

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE *ex rel.* THE BANK OF NEW
YORK MELLON,

Relator,

v.

THE HONORABLE STEVEN E. MARTIN,

Respondent.

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Case No. 14-1690

ORIGINAL ACTION IN
MANDAMUS AND PROHIBITION

MOTION FOR ADMISSION TO PRACTICE *PRO HAC VICE*
FOR DAVID H. WOLLMUTH

Pursuant to S.Ct.Prac.R. 2.02, David H. Wollmuth moves for admission *pro hac vice* in the above-captioned case. In support, movant states as follows:

1. David H. Wollmuth is a partner practicing with the law firm Wollmuth Maher & Deutsch LLP, 500 Fifth Avenue, New York, New York 10110, Telephone (212) 382-3300, Facsimile (212) 382-0050. He has taken and passed a bar examination and was admitted to practice law in the State of New York on September 19, 1989 (Registration No. 2294988), and is a member in good standing of the Bar of the highest court for the State of New York. He was also admitted to practice in the State of New Jersey on July 6, 1994 (Registration No. 4771994), and is a member in good standing of the Bar of that court. Affidavit of David H. Wollmuth, ¶ 2, attached hereto as Ex. A.

2. Mr. Wollmuth's residential address is 54 Wexford Way, Basking Ridge New Jersey 07920. Ex. A, ¶ 3.

FILED
OCT 20 2014
CLERK OF COURT
SUPREME COURT OF OHIO

3. Mr. Wollmuth has not taken and failed an Ohio bar examination, been denied admission without examination, or had an application for admission in Ohio denied on character and fitness grounds pursuant to Gov. Bar. R. I within the last five years. Ex. A, ¶ 4.

4. Mr. Wollmuth has never been disbarred and is currently not under suspension nor has he ever resigned with discipline pending in any jurisdiction in which he has ever been admitted. Ex. A, ¶ 5.

5. Mr. Wollmuth 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. 2(A)(5). Ex. A, ¶ 6.

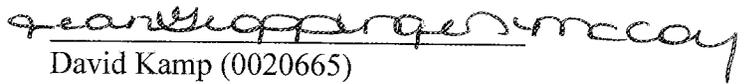
6. Mr. Wollmuth is aware of the contents of the Rules Governing the Courts of Ohio and the Rules of Practice of the Supreme Court of Ohio. Ex. A, ¶ 7.

7. A copy of Mr. Wollmuth's Certificate of *Pro Hac Vice* Registration with the Ohio Office of Attorney Services is attached hereto as Exhibit B.

8. The undersigned, David P. Kamp (Ohio Registration No. 0020665) and Jean Geoppinger McCoy (Ohio Registration No. 0046881), are attorneys in good standing and will associate with Mr. Wollmuth on this matter.

October 20, 2014

Respectfully submitted,



David Kamp (0020665)

Counsel of Record

Jean Geoppinger McCoy (0046881)

WHITE, GETGEY & MEYER CO., L.P.A.

1700 Fourth & Vine Tower

One West Fourth Street

Cincinnati, Ohio 45202

Telephone: (513) 241-3685

Facsimile: (513) 241-2399

dkamp@wgmlpa.com

jmccoy@wgmlpa.com

David H. Wollmuth

Thomas P. Ogden

Steven S. Fitzgerald

Ryan A. Kane

WOLLMUTH MAHER & DEUTSCH LLP

500 Fifth Avenue

New York, New York 10110

Telephone: (212) 382-3300

Facsimile: (212) 382-0050

dwoollmuth@wmd-law.com

togden@wmd-law.com

sfitzgerald@wmd-law.com

rkane@wmd-law.com

Attorneys for Intervening Respondents

Western & Southern Life Ins. Co., Western-

Southern Life Assurance Co., Columbus Life

Ins. Co., Integrity Life Ins. Co., National

Integrity Life Ins. Co., and Fort Washington

Investment Advisors, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon:

John P. Gilligan, Esq.
Counsel of Record
Daniel M. Anderson, Esq.
ICE MILLER LLP
250 West Street
Columbus, Ohio 43215
John.Gilligan@icemiller.com
Daniel.Anderson@icemiller.com

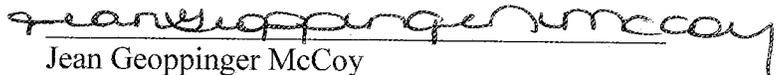
Matthew D. Ingber, Esq.
Michael Martinez, Esq.
Christopher J. Houpt, Esq.
Mayer Brown LLP
1675 Broadway
New York, New York 10019

*Attorneys for Relator,
The Bank of New York Mellon*

Joseph T. Deters, Esq.
Prosecuting Attorney
Hamilton County, Ohio
Christian J. Schaefer, Esq.
Andrea B. Neuwirth, Esq.
Assistant Prosecuting Attorneys
230 East Ninth Street, Suite 4000
Cincinnati, Ohio 45202
chris.schaefer@hcpros.org
andrea.neuwirth@hcpros.org

*Attorneys for Respondent.
The Honorable Steven E. Martin*

by electronic mail, this 20th day of October, 2014.


Jean Geoppinger McCoy

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STATE *ex rel.* THE BANK OF NEW
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Case No. 14-1690

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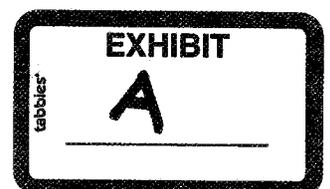
AFFIDAVIT OF DAVID H. WOLLMUTH IN SUPPORT OF
MOTION FOR ADMISSION

STATE OF NEW YORK }
 } SS:
COUNTY OF NEW YORK }

I, David H. Wollmuth, do hereby swear that the information contained in this Affidavit is true and accurate to the best of my knowledge and belief:

1. I am over eighteen (18) years of age and am competent to testify to the matters set forth in this Affidavit. I base this Affidavit upon my own knowledge, information, or belief.

2. I am a partner practicing with the law firm Wollmuth Maher & Deutsch LLP, 500 Fifth Ave, New York, New York 10110, Telephone (212) 382-3300, Facsimile (212) 382-0050. I have taken and passed a bar exam and was admitted as an attorney at law in the highest court for the State of New York on September 19, 1989. My attorney registration number for New York is 2294988. I am a member in good standing of the Bar of the highest court of the State of New York. I was also admitted to practice in the State of New Jersey on July 6, 1994, my



attorney registration number is 4771994, and I am a member in good standing of the Bar of that court.

3. My residential address is 54 Wexford Way, Basking Ridge, New Jersey 07920.

4. I have not taken and failed an Ohio bar examination, been denied admission without examination, or had an application for admission in Ohio denied on character fitness grounds pursuant to Gov. Bar. R. I within the last five years.

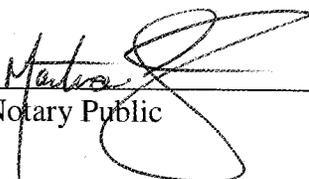
5. I have never been disbarred, and I am currently not under suspension, nor have I ever resigned with discipline pending in any jurisdiction in which I have ever been admitted.

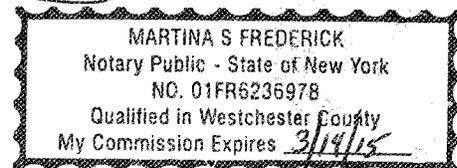
6. I have not been granted permission to appear *pro hac vice* in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Gov. Bar. R 2(A)(5).

7. I am aware of the contents of the Rules Governing the Courts of Ohio and the Rules of Practice of the Supreme Court of Ohio.


David H. Wollmuth

Sworn to and subscribed before me,
a Notary Public, this 16th day of October, 2014.


Notary Public



THE SUPREME COURT of OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

David Wollmuth

FOR PRO HAC VICE REGISTRATION

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

David Wollmuth

Certificate of
PRO HAC VICE
REGISTRATION

2014

Registration Number:

PHV- 1996-2014

_____, 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, 2014

