

ORIGINAL

OPEN MEETING AGENDA ITEM



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1 Laura M. Kam (AZ Bar No. 025918)
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RECEIVED

2009 SEP -3 P 3: 35

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP - 3 2009

6 Attorneys for JPMorgan Chase & Co.

DOCKETED BY

ARIZONA CORPORATION COMMISSION

10 In re JPMorgan Chase & Co.

CASE NO. S-20687A-09-0315

**MOTION AND CONSENT OF LOCAL
COUNSEL FOR TEMPORARY PRO
HAC VICE ADMISSION OF PETER H.
BRESNAN**

15 Undersigned counsel, pursuant to Rule 38 of the Rules of the Supreme Court of
16 Arizona, moves the Commission, for good cause shown, to temporarily admit Peter H.
17 Bresnan as counsel *pro hac vice* in this action. Mr. Bresnan desires temporary admission
18 *pro hac vice* to appear on behalf of his client, JPMorgan Chase & Co. ("JPMorgan") at the
19 open meeting before the Arizona Corporation Commission, scheduled for September 9,
20 2009. Due to the recent rescheduling of the presentment of the JPMorgan proposed order
21 and consent to the Commission, from September 10, 2009, as previously scheduled, to
22 September 9, 2009, it is necessary for Mr. Bresnan to obtain *pro hac vice* admission on
23 short notice.

24 Pursuant to Rule 38, Mr. Bresnan has submitted the following to the State Bar of
25 Arizona: (i) original Verified Application for Appearance *Pro Hac Vice*; (ii) an original
26 Certificate of Good Standing; and (iii) the filing fee required by Rule 38. A copy of those
27 materials is attached as Exhibit 1. Laura M. Kam, a member in good standing of the State
28

1 Bar of Arizona, has not yet received the State Bar of Arizona's Notice of Receipt. These
2 application materials were submitted to the State Bar on August 26, 2009. Because the
3 open meeting at which the proposed consent order will be considered by the Commission
4 is set for September 9, 2009, counsel for JPMorgan respectfully requests that Mr. Bresnan
5 be permitted to temporarily appear *pro hac vice*, pending completion of the application
6 process.

7 RESPECTFULLY SUBMITTED this 3rd day of September, 2009.

8
9 DLA PIPER LLP (US)

10
11 By 
12 LAURA M. KAM
13 Attorneys for Respondent

14 Original and 13 copies of the foregoing
15 hand-delivered this 3rd day of September, 2009, to:

16 Cheryl Farson
17 General Counsel
18 Securities Division
19 Arizona Corporation Commission
1300 West Washington Avenue
Phoenix, AZ 85007

20 Copy of the foregoing mailed
21 this 3rd day of September, 2009, to:

22 State Bar of Arizona
23 4201 North 24th Street, Suite 200
24 Phoenix, AZ 85016

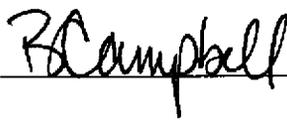
25
26 
27

EXHIBIT 1



DLA Piper LLP (US)
2525 East Camelback Road, Suite 1000
Phoenix, Arizona 85016-4232
www.dlapiper.com

Laura M. Kam
laura.kam@dlapiper.com
T 480.606.5118
F 480.606.5518

August 26, 2009
VIA COURIER

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

Re: Nonresident Pro Hac Vice Application

To Whom It May Concern:

Enclosed is a Nonresident Attorney Pro Hac Vice Application requesting admission for the matter *In the Matter of JP Morgan Chase & Co*, Case No. S-20687A-0315 before the Arizona Corporation Commission. Please contact my office when the Notice of Receipt of Complete Application is ready for pick-up.

Sincerely,

DLA Piper LLP (US)

A handwritten signature in black ink that reads 'Laura Kam'.

Laura M. Kam
Associate

Admitted In Arizona Bar, District of Columbia Bar, Virginia Bar



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

For Official Use Only
 App# _____
 Bar Number# _____

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Peter H. Bresnan

Firm/Company Name: Simpson Thacher & Bartlett LLP

Office Address: 1155 F Street, NW Washington, DC 20004

Telephone: 202-636-5569 Fax: 202-636-5502 Email Address: pbresnan@stblaw.com

Residence Address: 5700 KIRKSIDE DRIVE, BETHESDA MARYLAND 20815

Title of cause or case where applicant seeks to appear: In the Matter of JPMorgan Chase & Co.

Docket Number: S-20687A-09-0315

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: JPMorgan Chase & Co.

Pursuant to Arizona Supreme Court Rule 38(l)(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>New York State</u>	<u>1985</u>	<u>N/A</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: Laura M. Kam

State Bar of Arizona Number: 025918

Address: DLA Piper LLP; 2525 East Camelback Road; Suite 1000; Phoenix, AZ 85016-4232

Telephone: 480-606-5118 Fax: 480-606-5518 Email Address: laura.kam@dlapiper.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:

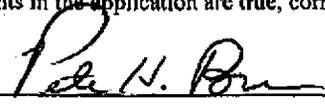
1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules 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 District of Columbia
County of District of Columbia ss.

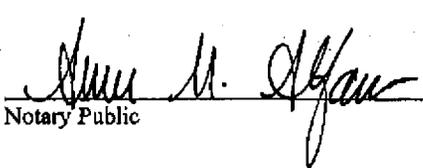
I, Peter H. Bresnan, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 8/20/09

Applicant's Signature: 

SUBSCRIBED AND SWORN TO before me this 20th day of August, 20 09, by Peter H. Bresnan

Anne M. Alfano
Notary Public, District of Columbia
My Commission Expires 01/14/2011


Notary Public

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

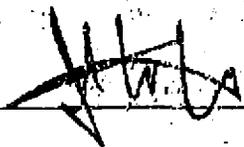
I, John M. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

PETER H. BRESNAN

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 3, 1985, 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

August 5, 2009


Clerk of the Court