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2 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

3 CENTURY SURETY COMPANY,

4 Appellant,

5 v.

6 DANA ANDREW, as LEGAL  
7 GUARDIANS OF RYAN T.  
8 PRETNER; AND RYAN T  
PRETNER,

9 Defendants.

No. 73756

Electronically Filed  
Oct 10 2017 02:02 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

10 **APPELLANT CENTURY SURETY COMPANY'S**  
11 **MOTION TO ASSOCIATE COUNSEL**

12  
13 Appellant, Century Surety Company's ("Century"), by and through its  
14 attorneys of record, the law firm of CHRISTIAN, KRAVITZ, DICHTER,  
15 JOHNSON & SLUGA, LLC, hereby move the Court for an order permitting J.  
16 RIC GASS, ESQ., to practice in Nevada pursuant to Nevada Supreme Court Rule  
17 42 (SCR 42). This motion is supported by the attached "Verified Application for  
18 Association of Counsel" (Exhibit A), "Certificate of Good Standing" from  
19 Wisconsin" (Exhibit B) the State Bar of Nevada Statement (Exhibit C).

20 Dated this 10th day of October, 2017.

21 **CHRISTIAN, KRAVITZ, DICHTER,**  
22 **JOHNSON & SLUGA, LLC**

23  
24 By: 

MARTIN J. KRAVITZ, ESQ.

25 Nevada Bar No. 83

26 8985 S. Eastern Avenue, Suite 200

27 Las Vegas, Nevada 89123

*Attorneys for Appellant,*

28 *Century Surety Company*

1                                    **MEMORANDUM OF POINTS AND AUTHORITIES**

2                    In accordance with SCR 42, Appellant, CENTURY SURETY COMPANY,  
3  
4       filed with the State Bar of Nevada a Verified Application for Association of  
5       Counsel (Exhibit "A") of J. Ric Gass, Esq. (hereinafter "Applicant"). Filing fees  
6       of \$650.00 were paid. The applicant is an attorney licensed to practice in the state  
7       of Wisconsin. Attached as Exhibit "B" is the Certificate of Good Standing. The  
8  
9       State Bar of Nevada served upon local counsel the Rule 42 statement for the  
10       applicant. Attached as Exhibit "C" is the Supreme Court Rule 42 Statement.

11  
12                   SCR 42.1 provides, in pertinent part:

13                                    A person who is not a member of the State Bar of  
14                                    Nevada but who is a member in good standing and  
15                                    eligible to practice before the bar...of the highest court in  
16                                    any state..., and who has been retained to represent a  
17                                    client in this state in a particular cause pending in a court  
18                                    of this state...may in the discretion of such court be  
19                                    permitted upon written application as provided in  
20                                    subsection 2, to appear as counsel in that cause, provided  
21                                    that an active member of the State Bar of Nevada is  
22                                    associated as counsel of record.

23                   Appellant, CENTURY SURETY COMPANY, has retained the Applicant  
24                   to represent it this action. The applicant is a member in good standing with the  
25                   Wisconsin State Bar. The Applicant has complied with the procedural  
26                   requirements of SCR 42.2 and associated as local counsel Martin J. Kravitz, an

27                   ///

28                   ///

1 active member of the State Bar of Nevada. Appellant respectfully requests that  
2 the Court grant his Motion to Associate Counsel.

3  
4 DATED this 10th day of October, 2017.

5 CHRISTIAN, KRAVITZ, DICHTER,  
6 JOHNSON & SLUGA, LLC

7  
8 By: 

9 MARTIN J. KRAVITZ, ESQ.  
10 Nevada Bar No. 83  
11 8985 S. Eastern Avenue, Suite 200  
12 Las Vegas, Nevada 89123  
13 *Attorneys for Appellant,*  
14 *Century Surety Company*

15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on the 10th day of October, 2017, I served a true  
17 and correct copy of the foregoing APPELLANT CENTURY SURETY  
18 COMPANY'S MOTION TO ASSOCIATE COUNSEL by electronic service as  
19 follows:

20 Dennis M Prince  
21 Eglet Prince  
22 400 S. 7th Street, Suite 400  
23 Las Vegas, NV 89101  
24 Telephone: (702) 450-5400  
25 Facsimile: (702) 450-5451  
26 dprince@egletlaw.com  
27 Attorneys for Plaintiffs

28  


An employee of KRAVITZ, SCHNITZER  
& JOHNSON, CHTD.

**EXHIBIT “A”**

**EXHIBIT “A”**

IN THE SUPREME COURT OF THE STATE OF NEVADA

CENTURY SURETY COMPANY, ) No. 73756  
 )  
 Appellant, )  
 )  
 v. ) VERIFIED APPLICATION FOR  
 ) ASSOCIATION OF COUNSEL UNDER  
 DANA ANDREW, AS LEGAL ) NEVADA SUPREME COURT RULE 42  
 GUARDIAN ON BEHALF OF RYAN )  
 T. PRETNER; and RYAN T. PRETNER, )  
 )  
 Respondents. )

J. Ric Gass, Petitioner, respectfully represents:

First	Middle Name	Last

1. Petitioner resides at 1122 Crater Hill Drive  
Street Address  
Nashville, Davidson TN  
City County State  
37215, ( 615 ) 915-1823  
Zip Code Telephone

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

Gass Weber Mullins LLC

with offices at 241 North Broadway, Suite 300  
Street Address

Milwaukee, Milwaukee, WI  
City County State

53202, ( 414 ) 223-3300, gass@gwmlaw.com  
Zip Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by \_\_\_\_\_  
Century Surety Company to provide legal representation in  
connection with the above-entitled matter now pending before the above referenced court.

4. Since May of 1970, petitioner has been, and presently is, a member of good standing of  
the bar of the highest court of the State of Wisconsin 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.S. District Court-Eastern & Western Districts of WI	<u>5/70</u>
U.S. Court of Appeals	<u>7/72</u>
4th Circuit Court of Appeals	<u>11/05</u>
5th Circuit Court of Appeals	<u>9/06</u>
7th Circuit Court of Appeals	<u>9/72</u>
Supreme Court - State of Wisconsin	<u>5/70</u>
U.S. Supreme Court	<u>7/75</u>

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.

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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.

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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.

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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>
7/13/16	Andrew, et al. v. Century	Clark County Dist. Court Case No. A-12-660544-C	Granted
5/24/17	Pretner, et al. v. Vasquez, et al.	Clark County Dist. Court Case No. A-11-632845-C	Granted
6/21/17	Dunham, et al. v. Kelsey, et al.	Fourth Judicial District Court County of Elko-Case No. CV-C-15-398	Granted

(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)

<u>Martin</u>	<u>J.</u>	<u>Kravitz</u>	<u>83</u>
First Name	Middle Name	Last Name	NV Bar #

who has offices at Christian, Kravitz, Dichter, Johnson & Sluga  
Firm Name/Company

<u>8985 South Eastern Avenue, Suite 200</u>	<u>Las Vegas</u>	<u>Clark</u>
Street Address	City	County

<u>89123</u>	<u>( 702 ) 362-6666</u>
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

Appellant - Martin J. Kravitz, Christian, Kravitz, Dichter, Johnson & Sluga, 8985 S. Eastern Ave., #200, Las Vegas, NV 89123  
and Maria L. Cousineau, Cozen & O'Connor, 601 S. Figueroa St., #3700, Los Angeles, CA 90017

Respondents - Dennis M. Prince, Eglet Prince, 400 S. Seventh St., #400, Las Vegas, NV 89101

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, J. Ric Gass, 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 5th day of October, 20 17



Petitioner/Affiant (blue ink)

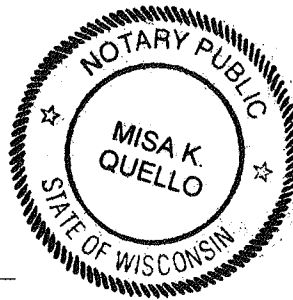
STATE OF WISCONSIN )  
 ) ss  
COUNTY OF MILWAUKEE )

Subscribed and sworn to before me

this 5th day of October, 20 17



Notary Public Misa K. Quello - 2/26/21



**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 Martin J. Kravitz 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 4th day of October, 20 17

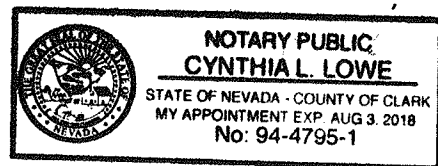
[Signature]  
Nevada Counsel of Record (blue ink)

STATE OF Nevada )  
COUNTY OF Clark ) ss

Subscribed and sworn to before me

this 4th day of October, 20 17

[Signature]  
Notary Public



**EXHIBIT “B”**

**EXHIBIT “B”**



Diane M. Fremgen  
Clerk

**WISCONSIN SUPREME COURT  
OFFICE OF THE CLERK**

110 E. Main Street, Suite 215  
P.O. Box 1688  
Madison, WI 53701-1688

Telephone: 608-266-1880  
TTY: 800-947-3529  
Fax: 608-267-0640  
<http://www.wicourts.gov>

***CERTIFICATE OF GOOD STANDING***

*I, Diane M. Fremgen, Clerk of the Supreme Court of Wisconsin certify that the records of this office show that:*

**JAMES R. GASS**

*was admitted to practice as an attorney within this state on May 26, 1970 and is presently in good standing in this court.*

*Dated: September 26, 2017*

  
**DIANE M. FREMGEN**  
*Clerk of Supreme Court*

**EXHIBIT “C”**

**EXHIBIT “C”**

1 STAT

2 IN THE SUPREME COURT OF THE STATE OF NEVADA

3 Case No. 73756

4  
5 Century Surety Company

6 vs.

7 Dana Andrew

8 \_\_\_\_\_ /  
9 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
10 42(3)(b)

11  
12 THE STATE BAR OF NEVADA, in response to the application of  
Petitioner, submits the following statement pursuant to SCR42(3):

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

17  
18 (a) **Limitation.** It shall be presumed, absent special  
circumstances, and only upon showing of good cause, that  
19 more than 5 appearances by any attorney granted under  
this rule in a 3-year period is excessive use of this  
20 rule.

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

24 1. DATE OF APPLICATION: October 4, 2017

25 2. APPLYING ATTORNEY: James 'Ric' Gass, Esq.

26 3. FIRM NAME AND ADDRESS: Gass Weber Mullins LLC, 241 North  
27 Broadway, Suite 300, Milwaukee, WI 53202

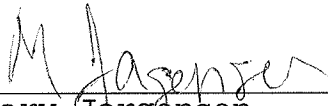
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1 4. NEVADA COUNSEL OF RECORD: Martin Jay Kravitz, Esq., Kravitz,  
2 Schnitzer & Johnson, Chtd., 8985 S. Eastern Ave., Suite 200,  
3 Las Vegas, NV 89123

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

6 07/07/2016	ADMISSION STATUS NOT REPORTED TO THE STATE BAR
7 05/19/2017	ADMISSION STATUS NOT REPORTED TO THE STATE BAR
8 06/16/2017	ADMISSION GRANTED

9 DATED this October 6, 2017

10   
11 Mary Jorgensen  
12 Member Services Director  
13 Pro Hac Vice Processor  
14 STATE BAR OF NEVADA  
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