

1 ERIK A FITTING  
 2 NEVADA COUNSEL  
 3 NV BAR NO. 7336  
 4 9421 CROWN VISTA LANE,  
 5 LAS VEGAS, NV 89117  
 6 (702) 312-6965

**FILED**  
 2008 MAY -0 PM 12:15  
 HOWARD W. CONYERS  
 BY R. Simpson  
 DEPUTY

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 8  
 9 **IN THE FAMILY DIVISION**  
 10 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
 11 **IN AND FOR THE COUNTY OF WASHOE**

12 ANDREW EARL FURER )

13 Plaintiff,

14 v.

15 ELOISA BESADA FURER )

16 Defendant. )

Case No. DV04-01626  
 Dept. No. 11

**NOTICE OF MOTION and  
 MOTION TO ASSOCIATE  
 AS COUNSEL**

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 19  
 20 **MOTION TO ASSOCIATE AS COUNSEL**

21 Defendant, ELOISA BESADA FURER, hereby moves the Court for an order permitting  
 22 Erik A. Fitting and Carlos F. Negrete, Esq to be associated in as counsel of record in the above-  
 23 mentioned matter.

24  
 25 Defendant, ELOISA BESADA FURER, hereby moves the Court for an order permitting  
 26 Carlos F. Negrete, Esq., to practice in Nevada pursuant to Nevada Supreme Court Rule 42  
 27 (SCR42). This motion is supported by the attached "Verified Application for Association of  
 28 Counsel" (Exhibit A), "Certificates of Good Standing" from Carlos F. Negrete, Esq., (Exhibit B)

1 and the State Bar of Nevada Statement. (Exhibit C).

2 Defendant, ELOISA BESADA FURER also moves this court for an order permitting  
3 Carlos F. Negrete to make appearances without local counsel, Erik A. Fitting, as the necessity of  
4 having two counsel present would be an undue financial burden on Defendant.  
5

6 Dated this 3rd day of May, 2008.  
7

8 Submitted by:

9 

10 \_\_\_\_\_  
11 Erik A. Fitting  
12 Nevada Counsel  
13 NV Bar No. 7336  
14 9421 Crown Vista Lane, Las Vegas, NV 89117  
15  
16

17 **TO ALL INTERESTED PARTIES and TO ALL COUNSEL OF RECORD**

18 PLEASE TAKE NOTICE that Defendant, ELOISA BESADA FURER will bring the  
19 foregoing MOTION TO ASSOCIATE COUNSEL on for decision in Department 11 in the  
20 above-entitled Court.  
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06-26-08 09:28am From-CAPOLAW

0404938170

T-875 P.04/22 F-954

# EXHIBIT A

CASE NO. DV04-01626

DEPT NO. 11

IN THE second JUDICIAL DISTRICT COURT OF  
THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF Washoe

Andrew Furer )

Plaintiff )  
vs. )

Eloisa Furer )

Defendant )

VERIFIED APPLICATION FOR  
ASSOCIATION OF COUNSEL UNDER  
NEVADA SUPREME COURT RULE 42

Carlos Francisco Negrete, Petitioner, respectfully represents:

First Middle Name Last

1. Petitioner resides at 12 Calle Ver Dadero  
Street Address

San Clemente, Orange, California  
City County State

92673, (949) 310-6989  
Zip Code Telephone

2. Petitioner is an attorney at law and a member of the law firm of

Law Offices of Carlos F. Negrete

with offices at 27422 Calle Arroyo  
Street Address

San Juan Capistrano, Orange, California  
City County State

92675, (949) 493-8115  
Zip Telephone

3. Petitioner has been retained personally or as a member of the above named law firm by \_\_\_\_\_ Defendant, Eloisa Furer \_\_\_\_\_ to provide legal representation in connection with the above-entitled matter now pending before the above referenced court.

4. Since June of 1988, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of California where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>United States District Court Central District of California</u>	<u>07/22/1988</u>
<u>United States District Court Southern District of California</u>	<u>09/12/1996</u>
<u>California Courts of Appeal</u>	<u>06/14/1988</u>
<u>United States District Court Northern District of California</u>	<u>02/01/2002</u>

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided (Give particulars; e.g., Court, jurisdiction, date): \_\_\_\_\_

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): \_\_\_\_\_

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter

provided (give particulars, e.g. court, discipline authority, date, status): \_\_\_\_\_

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement): \_\_\_\_\_

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; \_\_\_\_\_

11. Petitioner or any member of Petitioner's firm with which Petitioner is associated has/have filed application(s) to appear as counsel under Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Haec)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

Erik A. Fitting, who has offices at  
 First Name Middle Name Last Name  
9421 Crown Vista Lane Las Vegas Clark  
 Street Address City County  
89117 (702) 362-2702  
 Zip Code Phone Number

13. The following accurately represents the names and addresses of each party in this matter. WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME	MAILING ADDRESS
Andrew E. Furer	71 Washington Street, Reno, NV. 89503
Eloisa Furer	9612 Winter Place, Las Vegas, NV 89145
Jennifer Baker Robinson, Belaustegui, Sharp & Low	71 Washington Street, Reno, NV. 89503
Robert W. Leuck	528 South Casino Center Blvd, Ste. 311, Las Vegas, NV. 89101

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Carlos F. Negrete, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

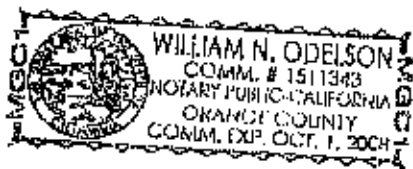
That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 22<sup>nd</sup> day of APRIL, 2008

[Signature]  
Petitioner/Affiant

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF ORANGE )



Subscribed and sworn to before me

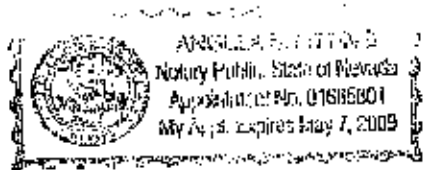
this 22 day of APRIL, 2008

[Signature]  
Notary Public

I Eric A. Fitting hereby consent as Nevada Counsel of Record to the designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 19<sup>th</sup> day of April, 2008  
[Signature]  
Counsel of Record

STATE OF Nevada  
COUNTY OF Clark ) SS



Subscribed and sworn to before me  
this 19<sup>th</sup> day of April, 20 08  
[Signature]  
Notary Public

06-26-08 09:29am From-CAPOLAW

9494938170

T-875 P.11/22 F-964

# EXHIBIT B



**THE  
STATE BAR  
OF CALIFORNIA**

180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1189  
TELEPHONE (415) 539-2000

March 13, 2006

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, CARLOS FRANCISCO NEGRETE, #134658 was admitted to the practice of law in this state by the Supreme Court of California on June 14, 1988; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert".

Kath Lambert  
Custodian of Membership Records

06-26-08 09:29am From-CAPOLAW

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T-875 P.13/22 F-964

# EXHIBIT C

1 STAT

2  
3 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
4 IN AND FOR THE COUNTY OF WASHOE

5 Case No. DV04-01626  
6 Dept. No. 11

7 Andrew A. Furer

8 vs.

9 Eloisa B. Furer

10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
11 42(3)(b)

12  
13 THE STATE BAR OF NEVADA, in response to the application of  
14 Petitioner, submits the following statement pursuant to SCR42(3):

15 SCR42(6)Discretion. The granting or denial of a motion to associate  
16 counsel pursuant to this rule by the court is discretionary. The  
17 court, arbitrator, mediator, or administrative or governmental  
18 hearing officer may revoke the authority of the person permitted to  
19 appear under this rule. Absent special circumstances, repeated  
20 appearances by any person or firm of attorneys pursuant to this rule  
21 shall be cause for denial of the motion to associate such person.

22 (a) Limitation. It shall be presumed, absent special  
23 circumstances, and only upon showing of good cause, that  
24 more than 5 appearances by any attorney granted under  
25 this rule in a 3-year period is excessive use of this  
26 rule.

27 (b) Burden on applicant. The applicant shall have the  
28 burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 4/23/2008

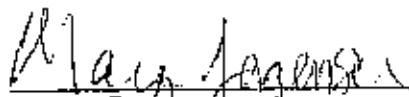
2. APPLYING ATTORNEY: Carlos Francisco Negrete, Esq.

3. FIRM NAME AND ADDRESS: Law Offices of Carlos F. Negrete, 27422  
Calle Arroyo, San Juan Capistrano, CA 92675

1 4. NEVADA COUNSEL OF RECORD: Erik A. Fitting, Esq., 9421 Crown  
2 Vista Ln., Las Vegas, NV 89117

3 5. There is no record of previous applications for appearance by  
4 petitioner or other attorney members of the petitioner's firm  
5 made within the last three(3) years.

6 DATED this April 23, 2008

7   
8 Mary Jorgensen  
9 Member Services Coordinator  
10 Pro Hac Vice Processor  
11 STATE BAR OF NEVADA  
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