

ORIGINAL

**IN THE SUPREME COURT OF OHIO**

AMERICAN MUNICIPAL POWER, INC.,	)	Certified Question of State Law
	)	
Petitioner,	)	
v.	)	
	)	
BECHTEL POWER CORPORATION,	)	Case No. 2014-1847
	)	
Respondent.	)	

**MOTION OF MICHAEL P. SUBAK  
FOR PERMISSION TO APPEAR PRO HAC VICE**

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*Counsel for Petitioner,  
 American Municipal Power, Inc.*

*Counsel for Respondent  
 Bechtel Power Corporation*

Dated: November 13, 2014

**FILED**  
 NOV 13 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

Pursuant to Gov.Bar. R. XII(2)(A)(6), Michael P. Subak, attorney for Respondent Bechtel Power Corporation, hereby moves the Supreme Court of Ohio to grant him permission to appear pro hac vice and participate as co-counsel in the above-captioned matter for Respondent.

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 and his attorney registration number (if any):

- Pennsylvania - # 73354 Admitted 11/30/1994

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).

William G. Porter, II (OH 0017296), 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.

Respectfully submitted,

  
Michael P. Subak

PHV-5791-2014

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Bryn Mawr, PA 19010

*Attorney for Bechtel Power Corporation*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing was served upon the following, by regular U.S. mail pursuant to Civ. R. 5(B)(2)(c), this 13th day of November 2014:

David John Butler  
Stephen Charles Fitch  
Taft Stettinius & Hollister LLP  
65 East State Street, Suite 1000  
Columbus, OH 43215-4213

Judah Lifschitz  
Shapiro, Lifschitz & Schram  
1742 N Street NW  
Washington, DC 20036

  
Michael P. Subak



IN THE MATTER OF THE MOTION OF

CASE NO. 2014-1847

Michael P. Subak

FOR PERMISSION TO APPEAR PRO HAC VICE

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

Michael P. Subak 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):

Pennsylvania

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 4<sup>th</sup> day of November,  
20 14, in the state of Ohio and county of Franklin.

SIGNATURE OF NOTARY PUBLIC\*

\*Affix stamp & seal (required in Ohio).



Melissa B. Garris  
Notary Public, State of Ohio  
My Commission Expires 11-16-2014

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Michael Subak**

FOR PRO HAC VICE REGISTRATION

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

Certificate of  
PRO HAC VICE  
REGISTRATION

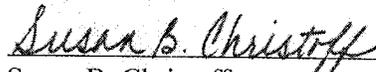
2014

Registration Number:  
PHV- 5791-2014

**Michael Subak**

\_\_\_\_\_, 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, 2014**