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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 PHASE II CHIN, LLC and LOVE & MONEY,)
10 LLC,(formerly dba O.P.M.L.V., LLC)

11 Plaintiff,)

12 vs.)

13 FORUM SHOPS, LLC, FORUM)
14 DEVELOPERS LIMITED PARTNERSHIP,)
15 SIMON PROPERTY, SIMON PROPERTY)
16 GROUP, INC., CESARS PALACE CORP, and)
17 CESARS PLACE REALTY CORP.,)

18 Defendants.)
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Case No.: 2:08-CV-162-JCM-GWF

**VERIFIED PETITION FOR PERMISSION
TO PRACTICE IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED TO THE
BAR OF THIS COURT AND
DESIGNATION OF LOCAL COUNSEL**

EFFECTIVE JUNE 1, 2004
FILING FEE IS \$175.00

22 Jerold Fagelbaum, Petitioner, respectfully represents to the Court:

- 23 1. That Petitioner resides at Los Angeles, County of Los Angeles, State of California.
24 2. That Petitioner is an attorney at law and a member of the law firm of FAGELBAUM &
25 HELLER LLP, with offices at 2049 Century Park East, Suite 4250, Los Angeles, 90067 (Telephone:
26 310/286-7666), E-Mail address: office@fhllplaw.com.
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3. That Petitioner has been retained personally or as a member of the law firm, by Phase II Chin, LLC, to provide legal representation in connection with the above-entitled case now pending before this Court.

4. That Since May 30, 1980, Petitioner has been, and presently is, a member in good standing of the bar of the highest court of the State of California, where Petitioner regularly practices law.

5. That 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 courts of other states, on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

| Court | Date Admitted | Bar Number |
|--|--------------------|------------|
| State of New York | May 1, 1973 | 1181031 |
| United States District Court Southern District of New York | June 24, 1975 | 1181031 |
| United States District Court Eastern District of New York | July 22, 1975 | 1181031 |
| United States District Court Central District of California | June 6, 1980 | 92584 |
| United States District Court-Northern District of California | December 4, 1989 | 92584 |
| United States Court of Appeals, Ninth Circuit | May 24, 1982 | 92584 |
| United States Supreme Court | March 30, 1992 | 92584 |
| United States District Court Southern District of California | September 24, 2007 | 92584 |

6. That there are or have been no disciplinary proceedings instituted against Petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

None

1 7. Has Petitioner ever been denied admission to the State Bar of Nevada?. (If yes, give
 2 particulars of every denied admission):

3 No.

4
 5 8. That Petitioner is a member of good standing in the following Bar Associations:

6 American Bar Association

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 8 9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more than
 9 one city) with which Petitioner is associated has/have filed application(s) to appear as counsel under
 10 Local Rule IA 10-2 during the past three (3) years in the following matters:

| Date of Application | Cause | Title of Court Administrative Body or Arbitrator | Was Application Granted or Denied |
|---------------------|-------------|--|--------------------------------------|
| April 9, 2008 | 2:08-cv-162 | U.S. District Court, District of Nevada | Granted |
| | | | |
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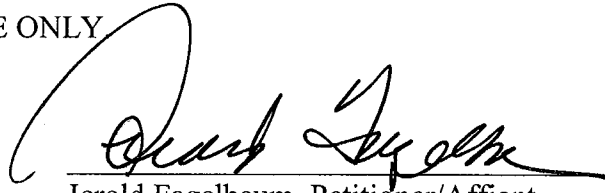
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 17 (If necessary, please attach a statement of additional applications)

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 19 10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State
 20 of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as
 21 a member of the State Bar of Nevada.

22 11. Petitioner agrees to comply with the standards of professional conduct required of the
 23 members of the bar of this court.

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

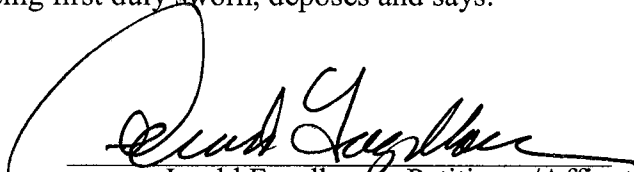
1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY

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4 
5 Jerold Fagelbaum, Petitioner/Affiant

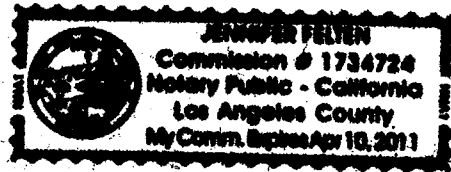
6 STATE OF CALIFORNIA)
7 COUNTY OF LOS ANGELES) ss:
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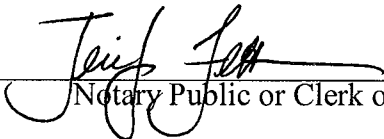
9 Jerold Fagelbaum, Petitioner, being first duly sworn, deposes and says:

10 That the foregoing statements are true.

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12 
13 Jerold Fagelbaum, Petitioner/Affiant

14 SUBSCRIBED and SWORN TO before me,
15 this 18th day of September, 2008



16
17 
18 Notary Public or Clerk of Court

(NOTARY SEAL)

19 **DESIGNATION OF RESIDENT ATTORNEY**
20 **ADMITTED TO THE BAR OF THIS COURT**
21 **AND CONSENT THERETO.**

22 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes
23 it to be in the best interests of the client(s) to designate C. Stanley Hunterton, Esq., Attorney at Law,
24 member of the State of Nevada and previously admitted to practice before the above-entitled Court as
25 associate residence counsel in this action. The address of said designated Nevada counsel is:

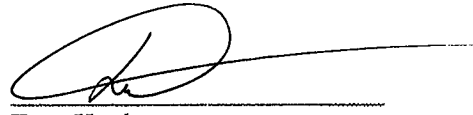
26 333 South Sixth Street,
27 Las Vegas, Nevada 89101;
28 Telephone: (702) 388-0098

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By this designation the Petitioner and undersigned party(ies) agree that this designation constitutes agreement and authorization for the designated resident admitted counsel to sign stipulations binding on all of us.

APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL

The undersigned party(ies) appoints C. Stanley Hunterton, Esq. as their Designated Resident Nevada Counsel in this case.



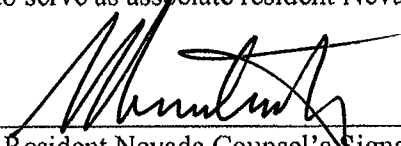
Tom Kaplan

(Party Signature)

(Party Signature)

CONSENT OF DESIGNEE

The undersigned hereby consent to serve as associate resident Nevada counsel in this case.



Designated Resident Nevada Counsel's Signature Bar number

APPROVED:

Dated: This 1st day of October, 2008.



UNITED STATES DISTRICT JUDGE



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

September 23, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JEROLD FAGELBAUM, #92584 was admitted to the practice of law in this state by the Supreme Court of California on May 30, 1980; 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

Kath Lambert
Custodian of Membership Records