

ORIGINAL



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OPEN MEETING AGENDA ITEM

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AZ CORP COMMISSION
DOCKET CONTROL

Brian J. Schulman (SBN 015286)
Attorney for Deutsche Bank Securities, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

Arizona Corporation Commission
DOCKETED

AUG 11 2009

DOCKETED BY

In the matter of

DEUTSCHE BANK SECURITIES, INC.,

Respondent.

DOCKET NO. S-03578A-09-0314

MOTION AND CONSENT OF LOCAL
COUNSEL FOR TEMPORARY PRO
HAC VICE ADMISSION OF CHRISTIAN
J. MIXTER

Undersigned counsel, pursuant to Rule 38 of the Rules of the Arizona Supreme Court, moves the Commission, for good cause shown, to temporarily admit Christian J. Mixer as counsel *pro hac vice* in this action. Mr. Mixer desires temporary admission *pro hac vice* to appear on behalf of his client, Deutsche Bank Securities, Inc., at the open meeting before the Arizona Corporation Commission, scheduled for August 13, 2009.

In support of this motion, the following exhibits are attached hereto:

1. the Application for Appearance *pro hac vice*; and
2. copies of the Certificates of Good Standing.

The Application for Appearance Pro Hac Vice and the original Certificates of Good Standing for Christian J. Mixer were filed with the Arizona State Bar on August 3, 2009. Unfortunately, as of this date, the State Bar has not returned the original Verified Application for Appearance *pro hac vice* or the original Certificates of Good Standing.

1 The State Bar has informed us that the application process will not be completed until on
2 or about August 13, 2009.

3 Undersigned counsel, Brian J. Schulman, is currently admitted, practices, and is a
4 member in good standing with the Arizona Bar, and agrees to serve as designated local
5 counsel for the subject case.

6 DATED this 11th day of August, 2009.

7 

8
9 Brian J. Schulman
Attorney for Deutsche Bank Securities, Inc.

10 ORIGINAL and 13 copies of the foregoing
11 filed this 11th day of August, 2009, with:

12 Arizona Corporation Commission
13 Docket Control Center
14 1200 West Washington
15 Phoenix, AZ 85007-2996

16 COPY of the foregoing hand-delivered
17 this 11th day of August, 2009 to:

18 Matthew J. Neubert, Director
19 Securities Division
20 Arizona Corporation Commission
21 1300 W. Washington, Third Floor
22 Phoenix, AZ 85007

23 Lyn Farmer
24 Arizona Corporation Commission
25 1300 W. Washington, Third Floor
26 Phoenix, AZ 85007





For Official Use Only
 App# _____
 Bar Number# _____

Attn: Pro Hac Vice Dept
 PO Box 53099
 Phoenix, AZ 85072-3099
 Phone: 602-340-7239

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Christian Mixer

Firm/Company Name: Morgan Lewis & Bockius LLP

Office Address: 1111 Pennsylvania Avenue, N.W., Washington, D.C. 20002-2541

Telephone: 202-739-5575 Fax: 202-739-3001 Email Address: cmixer@morganlewis.com

Residence Address: 7112 Ridgewood Avenue, Chevy Chase, MD 20815

Title of cause or case where applicant seeks to appear: In the matter of Deutsche Bank Securities Inc.

Docket Number: S-03578A-09-0314

Court, Board, or Administrative Agency: Arizona Corporation Commission, Securities Division

Party on whose behalf applicant seeks to appear: Deutsche Bank Securities Inc.

Pursuant to Arizona Supreme Court Rule 38(i)(3), the applicant shall complete the information below:

Courts to Which Applicant Has Been Admitted: <i>(Attach additional pages if needed)</i>	Date of Admission:	Bar Number:
<u>District of Columbia Court of Appeals</u>	<u>7/7/81</u>	<u>352328</u>
<u>New York Supreme Court</u>	<u>6/19/78</u>	<u>1257401</u>
<u>Various Federal Courts</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.

In the preceding three (3) years, applicant has filed applications to appear as counsel under AZ ST S.Ct., Rule 38(a) in the following:

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

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 that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.
 If applicable, please provide related or consolidated matter application or docket# _____

PART II: Local Counsel Information

Name of Arizona Local Counsel: Brian J. Schulman

State Bar of Arizona Number: 015286

Address: 2375 E. Camelback Road, Suite 700, Phoenix, AZ 85016

Telephone: 602-445-8000 Fax 602-445-8100 Email Address: schulmanb@gtlaw.com

Local Counsel is a member in good standing.

Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

PART III: Parties and Certification

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 \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

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~~ Washington, D.C.)
County of _____) ss.

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

Dated: 7/30/09

Applicant's Signature: [Handwritten Signature]

SUBSCRIBED AND SWORN TO before me this 30th day of July, 2009, by

Christian Mixter
Name of Applicant

JO ANN MIMMS
Notary Public, District of Columbia
My commission Expires November 30, 2011
[Handwritten Signature]
Notary Public



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

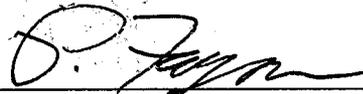
I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

CHRISTIAN J. MIXTER

was on the 7TH day of JULY, 1981,
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., on July 23, 2009.

GARLAND PINKSTON, JR., CLERK

By: 
Deputy Clerk

Appellate Division of the Supreme Court
of the State of New York
First Judicial Department

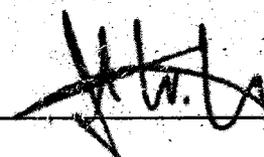
I, John M. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

CHRISTIAN JOHN MIXTER

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on June 19, 1978, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my
hand and affixed the seal of this court on

July 24, 2009



Clerk of the Court