

OFFICE OF
APPELLATE COURTS
STATE OF MINNESOTA

JUL 19 2012
IN THE SUPREME COURT

FILED

No. A12-1058

Mary Kiffmeyer, Scott J. Newman, Warren Limmer, Julianne Ortman, Mike Parry, Sean Nienow, David Browns, David Senjem, Bill Ingebrigtsen, Paul Gazelka, Roger Chamberlain, Ray Vandever, Claire Robling, all individuals, registered voters, and Members of the Minnesota Legislature; **Jeff Davis**, an individual and registered voter; **Dan McGrath**, an individual and a registered voter; **Minnesota Majority, Inc.**, a nonprofit corporation; and **ProtectMyVote.com**, an association of individuals and registered ballot committee,

Petitioners,

vs.

Mark Ritchie, in his official capacity as Secretary of State of the State of Minnesota, and **Lori Swanson**, in her official capacity as Attorney General of the State of Minnesota.

Respondents.

MOTION FOR ADMISSION PRO HAC VICE

I, Erick G. Kaardal, an active member in good standing of the bar of the State of Minnesota, move that this Court admit *pro hac vice* Cleta Mitchell, an attorney admitted to practice in the trial courts of Oklahoma and the District of Columbia, Kaylan L. Phillips, an attorney admitted to practice in the trial courts of Indiana and Oklahoma, Noel H. Johnson, an attorney admitted to practice in the trial courts of Wisconsin, Zachary S. Kester, an attorney admitted to practice in the trial courts of Indiana, who will be counsel for the Petitioners in this case.

I am aware that Rule 5 of the Minnesota General Rules of Practice requires me to (1) sign all pleadings in this case, (2) be present in person or by telephone at the proceeding at which this Motion is heard, and (3) be present in person or by telephone at all subsequent proceedings in this case unless the Court, in its discretion, conducts the proceedings without the presence of Minnesota counsel.

In support of this Motion, I am attaching as "Exhibit 1" the attorney affidavits required by Minn.
R. Civ. App. 143.05, subd. 1.

DATED: July 19, 2012.

Respectfully submitted,



Erick G. Kaardal (#229647)
MOHRMAN & KAARDAL, P.A.
33 South Sixth Street, Suite 4100
Minneapolis, Minnesota 55402
Telephone: (612) 341-1074
Facsimile: (612) 341-1076
kaardal@kmlaw.com

Local Counsel for Petitioners

EXHIBIT 1

Affidavit of Cleta Mitchell

SUPREME COURT OF MINNESOTA

Cleta Mitchell, being duly sworn, states the following under oath:

I am currently admitted to practice and in good standing in the highest court of the following states, but not admitted to the bar of this Court:

State	License #	Status	Admission Date
Oklahoma	2255	Active in Good Standing	04/23/1976
District of Columbia	43386	Active in Good Standing	06/01/1992

I understand that if this Court grants me admission pro hac vice, Rule 5 of the Minnesota General Rules of Practice requires the Minnesota lawyer bringing this Motion to (1) sign all pleadings in this case, (2) be present in person or by telephone at the proceeding at which this Motion is heard, and (3) be present in person or by telephone at all subsequent proceedings in this case unless the Court, in its discretion, conducts the proceedings without the presence of Minnesota counsel.

I also understand that Rule 5 of the Minnesota General Rules of Practice specifies that by appearing pursuant to that rule I am subject to the disciplinary rules and regulations governing Minnesota lawyers and that by applying to appear or appearing in any action I am subject to the jurisdiction of the Minnesota courts.

July 17, 2012

Signature:



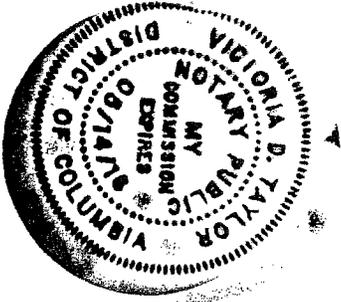
Cleta Mitchell (DC. # 43386)
ActRight Legal Foundation
2029 K Street NW, Suite 300
Washington, DC 20006
Tel: 202-683-9405
Fax: 888-815-5641
Email: CMitchell@foley.com

DISTRICT OF COLUMBIA)
) SS:
~~COUNTY OF @~~)

Subscribed and sworn to before me this 17th day of July, 2012. A Notary Public in and for the
~~County of @~~, District of Columbia.

Victoria D. Taylor

My Commission Expires:



Affidavit of Kaylan L. Phillips

SUPREME COURT OF MINNESOTA

Kaylan L. Phillips, being duly sworn, states the following under oath:

I am currently admitted to practice and in good standing in the highest court of the following states, but not admitted to the bar of this Court:

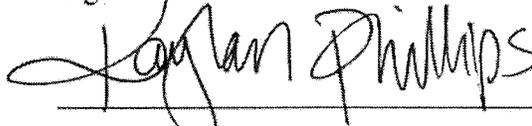
State	License #	Status	Admission Date
Indiana	30405-84	Active in Good Standing	05/14/2012
Oklahoma	22219	Active in Good Standing	09/25/2008

I understand that if this Court grants me admission pro hac vice, Rule 5 of the Minnesota General Rules of Practice requires the Minnesota lawyer bringing this Motion to (1) sign all pleadings in this case, (2) be present in person or by telephone at the proceeding at which this Motion is heard, and (3) be present in person or by telephone at all subsequent proceedings in this case unless the Court, in its discretion, conducts the proceedings without the presence of Minnesota counsel.

I also understand that Rule 5 of the Minnesota General Rules of Practice specifies that by appearing pursuant to that rule I am subject to the disciplinary rules and regulations governing Minnesota lawyers and that by applying to appear or appearing in any action I am subject to the jurisdiction of the Minnesota courts.

July 19, 2012

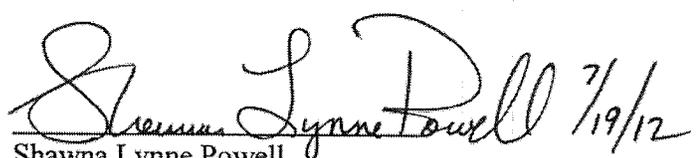
Signature:



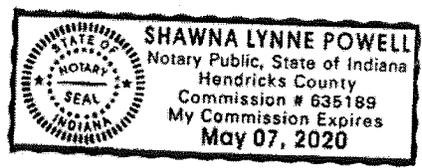
Kaylan L. Phillips (IN #30405-84)
ACTRIGHT LEGAL FOUNDATION
209 West Main Street
Plainfield, Indiana 46168
Telephone (202) 683-9405
Facsimile (888) 815-5641
Email: kphillips@actright.com

INDIANA)
) SS:
COUNTY OF HENDRICKS)

Subscribed and sworn to before me this 19th day of July, 2012. A Notary Public in and for the County of Hendricks, Indiana.


Shawna Lynne Powell

My Commission Expires: May 7, 2020



Affidavit of Noel H. Johnson

SUPREME COURT OF MINNESOTA

Noel H. Johnson, being duly sworn, states the following under oath:

I am currently admitted to practice and in good standing in the highest court of the following states, but not admitted to the bar of this Court:

State	License #	Status	Admission Date
Wisconsin	1068004	Active in Good Standing	05/24/2010

I understand that if this Court grants me admission pro hac vice, Rule 5 of the Minnesota General Rules of Practice requires the Minnesota lawyer bringing this Motion to (1) sign all pleadings in this case, (2) be present in person or by telephone at the proceeding at which this Motion is heard, and (3) be present in person or by telephone at all subsequent proceedings in this case unless the Court, in its discretion, conducts the proceedings without the presence of Minnesota counsel.

I also understand that Rule 5 of the Minnesota General Rules of Practice specifies that by appearing pursuant to that rule I am subject to the disciplinary rules and regulations governing Minnesota lawyers and that by applying to appear or appearing in any action I am subject to the jurisdiction of the Minnesota courts.

July 19, 2012

Signature:



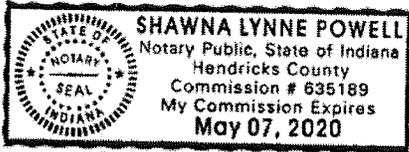
Noel H. Johnson (WI #1068004)
ACTRIGHT LEGAL FOUNDATION
209 West Main Street
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Telephone (202) 683-9405
Facsimile (888) 815-5641
Email: njohnson@actright.com

INDIANA)
) SS:
COUNTY OF HENDRICKS)

Subscribed and sworn to before me this 19th day of July, 2012. A Notary Public in and for the County of Hendricks, Indiana.


Shawna Lynne Powell 7/19/12
Shawna Lynne Powell

My Commission Expires: May 7, 2020



Affidavit of Zachary S. Kester

SUPREME COURT OF MINNESOTA

Zachary S. Kester, being duly sworn, states the following under oath:

I am currently admitted to practice and in good standing in the highest court of the following states, but not admitted to the bar of this Court:

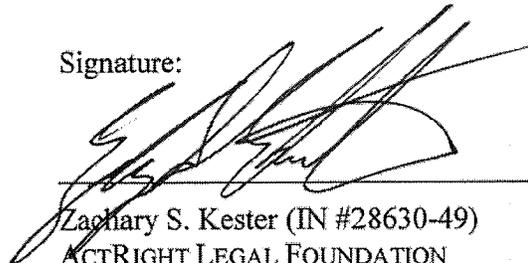
State	License #	Status	Admission Date
Indiana	28630-49	Active in Good Standing	10/16/2009

I understand that if this Court grants me admission pro hac vice, Rule 5 of the Minnesota General Rules of Practice requires the Minnesota lawyer bringing this Motion to (1) sign all pleadings in this case, (2) be present in person or by telephone at the proceeding at which this Motion is heard, and (3) be present in person or by telephone at all subsequent proceedings in this case unless the Court, in its discretion, conducts the proceedings without the presence of Minnesota counsel.

I also understand that Rule 5 of the Minnesota General Rules of Practice specifies that by appearing pursuant to that rule I am subject to the disciplinary rules and regulations governing Minnesota lawyers and that by applying to appear or appearing in any action I am subject to the jurisdiction of the Minnesota courts.

July 19, 2012

Signature:



Zachary S. Kester (IN #28630-49)
ACTRIGHT LEGAL FOUNDATION
209 West Main Street
Plainfield, Indiana 46168
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Facsimile (888) 815-5641
Email: zkester@actright.com

INDIANA)
) SS:
COUNTY OF HENDRICKS)

Subscribed and sworn to before me this 19th day of July, 2012. A Notary Public in and for the County of Hendricks, Indiana.

Shawna Lynne Powell 7/19/12
Shawna Lynne Powell

My Commission Expires: May 7, 2020

