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14 (*Pro Hac Vice Application Pending)

15 Attorneys for *Amicus Curiae* Federal Housing Finance Agency

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Jun 28 2016 02:24 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

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IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

CASE NO. 69419

Appellant,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Respondent.

MOTION TO ASSOCIATE COUNSEL

Amicus Curiae Federal Housing Finance Agency ("FHFA") hereby move the Court for an order permitting Howard N. Cayne, 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 the Supreme Court

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1 of New York and the District of Columbia Court of Appeals (Exhibit B) and the State Bar of
2 Nevada Statement. (Exhibit C).

3 DATED: This 28th day of June, 2016.

4 FENNEMORE CRAIG, P.C.

5 By: /s/ Leslie Bryan Hart
6 Leslie Bryan Hart, Esq. (SBN 4932)
7 John D. Tennert, Esq. (SBN 11728)
8 300 E. Second St., Suite 1510
9 Reno, Nevada 89501
10 Tel: 775-788-2228 Fax: 775-788-2229
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12 ARNOLD & PORTER LLP

13 By: /s/ Howard D. Cayne
14 Howard D. Cayne, Esq.*
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17 (Tel) 202-942-5000 (Fax) 202-942-5999
18 Howard.cayne@aporter.com
19 (* *Pro Hac Vice* Application Pending)

20 Attorneys for *Amicus Curiae* Federal Housing
21 Financing Agency
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CERTIFICATE OF SERVICE

Pursuant to NEFCR 9(b)(d)(e), I certify that on the 28th day of June, 2016, a true and correct copy of the **MOTION TO ASSOCIATE COUNSEL**, was transmitted electronically through the Court's e-filing system to the attorney(s) associated with this case. If electronic notice is not indicated through the court's e-filing system, then a true and correct paper copy of the foregoing document was delivered via U.S. Mail.

Laurel Handley, Esq.
Jory Garabedian, Esq.
Aldridge Pite, LLP
520 South Fourth St., Suite 360
Las Vegas, Nevada 89101-6500
E-Mail: lhandley@aldridgepite.com; jgarabedian@aldridgepite.com
Attorneys for Respondent Federal National Mortgage Association

Robert L. Eisenberg, Esq.
Lemons, Grundy & Eisenberg, Chartered
6005 Plumas Street, Third Floor
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E-Mail: rle@lge.net
Associated Counsel for Respondent Federal National Mortgage Association

Michael F. Bohn, Esq.
Law Offices of Michael F. Bohn, Esq., Ltd.
376 East Warm Springs Road, Suite 140
Las Vegas, Nevada 89119-4262
E-Mail: mbohn@bohnlawfirm.com
Attorney for Appellant Saticoy Bay LLC Series 9641 Christine View

/s/ Pamela Carmon
An Employee of Fennemore Craig, P.C.

11759812.1

Exhibit A

Exhibit A

IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY LLC SERIES)
9641 CHRISTINE VIEW)
v.)
FEDERAL NATIONAL)
MORTGAGE ASSOCIATION)
_____)

No. 69419

VERIFIED APPLICATION FOR
ASSOCIATION OF COUNSEL UNDER
NEVADA SUPREME COURT RULE 42

Howard Neil Cayne, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 7308 Helmsdale Rd
Street Address

Bethesda, Montgomery County, MD
City County State

20817, (301) 320-3352
Zip Code Telephone

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

Arnold & Porter LLP

with offices at 601 Massachusetts Ave., NW, Washington. DC 20001
Street Address

Washington, Washington County, DC
City County State

20001, (202) 942-5656, howard.cayne@aporter.com
Zip Telephone Email

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

4. Since December of 1980, petitioner has been, and presently is, a member of good standing of
the bar of the highest court of the State of 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:

DATE ADMITTED

see attached

6. Is Petitioner currently suspended or disbarred in any court? You must answer yes or no. If yes,
give particulars; e.g., court, jurisdiction, date: no

7. Is Petitioner currently subject to any disciplinary proceedings by any organization with authority
at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date,
status: no

8. Has Petitioner ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: no

9. Has Petitioner ever had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked? You must answer yes or no. If yes, give particulars, e.g. date, administrative body, date of suspension or reinstatement: no

10. Has Petitioner, either by resignation, withdrawal, or otherwise, ever terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings? You must answer yes or no. If yes, give particulars: no

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, if none, indicate so: *(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>none</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)

Leslie	Bryan	Hart	4932
_____,	_____,	_____,	_____
First Name	Middle Name	Last Name	NV Bar #

who has offices at Fennemore Craig P.C.,
Firm Name/Company

300 E. 2nd Street, Ste 1510	Reno	Washoe
_____,	_____,	_____
Street Address	City	County

89501	(775)	788-2200
_____,	_____	_____
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: (You may attach as an Exhibit if necessary.)

NAME

MAILING ADDRESS

see attached

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, Howard Neil Cayne, do hereby swear/affirm under penalty of perjury that the assertions of this application and the following statements are true:

1) That I am the Petitioner in the above entitled matter.

2) That I have read Supreme Court Rule (SCR) 42 and meet all requirements contained therein, including, without limitation, the requirements set forth in SCR 42(2), as follows:

- (A) I am not a member of the State Bar of Nevada;
- (B) I am not a resident of the State of Nevada;
- (C) I am not regularly employed as a lawyer in the State of Nevada;
- (D) I am not engaged in substantial business, professional, or other activities in the State of Nevada;
- (E) I am a member in good standing and eligible to practice before the bar of any jurisdiction of the United States; and
- (F) I have associated a lawyer who is an active member in good standing of the State Bar of Nevada as counsel of record in this action or proceeding.

2) That I have read the foregoing application 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 21st day of June, 2016

Howard M. Clark
Petitioner/Affiant (blue ink)

STATE OF the District of Columbia)
) ss
COUNTY OF _____)

Subscribed and sworn to before me

this 21st day of June, 20 16

Emily L. Clark
Notary Public

EMILY L. CLARK
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires May 14, 2019



DESIGNATION, CERTIFICATION AND CONSENT OF NEVADA COUNSEL

SCR 42(14) Responsibilities of Nevada attorney of record.

(a) The Nevada attorney of record shall be responsible for and actively participate in the representation of a client in any proceeding that is subject to this rule.

(b) The Nevada attorney of record shall be present at all motions, pre-trials, or any matters in open court unless otherwise ordered by the court.

(c) The Nevada attorney of record shall be responsible to the court, arbitrator, mediator, or administrative agency or governmental body for the administration of any proceeding that is subject to this rule and for compliance with all state and local rules of practice. It is the responsibility of Nevada counsel to ensure that the proceeding is tried and managed in accordance with all applicable Nevada procedural and ethical rules.

I Leslie Bryan Hart hereby agree to associate with Petitioner referenced hereinabove

Print Nevada Counsel Name

and further agree to perform all of the duties and responsibilities as required by Nevada Supreme Court Rule 42.

DATED this 22nd day of June, 20 16

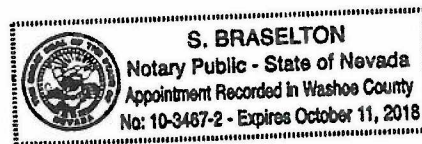
Leslie B. Hart
Nevada Counsel of Record (blue ink)

STATE OF Nevada)
) ss
COUNTY OF Washoe)

Subscribed and sworn to before me

this 22nd day of June, 20 16

S. Braselton
Notary Public



Howard Neil Cayne - Federal Court Admissions

Court	Date	Active Status & Good Standing?	Bar Number
U.S. Supreme Court	January 7, 1991	Yes	No bar number assigned.
U.S. Court of Appeals for the Second Circuit	November 3, 2008	Yes	08-195745
U.S. Court of Appeals for the Fourth Circuit	June 30, 1992	Yes	No bar number assigned.
U.S. Court of Appeals for the Fifth Circuit	December 3, 2012	Yes	No bar number assigned.
U.S. Court of Appeals for the Sixth Circuit	September 15, 1983	Yes	No bar number assigned.
U.S. Court of Appeals for the Seventh Circuit	April 12, 2013	Yes	No bar number assigned.
U.S. Court of Appeals for the Ninth Circuit	March 25, 1982	Yes	No bar number assigned.
U.S. Court of Appeals for the Eleventh Circuit	June 14, 2001	Yes	No bar number assigned.
U.S. Court of Appeals for the D.C. Circuit	April 8, 1983	Yes	33695
U.S. Court of Appeals for the Federal Circuit	November 30, 1999	Yes	Attorney Number 045744
U.S. Court of Federal Claims	March 20, 1997	Yes	No bar number assigned.
U.S. District Court for the District of Columbia	April 7, 1986	Yes	331306
U.S. District Court for the District of Colorado	January 2, 2001	Yes	No bar number assigned.
U.S. District Court for the Eastern District of Michigan	October 29, 2012	Yes	No bar number assigned.
U.S. District Court for the Western District of Michigan	November 19, 2012	Yes	No bar number assigned.
U.S. District Court for the Northern District of Florida	August 11, 2006	Yes	No bar number assigned.

Howard Neil Cayne - State Court Admissions

Court	Date	Active Status & Good Standing?	Bar Number
District of Columbia Court of Appeals	December 19, 1980	Yes	331306
New York Court of Appeals	February 12, 1980	Yes	1862531

Howard Cayne Verified Application for Association of Counsel Under
Nevada Supreme Court Rule 42
Nevada Supreme Court Case No. 69419
SUPPLEMENT TO NUMBER 13
NAMES AND ADDRESSES OF EACH PARTY IN THIS ACTION

Party

Appellant Saticoy Bay LLC Series 9641
Christine View

Respondent Federal National
Mortgage Association

Counsel

Michael F. Bohn
Law Offices of Michael F. Bohn
376 East Warm Springs Road, Suite 140
Las Vegas, Nevada 89119-4262

Laurel I. Handley
Jory C. Garabedian
Anthony R. Sassi
Aldridge Pite, LLP
520 South 4th Street, Suite 360
Las Vegas, Nevada 89101

Robert L. Eisenberg
Lemons Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, Nevada 89519

Exhibit B

Exhibit B

**SUPREME COURT OF
THE STATE OF NEW YORK
APPELLATE DIVISION, FOURTH DEPARTMENT
ROCHESTER, NEW YORK**

I, ALAN L. ROSS, Deputy Clerk of the Appellate Division of the Supreme Court in the Fourth Judicial Department, State of New York, do hereby certify that

Howard Neil Cayne

*was duly admitted to practice as an attorney and counselor at law in all courts of this state by this Court on **February 12, 1980**, and appears in good standing upon the roll of attorneys and counselors, and other records, in this office and has registered with the administrative office of the Courts as required by Judiciary Law §468-a.*

***IN WITNESS WHEREOF, I have
hereunto set my hand and affixed the
seal of this Court, at the City of
Rochester, May 10, 2016.***



Alan L. Ross

Deputy Clerk of the Court



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

HOWARD N. CAYNE

*was on **DECEMBER 19, 1980** duly qualified and admitted as an attorney and counselor 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 21, 2016** .*

JULIO A. CASTILLO
Clerk of the Court

By: *Monette Lane*
Deputy Clerk

Exhibit C

Exhibit C

1 STAT

2 IN THE SUPREME COURT OF THE STATE OF NEVADA

3 Case No. 69419

4 Dept. No.

5 Saticoy Bay LLC Series
6 9641 Christine View

7 vs.

8 Federal National
9 Mortgage Association

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

12
13 THE STATE BAR OF NEVADA, in response to the application of
Petitioner, submits the following statement pursuant to SCR42(3):

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

18
19 (a) **Limitation.** It shall be presumed, absent special
circumstances, and only upon showing of good cause, that
20 more than 5 appearances by any attorney granted under
this rule in a 3-year period is excessive use of this
21 rule.

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

25 1. DATE OF APPLICATION: June 23, 2016

26 2. APPLYING ATTORNEY: Howard Neil Cayne, Esq.
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1 3. FIRM NAME AND ADDRESS: Arnold & Porter LLP, 601 Massachusetts
2 Avenue, NW, Washington, DC 20001

3 4. NEVADA COUNSEL OF RECORD: Leslie B Hart, Esq., Fennemore Craig,
4 P.C., 300 E Second Street, Suite 1510, Reno, NV 89501

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

7 DATED this June 23, 2016

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9 
10 Laurie K. Scheffler
11 Member Services Admin.
12 Pro Hac Vice Processor
13 STATE BAR OF NEVADA
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