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

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

8 **SCR 98(5) APPLICATION FOR RESIGNATION**

9
10 **WHEREAS SCR 98(5) states:**

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

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

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

1 In accordance with SCR 98(5), attached hereto are:

2 1. The approval of Bar Counsel, including confirmation that no discipline is pending
3 against Applicant (Exhibit A); and

4 2. Verification there are no pending fee dispute arbitration or clients' security fund
5 claims against the Applicant (Exhibit B), and

6 3. Verification that Applicant is current on all membership fee payments and other
7 financial commitments relating to the Applicant's practice of law in Nevada (Exhibit C).

8 4. Affidavit of Compliance (Exhibit D) or Supreme Court Rule 115 (Notice of
9 Change in License Status.)

10 Pursuant to SCR 98(5)(b), **resignation under this rule is irrevocable**. By signing below,
11 Applicant verifies and understands that:

12 **1. Applicant may only return to the active practice of law by making application**
13 **as a new admittee**, subject to the provisions of Supreme Court rules and applicable law, including
14 the requirements that Applicant:
15

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

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

19 **2. That as a member with no pending matter before the State Bar , Applicant is**
20 **eligible to transfer to/remain in "inactive" status pursuant to SCR 98(4) and knowingly**
21 **elects instead to file the instant application for resignation pursuant to § 5;** AND

22 **3. That in accordance with SCR 98(5)(c), "The state bar shall retain jurisdiction**
23 **to investigate and take action with respect to matters involving a past member's conduct**
24

1 prior to the member resigning from the State Bar.” AND

2 4. That Applicant has read and understands the appendix attached hereto entitled
3 “Notice to Applicant of Manner of Approval.”

4 Submitted this _____ day of _____, 2013.

7 _____

8 *, Bar No. *

9 ADDRESS

10 CITY/STATE/ZIP

13 STATE OF _____) §

14 COUNTY OF _____)

16 SUBSCRIBED AND SWORN to

17 before me this _____ day of _____, 2013.

19 _____

20 NOTARY PUBLIC

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

2 1. In accordance with SCR 98(5), this application will be brought before the State Bar
3 Board of Governors at its next regularly-scheduled meeting.

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

6 3. If the Board approves this application, State Bar Counsel will forward the matter to
7 the Supreme Court of Nevada for a final determination in accordance with SCR 98(5).

8 4. **NOTE: APPLICANT'S RESIGNATION SHALL NOT BE EFFECTIVE**
9 **UNLESS AND UNTIL THE SUPREME COURT OF NEVADA ENTERS AN ORDER**
10 **APPROVING 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
10 Having confirmed Applicant has no pending disciplinary matters and having reviewed
11 applicant's SCR 98(5) Application for Resignation submitted herewith and being satisfied with it,
12 Bar Counsel hereby recommends the Supreme Court of Nevada approve Applicant's resignation
13 under the terms and conditions set forth in SCR 98(5).

14 DATED this ____ day of _____, 2013.

15
16 STATE BAR OF NEVADA

17
18 By: _____

19 DAVID A. CLARK
20 Bar Counsel
21 Nevada Bar No. 4443
22 600 East Charleston Boulevard
23 Las Vegas, Nevada 89104
24 (702) 382-2200

25
Exhibit A

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 FEE DISPUTE/CLIENTS' SECURITY FUND MANAGER**

9
10 The undersigned, in her official capacity as Manager for the State Bar Fee Dispute
11 Arbitration and Clients' Security Fund programs, hereby confirms that there are no pending claims
12 against the Applicant before either the Fee Dispute or Clients' Security Committees.

13 DATED this ____ day of _____, 2013.

14
15 STATE BAR OF NEVADA

16
17 By: _____
18 THERESA FREEMAN
19 Client Protection Manager
20 600 East Charleston Boulevard
21 Las Vegas, Nevada 89104
22 (702) 382-2200

23
24 Exhibit B

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 **STATEMENT OF EXECUTIVE DIRECTOR**

8
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 _____, 2013.

13 STATE BAR OF NEVADA

14
15
16 By: _____
17 **KIMBERLY K. FARMER**
18 Executive Director
19 600 East Charleston Boulevard
20 Las Vegas, Nevada 89104
21 (702) 382-2200

22
23
24
25 Exhibit C

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
10 preside over such proceeding of my disbarment/suspension and my ability to
11 act as 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

20 bars:_____ and the following

21 courts:_____.

22 7. That I have served on Bar Counsel a copy of this affidavit, along with a mailing
23 matrix of all clients and adverse attorneys notified under Supreme Court Rule
24 115(2) and 115(3) on Bar Counsel.
25

Exhibit D

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

_____.

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

_____.

ATTORNEY

Subscribed and sworn to before me this
_____ day of _____, 2013

NOTARY PUBLIC of and for said County and State

Exhibit D