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CLERK OF SUPREME COURT SEP 11 2017

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

**FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT**

**SEP 11 2017
STATE OF NORTH DAKOTA**

In the Matter of a Petition to Terminate the Special Provision of Legal Services by Qualified Attorneys From Outside North Dakota

- [1] The Judges of the South Central Judicial District request that the Supreme Court terminate the special provisions which allow attorneys not licensed in North Dakota to provide legal services in North Dakota to represent defendants charged as a result of protest activities connected to the Dakota Access Pipeline.
- [2] Only attorneys actively representing a client and listed as attorney of record on the date of the filing of this petition should be allowed to continue under the special provisions adopted by the Supreme Court on January 18, 2017. At the present time, 16 attorneys admitted under the special provision are attorney of record in active cases. Attorneys whose names have been added to the list of attorneys who may practice under the special provisions but who are not attorney of record in a pending case should not be allowed to practice under the special provisions.
- [3] There is no longer any justification for dispensing with the general rules for pro hac vice practice. New cases are no longer being filed, and there is no indication that local attorneys are unavailable to provide representation. Of the 36 attorneys who have been admitted under this provision, 11 have never been attorney of record in any of the cases.
- [4] We have noted that many of the attorneys practicing under the special provisions have associated with attorneys who are licensed in North Dakota but maintain their primary office outside the State of North Dakota, making it impractical for a judge to require the presence of the North Dakota attorney even when out-of-state attorneys are unfamiliar with local rules

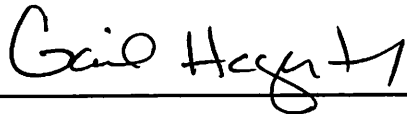
and procedures. Eighteen of the attorneys admitted under this rule, or one-half of the attorneys admitted, have an associate attorney who does not have an office in North Dakota.

[5] There is no longer a need which requires waiver of the pro hac vice filing fee in these cases.

[6] For those reasons, we request that the special provisions adopted to allow for attorneys not licensed in North Dakota be terminated except for those attorneys who are actively engaged in defense of a client.

[7] Dated September 11, 2017.

On behalf of the Judges of the South Central Judicial District

A handwritten signature in black ink that reads "Gail Hagerty". The signature is written in a cursive style and is positioned above a solid horizontal line.

Gail Hagerty

Presiding District Judge

**Out of State Attorneys (with associate Attys)
Authorized to provide temporary DAPL legal services as of
9/11/17**

IDNUM	FName	MName	LName	DateRec	Associate Attorney	case activity
01800	Jeffrey	H.	Haas	1/31/17	Jessica M. Hibl 06991	No case
01802	Heather	Dawn	Thompson	2/6/17	Garrett Ludwig 06275	No case
01805	April	Erin	Olson	2/7/17	Bruce Nestor 08629	No case
01807	Peter		Schoenburg	2/7/17	Bruce Nestor 08630	one case- active
01808	Douglas	L.	Parr	2/16/17	Erica Shively 06296	four cases - all closed
01812	Susan	Woods	McGraugh	2/23/17	Bruce Nestor 08629	two cases - active
01813	David		LaCross	2/23/17	Amanda Harris 06506	six cases - two active
01817	Ralph		Hurvitz	2/24/17	Amanda Harris 06506	one case - closed
01819	Stephen	Patrick	Beatty	2/28/17	Jessica M. Hibl 06991	No case
01820	William	P.	Quigley	2/28/17	Chad C. Nodland 05120	six cases - all closed
01821	Patricia	J.	Handlin	2/28/17	Amanda Harris 06506	one case- active
01829	Daniel	Mark	Siegel	3/6/17	Amanda Harris 06506	eight cases - seven active
01830	Melinda	Longford	Power	3/7/17	Amanda Harris 06506	one case - active
01838	Victor	A.	Aronow	3/22/17	Jessica M. Hibl 06991	one case -closed
01839	Jeniece		LaCross	3/29/17	Amanda Harris 06506	Five cases - three active
01846	Jacob	Reuben	Reisberg	4/3/17	Bruce Nestor 08629	one case - closed
01851	Moira		Meltzer-Cohen	4/11/17	Bruce Nestor 08629	ten cases - two active
01852	Ryan	J.	Anderson	4/11/17	Bruce Nestor 08629	one case -closed
01853	Karen	Suzette	Lindholdt	4/17/17	Chad C. Nodland 05120	eight cases - five active
01854	Sandra	Christine	Freeman	4/18/17	Bruce Nestor 08629 and Amanda Harris 06506	eight cases - six active
01855	Jonathan	David	Wallace	4/18/17	Amanda Harris 06506	Five cases - two active
01860	Samuel		Saylor	4/24/17	Bruce Nestor 08629	ten cases - two active
01862	Meghan	Dupuis	Maurus	4/25/17	Amanda Harris 06506	six cases - two active
01869	Andrea	May	Carter	5/15/17	Bruce Nestor 08629	seven cases - three active
01879	Lauren	C.	Regan	5/23/17	Bruce Nestor 08629	No case
01881	Dion	Kristian	Killsback	5/31/17	Caleb Dogeagle 07697	three cases - closed
01884	Gunnar	Jon	Rosenquist	6/5/17	Amanda Harris 06506	two cases - closed
01885	Sidney	Sue	Hollar	6/8/17	Erik Escarraman 08084	three cases - closed
01895	Brian	John	Fitzpatrick	6/16/17	Bruce Nestor 08629	Nine cases - 2 active
01904	Burke	Austin	Moore	7/11/17	Erik Escarraman 08084	one case - active
01907	Veronica	May	Surges	7/12/17	Bruce Nestor 08629	No case
01919	David	Bradley	Jordan	7/24/17	Erik Escarraman 08084	No case
01921	Darcy	Carolyn	Sherman	7/31/17	Bruce Nestor 08629	No case
01929	John	Michael	Viola	8/22/17	Bruce Nestor 08629	No case
01930	Jeff	F.	Wozniak	8/22/17	Bruce Nestor 08629	No case
01932	James	R.	Fennerty	8/28/17	Bruce Nestor 08630	No case