

EXHIBIT C
NEW RULES 42.1, 49.10, 189.1, AND 199.1 OF THE
SUPREME COURT RULES

Rule 42.1. Practice of attorneys admitted in Nevada but not maintaining Nevada offices.

1. **Application of rule.** This rule applies to an attorney who is admitted to practice in Nevada but who does not maintain an office in Nevada. A post office box or mail drop location shall not constitute an office under this rule.

2. **Association or designation for service.** Upon filing any pleadings or other papers in the courts of this state, an attorney who is subject to this rule shall either associate a licensed Nevada attorney maintaining an office in Nevada or designate a licensed Nevada attorney maintaining an office in the county wherein the pleading or paper is filed, upon whom all papers, process, or pleadings required to be served upon the attorney may be so served, including service by hand-delivery or facsimile transmission. The name and office address of the associated or designated attorney shall be endorsed upon the pleadings or papers filed in the courts of this state, and service upon the associated or designated attorney shall be deemed to be service upon the attorney filing the pleading or other paper.

3. The requirements of this rule are in addition to any rules of practice of the courts of this state.

Rule 49.10. Limited practice of attorneys employed in government or as in-house counsel.

1. **Who may apply.** Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who is employed exclusively for a single governmental entity or as in-house counsel for a single corporation (including its subsidiaries and affiliates), association, partnership, or other business entity situated in or qualified to do business in Nevada, whose lawful business consists of activities other than the practice of law or the provision of legal services, may be admitted to limited practice in this jurisdiction subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. **Procedure for applying.** An attorney applying for admission under this rule shall file the following documents and fees with the State Bar of Nevada at its Las Vegas, Nevada, office:

(a) **Verified certificate.** To be admitted under this rule, an applicant shall file an original and one (1) copy of a verified certificate, on a form supplied or approved by the State Bar of Nevada, which shall include all of the following:

- (1) The attorney's residence and office address;
- (2) The name, address, and telephone number of the attorney's employer;
- (3) The courts before which the attorney has been admitted to practice and the dates of admission;
- (4) That the attorney is currently a member in good standing of, and eligible to practice law before, the bar of those courts;
- (5) That the attorney is not currently on suspension or disbarred from the practice of law before the bar of any court; and

(6) That the attorney agrees to be subject to the jurisdiction of the courts of this state 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 Nevada.

(b) **Certificate of good standing.** A certificate from the state bar or clerk of the supreme court or highest admitting court of each state, territory, or insular possession of the United States in which the applicant has been admitted to practice law certifying the applicant's membership and good standing therein.

(c) **Employer affidavit.** An affidavit signed by the applicant's immediate governmental supervisor or an officer, director, or general counsel of the attorney's employer attesting that:

(1) The applicant is a bona fide full-time employee;

(2) The nature of the employment conforms to the requirements of this rule; and

(3) The affiant will notify the State Bar of Nevada within thirty (30) days after the applicant ceases to be so employed.

(d) **Evidence of character and fitness.** Affidavits signed by two (2) members of each bar where the applicant has been admitted or other evidence satisfactory to the State Bar of Nevada establishing the applicant's good moral character and fitness to practice law.

(e) **Application fee.** A non-refundable application fee of \$150.00.

(f) **Annual fee.** An annual fee equivalent to the annual membership dues paid by active members of the State Bar of Nevada of comparable longevity.

(g) Such other information or documentation as the State Bar of Nevada may request in the course of its investigation.

3. **Certificate containing false information.** An applicant who files a certificate containing false information or who otherwise fails to comply with the standards of professional conduct required of members of the State Bar of Nevada shall be subject to the disciplinary jurisdiction of the Supreme Court of Nevada and the State Bar of Nevada with respect to any of his or her acts occurring in the course of the work performed.

4. **Review by state bar.** The State Bar of Nevada shall investigate each application and, if necessary, interview the applicant. The State Bar of Nevada shall file its report and findings with the Supreme Court of Nevada, recommending approval or disapproval of the application. The State Bar of Nevada shall provide the applicant with a copy of its report and findings.

5. **Admission by the supreme court.**

(a) If the State Bar of Nevada recommends approval of the application, the Supreme Court of Nevada may grant the application and permit the attorney to practice in Nevada, subject to the restrictions of this rule.

(b) If the State Bar of Nevada recommends denial of the application, the applicant may, within twenty (20) days of service of that report, file objections to the state bar's report with the clerk of the Supreme Court of Nevada. The objections may include such additional material or information as the applicant deems appropriate. The applicant must serve a copy of his or her submission on the state bar and provide the clerk of the Supreme Court of Nevada with proof of such service. The state bar shall have twenty (20) days from service of the applicant's objections within which to file a response.

6. **Activities permitted under this rule.** An attorney admitted under this rule may render legal advice and services to, and communicate and negotiate with third persons on behalf of, the attorney's employer, other employees, or the employer's subsidiaries and affiliates in matters related to the business of the employer.

7. **Limitations of activities.**

(a) Unless otherwise permitted by law, an attorney admitted under this rule may not:

(1) Appear as counsel of record for the employer in Nevada in any court, before any administrative or political agency, or in any arbitration, mediation, or alternative dispute resolution proceeding which is court ordered or annexed or authorized by law or administrative rule;

(2) Render legal advice or services to the public or to anyone other than the attorney's employer, other employees, or the employer's subsidiaries and affiliates; or

(3) Hold himself or herself out to the public as an attorney so authorized or engaged.

(b) All business cards and employer letterhead used by an attorney admitted under this rule in Nevada shall clearly indicate that the attorney is admitted to Nevada as governmental or in-house counsel.

8. **Continuing legal education.** During the time an attorney is admitted under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

9. **Discipline.** Attorneys admitted under this rule shall be subject to the jurisdiction of the courts and disciplinary boards of this state 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 Nevada. He or she shall familiarize himself or herself and comply with the standards of professional conduct required by members of the State Bar of Nevada. The rules of the Supreme Court of Nevada shall govern in any investigation or proceeding conducted by the State Bar of Nevada under this rule.

10. Renewal of admission.

(a) On or before the anniversary date of the filing of the verified certification with the State Bar of Nevada, an attorney admitted under this rule must certify to the State Bar of Nevada that:

(1) The attorney is still employed by the same employer that submitted the affidavit required under subsection 2(c) of this rule;

(2) The attorney has complied with the continuing education requirements prescribed for active members of the State Bar of Nevada; and

(3) The attorney is still in good standing before the courts before which the attorney has been admitted to practice.

(b) An attorney admitted under this rule who continues to perform legal services shall remit to the State Bar of Nevada within thirty (30) days of the anniversary date, a fee equivalent to the annual membership dues paid by active members of the State Bar of Nevada of comparable longevity.

11. Failure to renew.

(a) An attorney admitted under this rule who continues to perform legal services for an employer and fails to provide the proper certification or pay the renewal fees set forth in subsection 10 of this rule shall be suspended from practicing law upon expiration of a period of thirty (30) days after the anniversary date.

(b) The executive director of the State Bar of Nevada shall notify the clerk of the Supreme Court of Nevada, the attorney admitted under this rule, and the entity employing that attorney of the suspension.

12. **Reinstatement after failure to renew admission.** The out-of-state attorney may be reinstated upon compliance with the requirements of subsection 10 of this rule and the payment of a late penalty of \$50.00. Upon payment of all accrued fees and the late penalty, the executive director may reinstate the attorney and shall notify the clerk of the supreme court, the attorney, and the entity employing the attorney of the reinstatement.

13. **Termination.** Admission to practice under this rule shall terminate whenever the attorney ceases to be employed by the employer submitting the affidavit under subsection 2(c) of this rule. The employer shall promptly notify the State Bar of Nevada in writing whenever the attorney's employment ceases. Attorneys admitted to practice under this rule who cease to be employed as required by this rule shall not retain membership with the State Bar of Nevada and shall not be considered for active membership unless they have made application for admission and have been examined in accordance with Rules 49 to 75, inclusive, in the same manner as all other applicants.

Rule 189.1. Registration of private attorneys not admitted to Nevada in extra-judicial matters.

1. Application of rule.

(a) This rule applies to a lawyer who is not admitted in this jurisdiction, but who is admitted and in good standing in another jurisdiction of the United States, and who provides legal services for a Nevada client in connection with transactional or extra-judicial matters that are pending in or substantially related to Nevada.

(b) This rule does not apply to work performed by a lawyer in connection with any action pending before a court of this state, any action pending before an administrative agency or governmental body, or any arbitration, mediation, alternative dispute resolution proceeding, whether authorized by the court, law, rule, or private agreement.

2. Definitions. For purposes of this rule, a "Nevada client" is a natural person residing in the State of Nevada, a Nevada governmental entity, or a business entity doing business in Nevada.

3. Annual report. Notwithstanding any other provision of law, a lawyer who is subject to this rule shall file an annual report, along with a reporting fee of \$150.00, with the State Bar of Nevada at its Las Vegas, Nevada, office. The annual report shall encompass January 1 through December 31 of a single calendar year and shall be filed on or before January 31 of the following calendar year. The report shall be on a form approved by the State Bar of Nevada and include the following information:

- (a) The attorney's residence and office address;
- (b) The courts before which the attorney has been admitted to practice and the dates of admission;

(c) That the attorney is currently a member in good standing of, and eligible to practice law before, the bar of those courts;

(d) That the attorney is not currently on suspension or disbarred from the practice of law before the bar of any court; and

(e) The nature of the client(s) (individual or business entity) for whom the lawyer has provided services that are subject to this rule and the number and general nature of the transactions performed for each client during the previous twelve (12)-month period. The lawyer shall not disclose the identity of any clients or any information that is confidential or subject to attorney-client privilege.

4. **Failure to file report.** Failure to timely file the report described in subsection 3 of this rule may be grounds for discipline under applicable supreme court rules and prosecution under applicable state laws. The failure to file a timely report shall result in the imposition of a fine of not more than \$500.00.

5. **Discipline.** A lawyer who must file an annual report under this rule shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada. He or she shall familiarize himself or herself and comply with the standards of professional conduct required of members of the State Bar of Nevada and shall be subject to the disciplinary jurisdiction of the State Bar of Nevada. The rules of the Supreme Court of Nevada shall govern in any investigation or proceeding conducted by the State Bar of Nevada under this rule.

6. **Confidentiality.** The State Bar of Nevada shall not disclose annual reports filed under this rule to any third parties unless necessary for

disciplinary investigation or criminal prosecution for the unauthorized practice of law.

Rule 199.1. Registration of multijurisdictional law firms.

1. **Applicability of rule.** All law firms having an office in Nevada and in one or more other jurisdictions shall register with the State Bar of Nevada before establishing an office in this state and shall pay an annual fee of \$500.00 for such registration.

2. **Definitions.** For purposes of this rule:

(a) "Law firm" means a solo practitioner or a group of lawyers.

(b) "Nevada client" means a natural person residing in the State of Nevada, a Nevada governmental entity, or a business entity doing business in Nevada.

3. **Procedure and requirements for registering.** An application for registration to practice under this rule, along with the appropriate fee, shall be filed with the Executive Director of the State Bar of Nevada, on a form supplied or approved by the State Bar of Nevada, at its Las Vegas, Nevada, office. The application shall include the following:

(a) The names and addresses of all attorneys employed by the firm, the jurisdictions in which each attorney is licensed, and verification that each attorney is in good standing in the jurisdictions in which each attorney is licensed;

(b) Any pending disciplinary action or investigation against an attorney employed by the firm;

(c) The address and telephone number of a permanent office located within the State of Nevada that will be maintained by the firm;

(d) The name, address, and telephone number of a member of the firm who shall be resident in the firm's Nevada office and who shall be the designated agent for service of process in this state. The resident member of

the firm in the Nevada office must be an active member in good standing of the State Bar of Nevada; and

(e) A certification that:

(1) The firm will maintain a permanent office in Nevada with a resident member of the firm who is also an active member in good standing of the State Bar of Nevada at all times the firm is practicing in Nevada and will notify the state bar of any change of status or address within thirty (30) days of the change in status or address;

(2) The firm agrees to disclose in writing to its Nevada clients whether all of its attorneys are licensed to practice in Nevada and, if any of its attorneys are not so-licensed, to disclose what legal work will be performed by attorneys not admitted to practice in this state. Upon request of the State Bar of Nevada, the firm shall provide documentation evidencing its compliance with these disclosure requirements;

(3) The firm agrees to maintain trust accounts in accordance with Rule 78.5, with all funds arising from any matter in Nevada maintained solely in those accounts. The firm shall identify the financial institution where the trust account has been established; and

(4) The firm agrees to comply fully with Rule 199.

4. **Disposition of application for registration.** The executive director of the state bar shall have thirty (30) days from receipt of the application to review the application and determine whether it has been completed and filed in compliance with the requirements of this rule. Upon approval of the application, the executive director shall notify the applicant and shall also give notice of the registration to the supreme court clerk and the district court clerk for the county in which the law firm's Nevada office is located. If the application is incomplete, the executive director shall give the

applicant written notification of the deficiencies in the application. The applicant shall have thirty (30) days from the date of mailing of the notice of the deficiencies to cure the deficiencies and complete the application. If the application is not completed within the allotted time, the executive director shall reject the application.

5. **Application or certificate containing false information.** An attorney who causes to be filed an application or certificate containing false information shall be subject to the disciplinary jurisdiction of the State Bar of Nevada with respect to such action and the firm shall be disqualified from registering to practice in Nevada.

6. **Violation of conditions.** If the State Bar of Nevada determines that the firm is in violation of the conditions set forth in subsection 3(e) of this rule, the executive director of the state bar may, upon twenty (20) days' notice, revoke the registration and the right of the firm to practice in Nevada. The executive director shall notify the supreme court clerk and the district court clerk for the county in which the law firm's Nevada office is located of the suspension.

7. **Renewal of registration.** On or before the anniversary date of the filing of the application with the State Bar of Nevada, a firm registered under this rule must renew its registration, providing current information and certification as required under subsection 3 of this rule. The renewal shall be accompanied by payment of an annual fee of \$500.00.

8. **Failure to renew.** A law firm registered under this rule that continues to practice law in Nevada but fails to provide the proper information and certification or pay the renewal fees set forth in subsection 6 of this rule shall be suspended from practicing law in Nevada upon expiration of a period of thirty (30) days after the anniversary date. The executive

director of the state bar shall notify the firm, the supreme court clerk and the district court clerk for the county in which the law firm's Nevada office is located of the suspension.

9. **Reinstatement.** The out-of-state firm may be reinstated upon the compliance with the requirements of subsection 6 of this rule and the payment of a late penalty of \$100.00. Upon payment of all accrued fees and the late penalty, the executive director of the state bar may reinstate the out-of-state firm and shall notify the firm, the supreme court clerk and the district court clerk for the county in which the law firm's Nevada office is located of the reinstatement.

10. **Responsibilities of Nevada-licensed members.** The members of the firm who are admitted to practice in Nevada shall be responsible for and actively participate as a principal or lead attorney in all work performed for Nevada clients and for compliance with all state and local rules of practice. It is the responsibility of the Nevada-licensed members of the firm to ensure that any proceedings in this jurisdiction are tried and managed in accordance with all applicable procedural and ethical rules and that out-of-state members of the firm comply with Rule 42 before appearing in any proceedings that are subject to that rule.

11. **Confidentiality.** The State Bar of Nevada shall not disclose the application for registration to any third parties unless necessary for disciplinary investigation or criminal prosecution for the unauthorized practice of law.