good cause
for an appearance in excess of the limitation set forth
in subsection 6(a) of this rule. The applicant shall set
forth the special circumstances and good cause in an
affidavit attached to the original verified application.

26 1. DATE OF APPLICATION: 7/8/2011

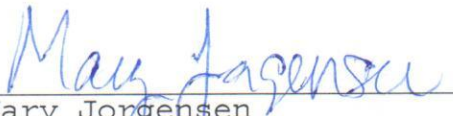
27 2. APPLYING ATTORNEY: Mark S. Davies, Esq.

28 3. FIRM NAME AND ADDRESS: Orrick, Herrington & Sutcliffe LLP, 1152
15th Street, NW, Washington, DC 20005

1 4. NEVADA COUNSEL OF RECORD: John W. Griffin, Esq., The Capitol
2 Company, 1400 S. Virginia Street, Suite A, Reno, NV 89502

3 5. There is no record of previous applications for appearance by
4 petitioner within the past three (3) years.

5
6 DATED this July 8, 2011

7 
8 Mary Jorgensen
9 Member Services Coordinator
10 Pro Hac Vice Processor
11 STATE BAR OF NEVADA
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