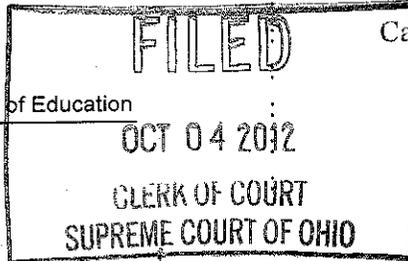


In The Supreme Court of Ohio

ORIGINAL

John Freshwater

v.



Case No. 2012-0613

Mount Vernon City School District Board of Education

MOTION FOR PERMISSION TO APPEAR PRO HAC VICE

Pursuant to Gov.Bar R. XII(2)(A)(6), Richard B. Katskee, attorney for Mayer Brown LLP,

hereby moves the Supreme Court of Ohio to grant Richard B. Katskee permission to appear pro hac vice and participate as counsel or co-counsel in this case for Americans United for Separation of Church and State, et al.

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

Please see attached.

Movant represents that Mr. Katskee 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).

Charles P. Hurley, 0023874, 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.

Richard B. Katskee

(Name of Movant/PHV Attorney)

PHV - 3171-2012

(PHV Registration Number)

Mayer Brown LLP

(Law Firm or Employer, if applicable)

1999 K Street, NW

(Business Address)

Washington, DC 20006

(City, State or Country, ZIP Code)

202-263-3222

(Business Telephone)

202-263-5322

(Business Fax)

rkatskee@mayerbrown.com

(Business E-Mail)

5227 Wyoming Road, Bethesda, MD 20816

(Residential Address)

In The Supreme Court of Ohio

IN THE MATTER OF THE MOTION OF

CASE NO. 2012-0613

Freshwater v. Mount Vernon City School District

FOR PERMISSION TO APPEAR PRO HAC VICE

Richard B. Katskee

AFFIDAVIT OF

OUT-OF-STATE ATTORNEY

Gov. Bar R. XII, Section 2(A)(6)

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 jurisdictions (attach additional jurisdictions if necessary):

State of Maryland

District of Columbia

Please see attached.

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 jurisdictions:

d. Choose one:

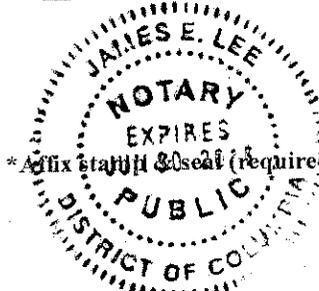
I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.

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

SIGNATURE OF APPLICANT

Sworn to or affirmed before me and subscribed in my presence the 2nd day of October,

2012, in the state of WASHINGTON, DC and county of _____.



*Affix stamp & seal (required in Ohio).

SIGNATURE OF NOTARY PUBLIC*

THE SUPREME COURT of OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

Richard Katskee

FOR PRO HAC VICE REGISTRATION

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

Certificate of
PRO HAC VICE
REGISTRATION

2012

Registration Number:
PHV- 3171-2012

Richard Katskee

_____, 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

Susan B. Christoff
Director, Attorney Services

Expires December 31, 2012

CERTIFICATE OF SERVICE

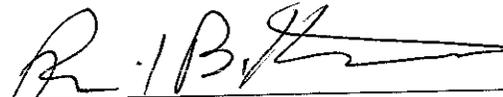
I certify that on October 3, 2012, two copies of this Motion for Permission to Appear Pro Hac Vice were sent by overnight delivery to each set of counsel listed below:

Counsel for Appellant:

R. Kelly Hamilton (0066403)
Counsel of Record
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Richard B. Katskee (PHV 3171-2012)
Counsel for Amici Curiae