



Law Offices of  
**TIMOTHY B. SHAFFERY**  
Attorneys & Counselors at Law



RECEIVED

2003 OCT 22 A 10:46

AZ CORP COMMISSION  
DOCKET CONTROL

October 20, 2003

Arizona Corporation Commission  
**DOCKETED**

OCT 22 2003

**SENT VIA UPS OVERNIGHT MAIL  
& VIA FACSIMILE ( 602) 364-0644**

ATTN: Mr. Jeff Barker  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

DOCKETED BY 

**RE: DAVID A. LAFURIA  
REVISED Case No. T-02556A-01-931**

Dear Mr. Barker:

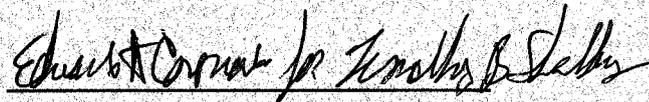
Per our discussion of this morning, enclosed are thirteen (13) copies of the MOTION AND CONSENT OF LOCAL COUNSEL FOR PRO HAC VICE ADMISSION OF DAVID A. LAFURIA and the ORDER.

Should you have any further questions and/or comments with respect to this matter, please contact this office at your earliest convenience.

Thank you for your prompt attention to this matter.

Sincerely,

LAW OFFICES OF TIMOTHY B. SHAFFERY, P.C.

  
Timothy B. Shaffery

SAP/sap

Enclosure(s)

ORIGINAL

RECEIVED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Law Offices  
**TIMOTHY B. SHAFFERY, P.C.**  
PINETOP FINANCIAL CENTER  
1630 E. WHITE MOUNTAIN BOULEVARD, SUITE A  
PINETOP, ARIZONA 85935  
(928) 367-2446 TELEPHONE NUMBER  
(928) 367-1988 FACSIMILE NUMBER

Arizona Corporation Commission

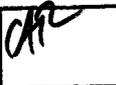
**DOCKETED**

OCT 22 2003

2003 OCT 22 A 10:46

AZ CORP COMMISSION  
CLERK OF COURSE

ARIZONA BAR NUMBER Timothy B. Shaffery, #017485  
ARIZONA BAR NUMBER Sterling T. Solomon, #022035

DOCKETED BY 

<b>BEFORE THE ARIZONA CORPORATION COMMISSION</b>	
<b>SMITH BAGLEY, INC.,</b>  <b>AND</b>  <b>THE ARIZONA CORPORATION COMMISSION</b>	<b>CASE No. T-025<sup>5</sup>6A-01<sup>0</sup>-931</b>  <b>MOTION AND CONSENT OF LOCAL COUNSEL FOR PRO HAC VICE ADMISSION OF DAVID A. LAFURIA</b>

The above named attorney, pursuant to Rule 33(c) and (d) Rules of the Supreme Court, moves the court to admit David A. LaFuria as counsel pro hac vice in this action.

Pursuant to Rule 33(d)3(c) Rules of the Supreme Court, the following exhibits are attached hereto:

1. Exhibit A, The original Verified Application;
2. Exhibit B, The original Certificate(s) of Good Standing; and
3. Exhibit C, The State Bar of Arizona Notice of Receipt.

The filing fee as required by Rule 33(d) has been submitted to the State Bar of Arizona.

Timothy B. Shaffery hereby agrees to serve as designated local counsel for the subject case.

A proposed order admitting David A. LaFuria accompanies this motion.

DATED this 6<sup>th</sup> day of October, 2003.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
\_\_\_\_\_  
Timothy B. Shaffery  
Local Counsel

Original of the foregoing mailed to  
The Arizona Corporation  
Commission this  
15<sup>th</sup> day of Octo, 2003:

Courtesy copy to:  
Richard Boyles  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

  
\_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<b>BEFORE THE ARIZONA CORPORATION COMMISSION</b>	
<b>SMITH BAGLEY, INC.,</b>	<b>CASE No. T-025<sup>5</sup>66A-01-931<sup>0</sup></b>
<b>AND</b>	<b>ORDER RE:</b>
<b>THE ARIZONA CORPORATION COMMISSION</b>	<b>PRO HAC VICE ADMISSION OF DAVID A. LAFURIA</b>

Based upon the Motion for Admission Pro Hac Vice of David A. LaFuria and the consent to appear as local counsel by Timothy B. Shaffery, it is hereby ordered that David A. LaFuria be admitted pro hac vice as counsel for Smith Bagley, Inc., in the above entitled matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Judge

Original of the foregoing mailed to Timothy B. Shaffery this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Copy to:  
David A. LaFuria  
1111 Nineteenth Street, N.W., Suite 1200  
Washington, D.C. 20036

\_\_\_\_\_

# EXHIBITS

A

TO PRINT



For Official Use Only  
App# 1000642  
Pro Hac ID # P149362

NONRESIDENT ATTORNEY  
PRO HAC VICE APPLICATION

Name: David A. LaFuria

Residence Address: 8232 Weller Avenue, McLean, Virginia 22102

Office Address: 1111 Nineteenth Street, N.W., Suite 1200, Washington, D.C. 20036

Telephone: (202) 828-9475 Fax: (202) 828-8403

Title of cause or case where applicant seeks to appear: Application of Smith Bagley, Inc. for Designation as a  
Docket Number: T-02566A-01-931 ELIGIBLE TELECOMMUNICATIONS CARRIER.

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Smith Bagley, Inc.

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
District of Columbia	01/18/1989	417079

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant  is /  is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where Discipline Matter Pending:	Nature of Matter Under Investigation:	Name / Address of Disciplinary Authority:

Applicant  has /  has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
N/A			N/A



# EXHIBITS

B



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

David A. LaFuria

was on the 18th day of January, 1989,  
duly qualified and admitted as an attorney and counselor and  
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.  
this 12th day of  
September, 2003.

GARLAND PINKSTON, JR., CLERK

By: [Signature]  
Deputy Clerk

# EXHIBITS

C

**Arizona Corporation Commission**

Smith Bagley Inc, )  
 Plaintiff, )  
 v. )  
 Defendant, )

CASE # T 025<sup>5</sup>66A-01-931

SBA App # 1000642

**NOTICE OF RECEIPT OF COMPLETE APPLICATION**

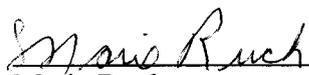
NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from David A. LaFuria.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
			yes	no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

DATED this 15th day of October, 2003

  
 Marie Ruch  
 Resource Center Lead Agent  
 State Bar of Arizona

Original Mailed on  
 October 15th, of 2003 to:  
 Timothy B. Shaffrey  
 1630 E. White Mountain Blvd.  
 Pinetop, AZ 85935-0001