

MORRISON

FOERSTER

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ORANGE COUNTY, DENVER,
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SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

57

March 3, 2008

AZ CORP COMMISSION
DOCKET CONTROL

Writer's Direct Contact
415.268.6002
NMarcus@mofocom

Arizona Corporation Commission
Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

Re: *Pro Hac Vice Applications for Randall J. Fons & Nicole K. Serfoss*

Dear Sir/Madam:

S-20578A-08-0079

Enclosed please find the originals of the Motion and Consent of Local Counsel for the Pro Hac Vice Admission of Randall J. Fons and Nicole K. Serfoss, (Proposed) Order re Pro Hac Vice Admission of Randall J. Fons and Nicole K. Serfoss and the Proof of Service, with 13 copies of each.

Also, enclosed please find the original and 13 copies of the Pro Hac Vice Application, Certificate of Admission to the Illinois State Bar, and the admission to the Supreme Court of the State of Colorado and Notice of Receipt of Complete Application for Mr. Fons, along with an original and 13 copies of the Pro Hac Vice Application, and the admission to the Supreme Court of the State of Colorado and Notice of Receipt of Complete Application for Ms. Serfoss.

Should you have any questions or need to get in touch with me, please feel free to call me at the above number, or email. Thank you for your assistance.

Sincerely,

Nicole E. Marcus
Assistant to
Jack W. Londen

Arizona Corporation Commission
DOCKETED

MAR 10 2008

DOCKETED BY NR

Arizona Corporation Commission

In the Matter of Diamond Bay Investments Inc.,)
)
Plaintiff,)
)
v.)
)
Defendant.)

CASE # S 20578A-08-0079

SBA App # 1003853

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 Randall J. Fons.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
_____	_____	_____	<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 28th day of February 2008


Ayde Gutierrez
Resource Center
State Bar of Arizona

Original Mailed on this 28th day of February 2008 to:

Mr. Jack W. Londen
425 Market Street
San Francisco, CA 94105-2482



For Official Use Only
App# 1003853
Pro Hac ID # P166507

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Randall J. Fons
Residence Address: 4910 East Mineral Circle, Centennial, CO 80122
Office Address: Morrison & Foerster LLP, 370 17th Street, Suite 5200, Denver, CO 80202

Telephone: (303) 592-1500 Fax: (303) 592-1510

Title of cause or case where applicant seeks to appear: In the matter of Diamond Bay Investments, Inc., et al.
Docket Number: S-20578A-08-0079
Court, Board, or Administrative Agency: Arizona Corporation Commission
Party on whose behalf applicant seeks to appear: Diamond Bay Investments, Inc. and Jonathan Jordan Wirsz

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>Supreme Court State of Colorado</u>	<u>April 12, 2006</u>	<u>37214</u>
<u>U.S. District Court, District of Colorado</u>	<u>May 4, 2007</u>	_____
<u>Supreme Court of Illinois</u>	<u>January 5, 1989</u>	<u>6199808</u>
_____	_____	_____
_____	_____	_____

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.

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FEB 22 2008

State Bar of Arizona
Resource Center Department

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 38(a), Arizona Rules of Supreme Court in the following:

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

Name of local counsel: Jack W. Londen
State Bar of Arizona Number: 006053
Address: Morrison & Foerster LLP, 425 Market Street, San Francisco, CA 94105-2482

Telephone : (415) 268-7000 Fax: (415) 268-7522

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$391.00.

This case or cause is / is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF COLORADO)

County of Denver) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

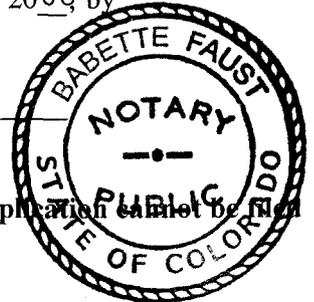
Dated: Feb. 21, 2008

Applicant's signature *Randall J. Fons*

SUBSCRIBED AND SWORN TO before me this 21st day of Feb., 2008 by

Randall J. Fons
Name of Applicant

Babette Faust
Notary Public



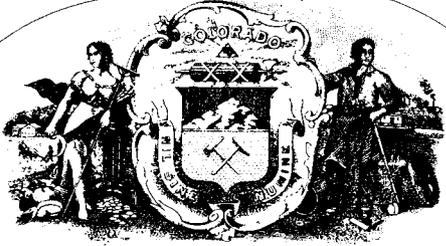
NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
Pro Hac Vice
4201 N. 24th Street, Suite 200
Phoenix, AZ 85016

My Comm. Expires 06-04-2008

For further information, please contact our Resource Center at 602-340-7239.

SUPREME COURT



State of Colorado

STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

RANDALL JOHN FONS

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 12th

day of April A. D. 2006 and that at the date hereof the said RANDALL JOHN FONS

is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

20th day of February A. D. 2008

Susan J. Festag

Clerk

By

Suzai Serrano

Deputy Clerk

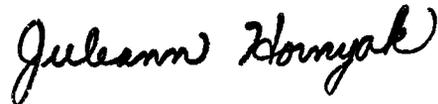
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Randall John Fons

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on January 5, 1989 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Wednesday, February 20, 2008.



Clerk