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Resignation Application

Applicant does have Nevada clients.

***Please make sure exhibit and page numbers stay on current page before submitting your application.**

1
2 **BEFORE THE**
3 **STATE BAR OF NEVADA BOARD OF GOVERNORS**

4
5 IN THE MATTER OF THE)
6 RESIGNATION APPLICATION OF)
7 _____)
8 Bar Number: _____)
9 _____)

10 **SCR 93(5) APPLICATION FOR RESIGNATION**

11 **WHEREAS SCR 93(5) states:**

12
13 *Any member of the state bar who is not actively engaged in the practice of law in*
14 *this state, upon written application on a form approved by the state bar, may resign*
15 *from membership in the state bar if the member: (a) has no discipline, fee dispute*
16 *arbitration, or clients' security fund matters pending and (b) is current on all*
17 *membership fee payments and other financial commitments relating to the*
18 *member's practice of law in Nevada. Such resignation shall become effective when*
19 *filed with the state bar, accepted by the board of governors, and approved by the*
20 *supreme court.*

21 **Attorney _____, Bar Number _____ submits this application**
22 **requesting resignation from membership in the State Bar of Nevada and relinquishes the**
23 **right to practice law in this state.**

24 Applicant verifies that, upon best information and belief, Applicant is current on all
25 membership fee payments and other financial commitments relating to Applicant's practice of law
in Nevada. (**NOTE:** The State Bar of Nevada retains the right of final review of Applicant's status
in this regard prior to the matter being reviewed by the Board of Governors and, if applicable,
referred to the Supreme Court of Nevada.)

//

1 In accordance with SCR 93(5) attached is an Affidavit of Compliance with Supreme Court
2 Rule 115 (Notice of Change in License Status). (Exhibit A)

3 Pursuant to SCR 93(5)(c), **resignation under this rule is irrevocable**. By signing below,
4 Applicant verifies and understands that:

5 1. Applicant may only return to the active practice of law by making application as a
6 new admittee, subject to the provisions of Supreme Court rules and applicable law, including the
7 requirements that Applicant:

8 (a) Demonstrates that Applicant is of good character and is willing and able to
9 abide by the high ethical standards required of attorneys and counselors at
10 law; and

11 (b) Takes and passes the Nevada State Bar Examination; **AND**

12 2. That as a member with no pending matter before the State Bar, Applicant is eligible
13 to transfer to/remain in “inactive” status pursuant to SCR 93(4) and knowingly elects instead to
14 file the instant application for resignation pursuant to § 5; **AND**

15 3. That in accordance with SCR 93(5)(d), “The state bar shall retain jurisdiction to
16 investigate and take action with respect to matters involving a past member’s conduct prior to the
17 member resigning from the State Bar.” **AND**

18 //

19 //

20 //

21 //

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25 //

1 4. That Applicant has read and understands the appendix attached hereto entitled
2 "Notice to Applicant of Manner of Approval."

3 Submitted this _____ day of _____, 20__.

4
5 _____
Name

6 _____
Address

7 _____
City/State/Zip

8
9 _____
ATTORNEY

10
11
12 STATE OF _____)
13) SS:
14 COUNTY OF _____)

15 SUBSCRIBED AND SWORN to

16 before me this _____ day of _____, 20__.

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18 _____
19 NOTARY PUBLIC

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IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE)
 RESIGNATION APPLICATION OF)
 _____)
 Bar Number: _____)
 _____)

AFFIDAVIT OF COMPLIANCE WITH SUPREME COURT RULE 115

STATE OF _____)
) SS:
 COUNTY OF _____)

_____, being duly sworn under oath, deposes and says:

- 1. That I am the attorney in the above-entitled matter and am filing this Affidavit in accordance with Supreme Court Rule 115(4).
- 2. That when the Order granting petition for resignation is filed in this matter in accordance with Supreme Court Rule 115(7) it will become effective immediately.
- 3. That I will fully comply with the provisions of said Order granting petition for resignation and these rules.
- 4. That I do have Nevada clients.
 That I have fully complied with the notification provisions contained in Supreme Court Rule 115(2). Specifically:
 - (A) I immediately notified all my clients in pending matters, other than litigation or administrative proceedings, of my inability to act as their attorney as of the effective date of the order and,
 - (B) I advised them to seek legal counsel and informed them of any relevant limitation period and deadlines.

1 This notification was sent to the clients via registered/certified mail with return
2 receipt requested, and proof of such notice has been filed with Bar Counsel and the
3 Supreme Court. See attached mailing matrix.

4 5. That I have fully complied with the notification provisions contained in Supreme
5 Court Rule 115(3). Specifically:

6 (A) I immediately notified all clients involved in litigation, administrative
7 proceedings, arbitration, mediation, or other similar proceedings.

8 (B) I immediately notified the attorneys for each adverse party in such matters.

9 (C) I immediately notified the court, agency, arbitrator, mediator or other preside
10 over such proceeding of my disbarment/suspension and my ability to act as
11 attorney as of the effective date of the order.

12 This notification was sent via registered/certified mail with return receipt requested.

13 The notice to my clients listed any upcoming appearances and deadlines and
14 indicated that they should find a substitute attorney of their choosing. The notice to
15 the attorney of the adverse party included my clients' last known address. In the
16 event my client does not obtain substitution of attorney within thirty (30) days of
17 my notice to the client, it is my responsibility to file a motion to withdraw from the
18 case, if a motion to withdraw is required.

19 6. That I have been admitted in the past to the following state bars: _____
20 _____ and the following courts: _____.

21 7. That I have served on Bar Counsel a copy of this affidavit, along with a mailing
22 matrix of all clients and adverse attorneys notified under Supreme Court Rule
23 115(2) and 115(3) on Bar Counsel.

24 8. That I may be reached at the following address: _____
25 _____.

1 9. The address and telephone number of a contact person designated for client files is:

2 _____
3 _____.

4
5 _____
6 ATTORNEY

7 STATE OF _____)
8) SS:
9 COUNTY OF _____)

10 SUBSCRIBED AND SWORN to

11 before me this _____ day of _____, 20__.

12 _____
13 NOTARY PUBLIC

14 *If another person holds a power of attorney over the lawyer applying for resignation, then*
15 *please use the following acknowledgment.*

16
17 STATE OF _____)
18) SS:
19 COUNTY OF _____)

20 This instrument was acknowledged before me this _____ day of _____, 20__

21 by _____ as attorney-in-fact for _____
22 (person holding power of attorney) (lawyer applying for resignation)

23
24 _____
25 NOTARY PUBLIC

1 **APPENDIX: NOTICE TO APPLICANT OF MANNER OF APPROVAL**

2
3 In accordance with SCR 93(5), the following three (3) exhibits will be attached to this
4 Application before being presented to the Board of Governors:

- 5 1. The approval of Bar Counsel, including confirmation that no discipline is pending
6 against Applicant (Exhibit B); and
- 7 2. Verification there are no pending fee dispute arbitration or clients' security fund
8 claims against the Applicant (Exhibit C), and
- 9 3. Verification that Applicant is current on all membership fee payments and other
10 financial commitments relating to the Applicant's practice of law in Nevada
11 (Exhibit D).

12
13 In accordance with SCR 93(5), this application will be brought before the State Bar Board
14 of Governors at its next regularly scheduled meeting.

15 Applicant will be notified of the Board's decision, in writing, at the Applicant's last-
16 reported address of record to the State Bar.

17 If the Board approves this application, State Bar Counsel will forward the matter to the
18 Supreme Court of Nevada for a final determination in accordance with SCR 93(5).

19 **NOTE: APPLICANT'S RESIGNATION SHALL NOT BE EFFECTIVE UNLESS**
20 **AND UNTIL THE SUPREME COURT OF NEVADA ENTERS AN ORDER APPROVING**
21 **THE RESIGNATION.**

1 **BEFORE THE**
2 **STATE BAR OF NEVADA BOARD OF GOVERNORS**

3 IN THE MATTER OF THE)
4 RESIGNATION APPLICATION OF)
5 _____)
6 Bar Number: _____)

7
8 **APPROVAL OF BAR COUNSEL**

9 Having confirmed Applicant has no pending disciplinary matters and having reviewed
10 applicant's SCR 93(5) Application for Resignation submitted herewith and being satisfied with it, Bar
11 Counsel hereby recommends the Supreme Court of Nevada approve Applicant's resignation under
12 the terms and conditions set forth in SCR 93(5).

13 DATED this ____ day of _____, 20__.

14
15 STATE BAR OF NEVADA

16
17 By: _____
18 DANIEL M. HOOGE
19 Bar Counsel
20 Nevada Bar No. 10620
21 3100 W. Charleston Boulevard, Ste. 100
22 Las Vegas, Nevada 89102
23 (702) 382-2200

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25 Exhibit B

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**BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS**

IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
_____)
_____)
Bar Number: _____)

STATEMENT OF FEE DISPUTE/CLIENTS' SECURITY FUND MANAGER

The undersigned, in her official capacity as Manager for the State Bar Fee Dispute Arbitration and Clients' Security Fund programs, hereby confirms that there are no pending claims against the Applicant before either the Fee Dispute or Clients' Security Committees.

DATED this ____ day of _____, 20__.

STATE BAR OF NEVADA

By: _____

Client Protection Manager
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

Exhibit C

1 **BEFORE THE**
2 **STATE BAR OF NEVADA BOARD OF GOVERNORS**

3 IN THE MATTER OF THE)
4 RESIGNATION APPLICATION OF)
5 _____)
6 Bar Number: _____)

7
8 **STATEMENT OF EXECUTIVE DIRECTOR**

9 The undersigned, in her official capacity as Executive Director of the State Bar of Nevada,
10 hereby confirms that the above-named applicant is current on all membership fee payments and
11 other financial commitments relating to the applicant’s practice of law in Nevada.

12 DATED this ____ day of _____, 20__.

13
14 STATE BAR OF NEVADA

15
16 By: _____
17 KIMBERLY K. FARMER
18 Executive Director
19 3100 W. Charleston Boulevard, Ste. 100
20 Las Vegas, Nevada 89102
21 (702) 382-2200

22
23
24
25 Exhibit D