

Exhibit C

Exhibit C

1 STAT

2 IN THE SUPREME COURT OF THE STATE OF NEVADA

3 Case No. 69966

4
5 K & P Homes

6 vs.

7 Christiana Trust
8
9 _____/

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

12 THE STATE BAR OF NEVADA, in response to the application of
13 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
16 court, arbitrator, mediator, or administrative or governmental
17 hearing officer may revoke the authority of the person permitted to
appear under this rule. Absent special circumstances, repeated
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 (a) **Limitation.** It shall be presumed, absent special
19 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
rule.

21 (b) **Burden on applicant.** The applicant shall have the
22 burden to establish special circumstances and good cause
23 for an appearance in excess of the limitation set forth
24 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.

25 1. DATE OF APPLICATION: September 26, 2016

26 2. APPLYING ATTORNEY: Michael Alexander Johnson, Esq.

27 3. FIRM NAME AND ADDRESS: Arnold & Porter LLP, 601 Massachusetts
28 Avenue NW, Washington, DC 20001

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

3 5. In addition to the present application, petitioner made the
4 following previous applications within the last three years:

5 6/23/2016 ADMISSION GRANTED
6 9/26/2016 FILED SIMULTANEOUSLY

7 DATED this October 7, 2016

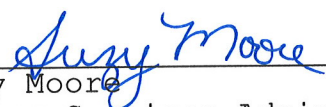
8
9 
10 Suzy Moore
11 Member Services Admin.
12 Pro Hac Vice Processor
13 STATE BAR OF NEVADA
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit B

Exhibit B

Supreme Court of Virginia

AT RICHMOND

Certificate

I, Patricia L. Harrington, Clerk of the Supreme Court of Virginia,
do hereby certify that

MICHAEL ALEXANDER JOHNSON

was admitted to practice as an attorney and counsellor at the bar of this Court on
October 27, 1997.

I further certify that so far as the records of this office are
concerned, MICHAEL ALEXANDER JOHNSON is a member of the bar of
this Court in good standing.

~~Witness~~ my hand and seal of said Court

This 9th day of September

A.D. 2016

By: _____



Deputy Clerk



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

MICHAEL A. JOHNSON

*was on **DECEMBER 7, 1998** 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 **September 2, 2016**.*

JULIO A. CASTILLO
Clerk of the Court

By: *Monette Lane*
Deputy Clerk

Exhibit A

Exhibit A

IN THE SUPREME COURT OF THE STATE OF NEVADA

K&P HOMES, A SERIES LLC OF)
DEK HOLDINGS, LLC)

No. 69966

v.)

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

CHRISTIANA TRUST, A DIVISION)
OF WILMINGTON SAVINGS FUND)
SOCIETY, FSB, NOT IN ITS)
INDIVIDUAL CAPACITY BUT AS)
TRUSTEE OF ARLP TRUST 3)
_____)

Michael A.F. Johnson, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 7207 Chestnut St

Street Address

Chevy Chase, Montgomery County, MD
City County State

20815, (301) 656-2352
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
Street Address

Washington, Washington, DC
City County State

20001, (202) 942-5783, michael.johnson@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 1998, petitioner has been, and presently is, a member of good standing of the
bar of the highest court of the State 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:

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>6/29/2016</u>	<u>Nationstar Mortgage v. SFR Investments Pool</u>	<u>Supreme Court of Nevada</u>	<u>Granted 7/7/16</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. Second St., Suite 1510 Reno Washoe
Street Address City County

89501 (775) 788-2228
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, Michael A.F. Johnson, do hereby swear/affirm under penalty of perjury that the assertions of this application and the following statements are true:
Print Petitioner Name

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.

3) 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 16th day of September, 2016

[Signature]
Petitioner/Affiant (blue ink)

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

Subscribed and sworn to before me

this 16th day of September, 2016

[Signature]
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 (SBN 4932), hereby agree to associate with Petitioner referenced hereinabove and further agree to perform all of the duties and responsibilities as required by Nevada Supreme Court Rule 42.

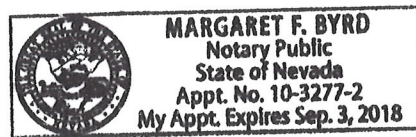
DATED this 22nd day of September, 2016
Leslie B. Hart
Nevada Counsel of Record (blue ink)

STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

Subscribed and sworn to before me

this 22nd day of September, 2016

Margaret F. Byrd
Notary Public



Michael Alexander Johnson - Federal Court Admissions

Court	Admission Date	Active Status & Good Standing?	Bar Number
Supreme Court of the United States	October 5, 2009	Yes	No bar number assigned.
U.S. Court of Appeals for the First Circuit	October 9, 2013	Yes	1160381
U.S. Court of Appeals for the Second Circuit	April 16, 2014	Yes	No bar number assigned
U.S. Court of Appeals for the Third Circuit	April 29, 2013	Yes	No bar number assigned.
U.S. Court of Appeals for the Fourth Circuit	February 28, 2005	Yes	No bar number assigned.
U.S. Court of Appeals for the Sixth Circuit	May 24, 2012	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 Eighth Circuit	May 6, 2013	Yes	No bar number assigned
U.S. Court of Appeals for the Ninth Circuit	July 30, 2013	Yes	No bar number assigned.
U.S. Court of Appeals for the Eleventh Circuit	May 21, 2013	Yes	No bar number assigned.
U.S. Court of Appeals for the District of Columbia Circuit	November 30, 2012	Yes	54497
U.S. Court of Appeals for the Federal Circuit	January 15, 2004	Yes	Attorney Number 054356
U.S. Court of Federal Claims	February 26, 1998	Yes	No bar number assigned.
U.S. District Court for the Eastern District of Virginia	November 3, 2000	Yes	41588
U.S. District Court for the District of Columbia	June 6, 2005	Yes	460879
U.S. District Court for the District of Maryland	February 5, 2007	Yes	16941
U.S. District Court for the Western District of Michigan	January 31, 2012	Yes	No bar number assigned.
U.S. District Court for the Eastern District of Michigan	February 10, 2012	Yes	No bar number assigned.
U.S. District Court for the Eastern District of Wisconsin	October 9, 2012	Yes	No bar number assigned.
U.S. District Court for the Western District of New York	June 26, 2013	Yes	No bar number assigned.

Michael Alexander Johnson - State Court Admissions

Court	Date	Active Status & Good Standing?	Bar Number
District of Columbia Court of Appeals	December 7, 1998	Yes	460879
Supreme Court of Virginia	October 9, 1997	Yes	41588

Michael A.F. Johnson Verified Application for Association of Counsel Under
Nevada Supreme Court Rule 42
Nevada Supreme Court Case No. 69966
SUPPLEMENT TO NUMBER 13
NAMES AND ADDRESSES OF EACH PARTY IN THIS ACTION

Party

Counsel

Appellant

K&P Homes, a Series LLC of
Dek Holdings, LLC

THE WRIGHT LAW GROUP, P.C.
John Henry Wright, Esq.
2340 Paseo Del Prado, Suite D-305
Las Vegas, NV 89102

Respondent

Christiana Trust, a Division of
Wilmington Savings Fund Society,
FSB, not in its Individual Capacity,
but as Trustee of ARLP Trust 3

WRIGHT, FINLAY & ZAK, LLP
Dana Jonathon Nitz, Esq.
Natalie C. Lehman, Esq.
7785 W. Sahara Avenue, Suite 200
Las Vegas, NV 89117

1 Leslie Bryan Hart, Esq., (SBN 4932)
2 John D. Tennert, Esq. (SBN 11728)
3 FENNEMORE CRAIG, P.C.
4 300 E. Second St., Suite 1510
5 Reno, Nevada 89501
6 (Tel) 775-788-2228 (Fax) 775-788-2229
7 lhart@fclaw.com; jtennert@fclaw.com

8 (Pro Hac Vice submitted)
9 Michael A.F. Johnson, Esq.
10 ARNOLD & PORTER LLP
11 601 Massachusetts Avenue, NW
12 Washington, DC 20001
13 (Tel) 202-942-5000 (Fax) 202-942-5999
14 Michael.johnson@aporter.com

15 Attorneys for *Amicus Curiae* Federal Housing Finance Agency

Electronically Filed
Nov 01 2016 08:23 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

16
17
18
19
20
21
22
23
24
25
26
27
28
IN THE SUPREME COURT OF THE STATE OF NEVADA

K&P HOMES, a Series LLC of DEK
Holdings, LLC,

Appellant,

vs.

CHRISTIANA TRUST, a Division of
Wilmington Savings Fund Society; FSB, not in
its individual capacity but as Trustee of ALRP
Trust 3,

Respondents.

CASE NO. 69966

MOTION TO ASSOCIATE COUNSEL

Amicus Curiae Federal Housing Finance Agency ("FHFA") hereby move the Court for
an order permitting Michael A.F. Johnson, 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 of Virginia and the District of Columbia Court of Appeals (Exhibit B) and the

////

////

////

////

1 State Bar of Nevada Statement. (Exhibit C).

2 DATED: This 31st day of October, 2016.

3
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
11 lhart@fclaw.com; jtennert@fclaw.com

12
13 ARNOLD & PORTER LLP

14 By: /s/ Michael A.F. Johnson
15 Michael A.F. Johnson, Esq.
16 (*Pro Hac Vice* Submitted)
17 601 Massachusetts Avenue, NW
18 Washington, DC 20001
19 (Tel) 202-942-5000 (Fax) 202-942-5999
20 michael.johnson@aporter.com

21 Attorneys for *Amicus Curiae* Federal Housing
22 Financing Agency
23
24
25
26
27
28

1 **CERTIFICATE OF SERVICE**

2
3 Pursuant to NEFCR 9(b)(d)(e), I certify that on the 31st day of October, 2016, a true and
4 correct copy of the **MOTION TO ASSOCIATE COUNSEL**, was transmitted electronically
5 through the Court's e-filing system to the attorney(s) associated with this case. If electronic
6 notice is not indicated through the court's e-filing system, then a true and correct paper copy of
7 the foregoing document was delivered via U.S. Mail.
8

9
10 **THE WRIGHT LAW GROUP, P.C.**
11 John Henry Wright, Esq.
12 2340 Paseo Del Prado, Suite D-305
13 Las Vegas, NV 89102
Attorney for Appellant

14 **WRIGHT, FINLAY & ZAK, LLP**
15 Dana Jonathon Nitz, Esq.
16 Natalie C. Lehman, Esq
17 7785 W. Sahara Avenue, Suite 200
Las Vegas, NV 89117
Attorneys for Appellee

18
19 /s/ Pamela Carmon
20 An Employee of Fennemore Craig, P.C.

21 12165580.1/038236.0001
22
23
24
25
26
27
28