

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio, *ex rel.* : Supreme Court  
Michael DeWine, : Case No. 11-0890  
Attorney General of Ohio, et al., :

Petitioners,

v.

GMAC Mortgage, LLC, et al.,

Respondents.

FILED  
NOV 28 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

On Review of Certified Questions  
From the United States District Court  
Northern District of Ohio,  
Eastern Division

Case Nos. 3:10-cv-02537-JZ  
1:10-cv-02709-JZ

**MOTION FOR PERMISSION TO APPEAR PRO HAC VICE**

Pursuant to Gov.Bar R. XII(2)(A)(6), Benjamin B. Klubes, attorney for amicus curiae Barclays Capital Real Estate Inc. d/b/a HomEq Servicing hereby moves the Supreme Court of Ohio to grant him permission to appear pro hac vice and participate as counsel or co-counsel in this case for amicus curiae Barclays Capital Real Estate Inc. d/b/a HomEq Servicing.

Movant represents that the following is a list of the jurisdictions in which he has ever been licensed to practice law, including dates of admission to practice, resignation, or retirement, and any attorney registration numbers:

- District of Columbia, Bar No. 428852, admitted June 17, 1991; and
- Maryland, Bar No. N/A, admitted December 19, 1990.

Movant represents that he has not been granted permission to appear pro hac vice in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Gov.Bar R. XII(2)(A)(5).

James D. Curphey, Registration No. 0015832, an active Ohio attorney in good standing, has agreed to associate with Movant on this case.

The affidavit required by Gov.Bar R. XII(2)(A)(6), a copy of Movant's certificate of pro hac vice registration furnished by the Supreme Court of Ohio Office of Attorney Services, and a certificate indicating service of this Motion on all known parties and attorneys of record are attached. Movant understands that, if this Motion is granted, Movant must file a Notice of Permission to Appear Pro Hac Vice and a copy of the Order granting permission with the Supreme Court of Ohio Office of Attorney Services within thirty days of the Order.

Benjamin B. Klubes  
(Name of Movant/PHV Attorney)

PHV - 1659 - 2011  
(PHV Registration Number)

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(Law Firm or Employer, if applicable)

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(Residential Address)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Permission to Appear Pro Hac Vice was sent by first class mail, postage prepaid, this 28th day of November, 2011 to the following:

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COUNSEL FOR RESPONDENTS  
GMAC MORTGAGE, LLC AND  
ALLY FINANCIAL, INC.

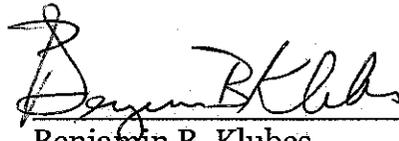
COUNSEL FOR RESPONDENT  
JEFFREY STEPHAN

John T. Murray (0008793)  
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Leslie O. Murray (0081496)  
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COUNSEL FOR AMICUS CURIAE  
SONDRA ANDERSON IN SUPPORT OF  
PETITIONERS

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COUNSEL FOR AMICI CURIAE OHIO  
LEGAL SERVICES PROGRAMS IN  
SUPPORT OF PETITIONERS

  
Benjamin B. Klubes *per authority by first copy*  
11-28-11

IN THE SUPREME COURT OF OHIO

IN THE MATTER OF THE MOTION OF

CASE NO. 11-0890

Benjamin B. Klubes

FOR PERMISSION TO APPEAR PRO HAC VICE

State of District of Columbia)

County of \_\_\_\_\_)

**AFFIDAVIT OF  
OUT-OF-STATE ATTORNEY**  
Gov. Bar R. XII, Section 2(A)(6)

ss:

Benjamin B. Klubes

, being first duly cautioned, swears or affirms as follows:

- a. I have never been disbarred from the practice of law.
- b. I have been admitted to the practice of law in the following jurisdiction(s):

Maryland; District of Columbia

c. Choose one:

I am not currently suspended from the practice of law in any jurisdiction where I have been admitted to practice.

I am currently suspended from the practice of law in the following jurisdiction(s):

d. Choose one:

I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.

I have resigned from the practice of law with discipline pending in the following jurisdiction(s):

Benjamin B. Klubes

SIGNATURE OF OUT-OF-STATE ATTORNEY

Sworn to or affirmed before me and subscribed in my presence the 4th

day of November, 2011.

Charlene C. John

NOTARY PUBLIC

**Charlene C. John**  
Notary Public, District of Columbia  
My Commission Expires 4/14/2015

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Benjamin Klubes**

FOR PRO HAC VICE REGISTRATION

per Gov. Bar R. XII, Section 2(A)(3)

Certificate of

PRO HAC VICE  
REGISTRATION

2011

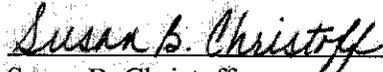
Registration Number:

PHV- 1659-2011

Benjamin Klubes

, having met the requirements of, and found to be in full compliance with, Section 2(A)(3) of Rule XII of the Rules for the Government of the Bar of Ohio, is hereby issued this certificate of pro hac vice registration in the state of Ohio.

To receive permission to appear pro hac vice in an Ohio proceeding, a motion requesting such permission must be filed with the tribunal in accordance with Section 2(A)(6) of Rule XII of the Rules for the Government of the Bar of Ohio.



Susan B. Christoff  
Director, Attorney Services

**Expires December 31, 2011**