

IN THE SUPREME COURT OF THE STATE OF NEVADA

ABEL CANTARO CASTILLO,

Case No. 85926

Appellant,

vs.

WESTERN RANGE ASSOCIATION,

Respondent.

Electronically Filed
Aug 08 2023 10:48 AM
Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO ASSOCIATE COUNSEL

Amici Curiae American Sheep Industry Association, Inc. and Nevada Wool Growers Association, hereby moves the Court for an order permitting Christopher James Schulte, Esq., to practice in Nevada pursuant to Nevada Supreme Court Rule 42 (SCR 42). This motion is supported by the attached “Verified Application of Counsel” (Exhibit A), “Certificates of Good Standing” from Washington, D.C., New Hampshire, Massachusetts and New York (Exhibit B), and the State Bar of Nevada Statement, (Exhibit C).

Dated this 8th day of August, 2023. LAW OFFICES OF MARK WRAY

By /s/ Mark Wray
MARK WRAY, #4425
608 Lander Street
Reno, Nevada 89509
(775) 348-8877
mwrap@markwraylaw.com

Christopher J. Schulte
Pro Hac Vice pending
SMITH, GAMBRELL & RUSSELL, LLP
1055 Thomas Jefferson St., N.W., Suite 400
Washington, DC 20007
Telephone: 202-263-4344
Email: cschulte@sgrlaw.com

*Attorneys for American Sheep Industry
Association, Inc. and Nevada Wool Growers
Association*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Law Offices of Mark Wray and that on the 8th day of July, 2023, I electronically filed the foregoing with the Clerk of the Court using the Supreme Court Electronic Filing System, which will send notification of such filing to all attorneys of record.

/s/ Holly Mitchell

EXHIBIT A

IN THE SUPREME COURT OF THE STATE OF NEVADA

| | | |
|------------------------|---|-------------------------------------|
| ABEL CANTARO CASTILLO, |) | No. <u>85926</u> |
| Appellant |) | |
| v. |) | |
| WESTERN RANGE |) | VERIFIED APPLICATION FOR |
| ASSOCIATION, |) | ASSOCIATION OF COUNSEL UNDER |
| Respondent, |) | <u>NEVADA SUPREME COURT RULE 42</u> |
| _____ |) | |

Christopher James Schulte, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 10199 Red Spruce Rd.
Street Address

Fairfax, Fairfax, Virginia, 22032
City County State Zip Code

(516) 375-3220.
Telephone

2. Petitioner is an attorney at law and a member of the law firm of Smith, Gambrell & Russell, LLP

with offices at 1055 Thomas Jefferson St., N.W., Suite 400
Street Address

Washington, n/a/, DC, 20007
City County State Zip

(202) 263-4344, cschukte@sgrlaw.com.
Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by proposed *amici curiae* American Sheep Industry Association and Nevada Woolgrowers Association to provide legal representation in connection with the above-entitled matter now pending before the above referenced court.

4. Since October 13 of 2006, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the ~~State~~ 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

| | |
|--------------------------------------|------------------|
| <u>New Hampshire</u> | <u>5/28/1999</u> |
| <u>Massachusetts</u> | <u>6/12/2001</u> |
| <u>New York</u> | <u>6/26/2001</u> |
| <u>Federal courts – see attached</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

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, or any member of petitioner's firm, has/have filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matter(s), 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> |
|----------------------------|--------------|---|---|
|----------------------------|--------------|---|---|

none

(If more space is needed, you may list previous applications on a separate attachment.)

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

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

MARK
First Name

DOUGLAS
Middle Name

WRAY
Last Name

#4425
NV Bar #

who has offices at _ LAW OFFICES OF MARK WRAY
Firm Name/Company

_608 Lander Street,
Street Address

Reno,
City

Washoe County,
County

89509 , (775) 348-8877.
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 EXHIBIT

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.

INTERESTED PARTIES

Abel Cantaro Castillo - **Appellant**

Represented by:

Christine E. Webber (admitted *pro hac vice*)
Cohen Milstein Sellers & Toll PLLC
1100 New York Ave. NW, 5th floor
Washington, DC 20005

Alexander Hood (admitted *pro hac vice*)
Towards Justice
PO Box 371680, PMB 44465
Denver, CO 80237-5680

Mark R. Thierman
Joshua D. Buck
Leah L. Jones
Thierman Buck LLP
7287 Lakeside Drive
Reno, NV 89511

Western Range Association - **Respondent**

Represented by:

Ellen Jean Winograd
Jose Tafoya
Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, NV 89511

Anthony Hall
Jonathan McGuire
Simons Hall Johnston P.C.
690 Sierra Rose Drive
Reno, NV 89511

I, Christopher J. Schulte, do hereby swear/affirm under penalty of perjury that the assertions
Print Petitioner Name
of this application and the following statements are true:

- 1) That I am the Petitioner in the above-entitled matter.
- 2) That I have received a copy of, read, and will adhere to the Nevada Creed of Professionalism and Civility.
- 3) 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.
- 4) 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 13th day of July, 2023

Cliff A. White
Petitioner/Affiant (blue ink)

STATE OF VIRGINIA)
) ss
COUNTY OF FAIRFAX)

Subscribed and sworn to before me

this 13 day of JULY, 2023

[Signature]
Notary Public

HARLAN L. EARHART
Notary Public 7876408
Commonwealth of Virginia
My Commission Expires 11/30/2024

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, Mark D. Wray, 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 14th day of July, 2023

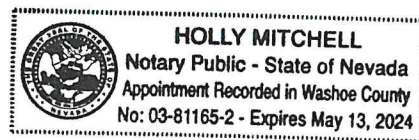
Mark Wray
Nevada Counsel of Record (blue ink)

STATE OF Nevada)
) ss
COUNTY OF Washoe)

Subscribed and sworn to before me

this 14th day of July, 2023

Holly Mitchell
Notary Public



Federal Court**Date of Admission**U.S. Court of Appeals for the 2nd Circuit

11/9/2009

U.S. Court of Appeals for the 11th Circuit

3/9/2015

U.S. Court of Appeals for the D.C. Circuit

10/16/2017

Northern District of New York

10/24/2007

Eastern District of New York

6/15/2009

Western District of New York

3/5/2010

District of the District of Columbia

5/7/2012

Northern District of Florida

2/18/2015

EXHIBIT B

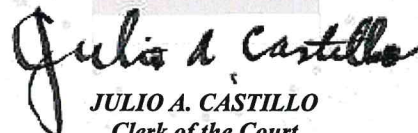


*On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that*

Christopher J Schulte

*was duly qualified and admitted on October 13, 2006 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 July 08, 2023.*


JULIO A. CASTILLO
Clerk of the Court

Issued By:



*David Chu - Director, Membership
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.***

*The State of New Hampshire
Supreme Court*

Certificate of Good Standing

This is to certify that

Christopher J. Schulte

*having been found qualified for admission to the bar, in accordance with the Rules of Court,
and having subscribed and taken the oaths required by law on*

May 28, 1999,

*was admitted to practice as an Attorney in the Courts of this State, and, on this date, is in
good standing according to the records of this Court. He has been on inactive status since
June 16, 1999, which prohibits him from practicing law in New Hampshire.*



*In Testimony Whereof, I have hereunto
set my hand, and affixed the seal of said
Court, this 13th day of July, 2023.*

Simmy A. Hodas, Clerk

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on **June 12, 2001**, said Court being the highest Court of Record in said Commonwealth:

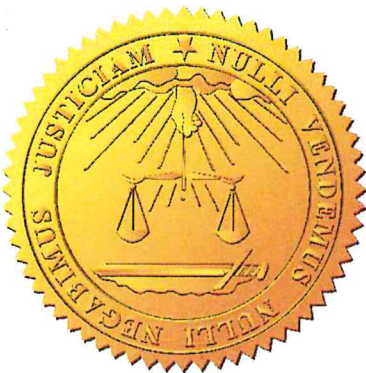
Christopher J. Schulte

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **tenth** day of **July**

in the year of our Lord **two thousand and twenty-three**.



MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification. X3116.



*Appellate Division of the Supreme Court
of the State of New York
Third Judicial Department*

I, Robert D. Mayberger, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Christopher James Schulte

*was duly licensed and admitted to practice as an Attorney and Counselor at Law in all the courts of this State on **June 26, 2001**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors at Law on file in this office, is duly registered with the Administration Office of the Courts, and according to the records of this Court is currently in good standing as an Attorney and Counselor-at-Law.*



*In Witness Whereof, I have hereunto set
my hand in the City of Albany on July
10, 2023.*

Robert D Mayberger

Clerk of the Court

EXHIBIT C

1 STAT

2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 85926

5
6 Abel Cantaro Castillo

7 vs.

8 Western Range Association
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: 7/18/2023

26 2. APPLYING ATTORNEY: Christopher James Schulte, Esq.

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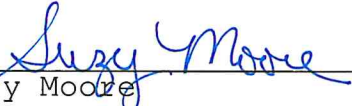
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- 1 3. FIRM NAME AND ADDRESS: Smith, Gambrell & Russell, LLP, 1055
2 Thomas Jefferson Street, N.W., Suite 400, Washington, DC 20007
- 3 4. NEVADA COUNSEL OF RECORD: Mark Douglas Wray, Esq., Law Offices
4 of Mark Wray, 608 Lander St., Reno, NV 89509
- 5 5. There is no record of previous applications for appearance by
6 petitioner within the past three (3) years.

7 DATED this July 25, 2023

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9 
10 Suzy Moore
11 Member Services Admin.
12 Pro Hac Vice Processor
13 STATE BAR OF NEVADA
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IN THE SUPREME COURT OF THE STATE OF NEVADA

ABEL CANTARO CASTILLO,

Case No. 85926

Appellant,

vs.

WESTERN RANGE ASSOCIATION,

Respondent.

_____ /

ORDER ADMITTING TO PRACTICE

Christopher James Schulte, Esq., having filed his Motion to Associate Counsel under Nevada Supreme Court Rule 42, together with a Verified Application of Counsel, Certificates of Good Standing from Washington, D.C., New Hampshire, Massachusetts and New York, and the State Bar of Nevada Statement; said application having been noticed, no objections having been made, and the Court being fully apprised in the premises, and good cause appearing, it is hereby

ORDERED, that said application is hereby granted, and Christopher James Schulte, Esq. is hereby admitted to practice in the above entitled Court for the

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purposes of the above entitled matter only.

Dated this __ day of August, 2023.

Submitted by:

By /s/ Mark Wray
MARK WRAY, #4425
608 Lander Street
Reno, Nevada 89509
(775) 348-8877
mwrap@markwraylaw.com

Christopher J. Schulte
Pro Hac Vice pending
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1055 Thomas Jefferson St., N.W., Suite 400
Washington, DC 20007
Telephone: 202-263-4344
Email: cschulte@sgrlaw.com

*Attorneys for American Sheep Industry Association, Inc.
and Nevada Wool Growers Association*