

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * *

MINERAL COUNTY; AND WALKER
LAKE WORKING GROUP,

Appellants

VS.

LYON COUNTY, CENTENNIAL
LIVESTOCK; BRIDGEPORT
RANCHERS; SCHROEDER GROUP;
WALKER RIVER IRRIGATION
DISTRICT; STATE OF NEVADA
DEPARTMENT OF WILDLIFE; AND
COUNTY OF MONO, CALIFORNIA,

Respondents.

No. 75917-1
Electronically Filed
Jan 07 2019 04:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO ASSOCIATE COUNSEL


Amicus Curiae Natural Resources Defense Council, Sierra Club, Western Resource Advocates, National Wildlife Federation and Nevada Wildlife Federation (“*amici*”) hereby move the Court for an order permitting John D. Echeverria, 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), “Certificate of Good Standing” from the District of Columbia

////

////

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

DATED: Jan 7, 2019

for 
ROBERT L. EISENBERG
(Nevada Bar No. 0950)
Lemons, Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, Nevada 89519
775-786-6868
Email: rle@lge.net

*Attorneys for Amici Natural Resources
Defense Council, Sierra Club,
Western Resource Advocates,
National Wildlife Federation and
Nevada Wildlife Federation*

CERTIFICATE OF SERVICE

I certify that I am an employee of Lemons, Grundy & Eisenberg and that on this date the foregoing was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:

Sean A. Rowe
Simeon M. Herskovits
Stephen B. Rye
Jerry M. Snyder
Roderick E. Walston
Steven G. Martin
Therese A. Ure
Gordon H. DePaoli
Adam Paul Laxalt
Bryan L. Stockton
Tori Sundheim

I further certify that on this date I served copies of the foregoing, postage prepaid, by U.S. Mail to:

Stacey Simon
Stephen M. Kerins
Office of the County Counsel
County of Mono
P.O. Box 2415
Mammoth Lakes, CA 93546

Dale Ferguson
Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, Nevada 89511

Roderick E. Walston
Steven G. Martin
Best Best & Kriegr LLP
2001 N. Main Street, Suite 390
Walnut Creek, CA 94596

DATED: _____

1/7/19

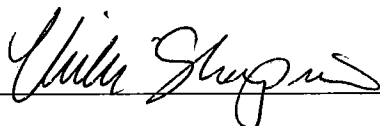


EXHIBIT A

EXHIBIT A

Mineral County) No. 75917
)
)
 v.) VERIFIED
) ASSOCIATION
 Lyon County) NEVADA

Electronically Filed
Dec 04 2018 03:43 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

4. Since December of 1982, 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)

I, John D. Echeverria, 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.

- 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 19th day of November, 2018

John D. Eclerua
Petitioner/Affiant (blue ink)

STATE OF Vermont)
COUNTY OF Windsor) ss

Subscribed and sworn to before me

this 19 day of November, 2018

[Signature]
Notary Public

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 ROBERT L. EISENBERG 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 13th day of November, 2018

Robert L. Eisenberg

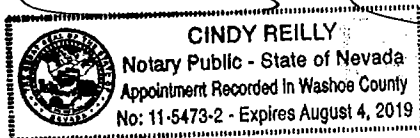
Nevada Counsel of Record (blue ink)

STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

Subscribed and sworn to before me

this 13th day of November, 2018

Cindy Reilly
Notary Public



Verified Application of John D. Echeverria Pursuant to SCR 42
Nevada Supreme Court Case No. 75917

John Echeverria – Federal Court Admissions

Court	Admission Date	Active Status & Good Standing?	Bar Number
U.S. Supreme Court	June 21, 1993	Yes	20318
U.S. Court of Appeals for the Fifth Circuit	March 7, 1983	Yes	No bar number assigned.
U.S. Court of Appeals for the District of Columbia Circuit	April 8, 1983	Yes	No bar number assigned.
U.S. Court of Appeals for the Ninth Circuit	June 3, 1983	Yes	No bar number assigned.
U.S. Court of Appeals for the Federal Circuit	July 26, 1994	Yes	No bar number assigned.
U.S. District Court for the District of Columbia	January 3, 1983	Yes	No bar number assigned.

John Echeverria – State Court Admissions

Court	Admission Date	Active Status & Good Standing?	Bar Number
District of Columbia Court of Appeals	December 13, 1982	Yes	366893

Verified Application of John D. Echeverria Pursuant to SCR 42
Nevada Supreme Court Case No. 75917

Parties represented by John D. Echeverria in this action:

Natural Resources Defense Council

Sierra Club

Western Resource Advocates

National Wildlife Federation

Nevada Wildlife Federation

Verified Application of John D. Echeverria Pursuant to SCR 42
Nevada Supreme Court Case No. 75917

Parties and counsel who have appeared in this action:

Mineral County and Walker Lake Working Group

Simeon Herskovits
Advocates for Community and Environment
P.O. Box 1075
El Prado, NM 87529
Phone: (575) 758-7202
Email: simeon@communityandenvironment.net

Sean Rowe
Mineral County District Attorney
P.O. Box 1210
Hawthorne, NV 89415
Phone: 775-945-3636
Email: srowe@mineralcountynv.org

Walker River Irrigation District

Gordon H. DePaoli
Dale E. Ferguson
Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, NV 89511
Phone: (775) 688-3000
Email: GDePaoli@woodburnandwedge.com
Email: DFerguson@woodburnandwedge.com

Lyon County

Jerry M. Snyder
429 West Plumb
Reno, NV 89509
Phone: (775) 499-5647
Email: Nevadajerrysnyder@gmail.com

Roderick E. Walston
Best Best & Krieger LLP
2001 N. Main Street, Suite 390
Walnut Creek, CA 94596
Email: roderick.walston@bbklaw.com

Stephen B. Rye
Lyon County District Attorney
27 Main Street
Yerrington, NV 89477
Email: srye@lyon-county-org

The Schroder Group

Therese Ure
Schroeder Law Offices, P.C.
10615 Double R. Blvd., Ste. 100
Reno, NV 89521
Phone: (775) 786-8800
Email: counsel@water-law.com

Nevada Department of Wildlife

Adam Paul Laxalt, Attorney General
Bryan L. Stockton, Senior Deputy Attorney General
100 North Carson Street
Carson City, NV 89701-4717
Phone: (775) 684-1228
Email: bstockton@ag.nv.gov

Mono County

Stacey Simon, County Counsel
Stephen Kerins, Deputy County Counsel
Office of the County Counsel
County of Mono
P.O. Box 2415
Mammoth Lakes, CA 93546
Email: ssimon@mono.ca.gov

Centennial Livestock

Roderick E. Walston
Steven G. Martin
Best Best & Krieger LLP
2001 N. Main Street, Suite 390
Walnut Creek, CA 94596
Email: roderick.walston@bbklaw.com

Bridgeport Ranchers

Roderick E. Walston
Steven G. Martin
Best Best & Krieger LLP
2001 N. Main Street, Suite 390
Walnut Creek, CA 94596
Email: roderick.walston@bbklaw.com

EXHIBIT B

EXHIBIT B



DCBAR

On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that

John D Echeverria

was duly qualified and admitted on **December 13, 1982** 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 November 13, 2018.

Julio A. Castillo
JULIO A. CASTILLO
Clerk of the Court

Issued By: *ABJ*
District of Columbia Bar Membership

For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbar.org.

EXHIBIT C

EXHIBIT C

1 STAT

2 IN THE SUPREME COURT OF THE STATE OF NEVADA

3 Case No. 75917

4
5 Mineral County

6 vs.

7 Lyon County
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
18 appear under this rule. Absent special circumstances, repeated
19 appearances by any person or firm of attorneys pursuant to this rule
20 shall be cause for denial of the motion to associate such person.

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

26 (b) **Burden on applicant.** The applicant shall have the
27 burden to establish special circumstances and good cause
28 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.

1. DATE OF APPLICATION: November 26, 2018

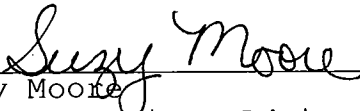
2. APPLYING ATTORNEY: John D. Echeverria, Esq.

3. FIRM NAME AND ADDRESS: Vermont Law School, 164 Chelsea Street,
PO Box 96, South Royalton, VT 05068

1 4. NEVADA COUNSEL OF RECORD: Robert L. Eisenberg, Esq., Lemons,
2 Grundy & Eisenberg, 6005 Plumas Street, Third Floor, Reno, NV
3 89519-6069

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

6 DATED this November 30, 2018

7
8 
9 Suzy Moore
10 Member Services Admin.
11 Pro Hac Vice Processor
12 STATE BAR OF NEVADA
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28