

1 DANIEL G. BOGDEN
United States Attorney
2 District of Nevada

3 BLAINE T. WELSH
Assistant United States Attorney
4 Nevada Bar No. 4790
333 Las Vegas Boulevard South, Suite 5000
5 Las Vegas, Nevada 89101
Phone: (702) 388-6336
6 Facsimile: (702) 388-6787
Email: Blaine.Welsh@usdoj.gov

7 Attorneys for the United States
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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,) Case No: 2:15-cv-00458-RCJ-GWF
15 v.)
16 HARVEY L. CAGE, d/b/a CSN TAX)
SERVICE,)
17 Defendant.)
18

19 **SPECIAL SHOW CAUSE MOTION TO ADMIT GOVERNMENT ATTORNEY TO**
20 **PRACTICE IN THE DISTRICT OF NEVADA FOR DURATION OF ATTORNEY'S**
21 **GOVERNMENT EMPLOYMENT**

22 Pursuant to LR IA 10-3, the United States of America respectfully requests that this honorable
23 Court admit Government attorney Jonathan M. Hauck to practice in the District of Nevada for the
24 above-captioned case and in all matters in this district during the period of employment by the United
States. Rule IA 10-3 provides:

25 Unless otherwise ordered by the Court, any nonresident attorney who is a member in good
26 standing of the highest court of any state, commonwealth, territory, or the District of Columbia,
who is employed by the United States as an attorney and, while being so employed, has

1 occasion to appear in this Court on behalf of the United States, shall, upon motion of the United
2 States Attorney or the Federal Public Defender for this district or one of the assistants, be
permitted to practice before this court during the period of such employment.

3 Jonathan M. Hauck is an attorney with the United States Department of Justice, Tax Division,
4 an agency of the federal government, and is a member in good standing of the state bar of the District
5 of Columbia (No. 482831).

6 In addition, the “conduct of litigation in which the United States, an agency, or officer thereof
7 is a party, or is interested, and securing evidence therefor, is reserved to officers of the Department of
8 Justice, under the discretion of the Attorney General.” 28 U.S.C. § 516. In addition, pursuant to 28
9 U.S.C. § 515(a), the Attorney General or any other officer of the Department of Justice is authorized to
10 conduct any kind of legal proceeding, civil or criminal, which United States Attorneys are authorized
11 to conduct, “whether or not he is a resident of the district in which the proceeding is brought.” Further,
12 any officer of the Department of Justice may be sent by the Attorney General to any judicial district in
13 the United States “to attend to the interests of the United States in a suit pending in a court of the
14 United States, . . . or to attend to any other interest of the United States.” 28 U.S.C. § 517.

15 Pursuant to these statutory authorities, the Attorney General has delegated litigation authority
16 to the Assistant Attorney General for the Civil Division, 28 C.F.R., Subpart I, including the defense of
17 “challenged actions of Government agencies and officers, . . .”. 28 C.F.R. § 0.45(h).

18 While these statutory and legal authorities ordinarily establish the basis for a Department of
19 Justice, Tax Division attorney to appear on behalf of the United States in any federal court, on June 6,
20 2012, this Court gave notice to the First Assistant U.S. Attorney for the United States Attorney’s
21 Office for the District of Nevada that the Court “will no longer grant *pro hac* recognition to
22 Washington D.C. Justice Attorneys without a special show cause that they will comply with court
23 orders, local ethical rules and the rules of the State Bar of Nevada.” (*United States of America v.*
24 *Estate of E. Wayne Hage, et al.*, 2:07-cv-01154-RCJ-VCF; ECF # 336 at 2). In light of that notice, the
25 United States attaches the Declaration of Jonathan M. Hauck, which attests that Mr. Hauck will
26 comply with court orders, local ethical rules, and the rules of the State Bar of Nevada.

1 DANIEL G. BOGDEN
United States Attorney
2 District of Nevada

3 BLAINE T. WELSH
Chief, Civil Division
4 Assistant United States Attorney
Nevada Bar No. 4790
5 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,)

15 Plaintiff,)

Case No: 2:15-cv-00458-RCJ-GWF

16 v.)

17 Harvey L. Cage, d/b/a CSN Tax Service,)

18 Defendant.)

19
20 **DECLARATION OF JONATHAN M. HAUCK IN SUPPORT OF SPECIAL SHOW CAUSE**
21 **MOTION TO ADMIT GOVERNMENT ATTORNEY TO PRACTICE IN THE DISTRICT OF**
22 **NEVADA FOR DURATION OF ATTORNEY'S GOVERNMENT EMPLOYMENT**

23 I, Jonathan M. Hauck, provide the following declaration in accordance with 28 U.S.C. § 1746:

24 1. I submit this information in support of the Special Show Cause Motion to Admit
25 Government Attorney to Practice in the District of Nevada for Duration of Government Attorney's
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1 Government Employment. I have personal knowledge of the facts stated herein. If called upon to testify,
2 I would testify that the facts set forth in this declaration are true and correct.

3 2. In 1999, I received a B.A. from Vanderbilt University in Nashville, Tennessee. In 2002, I
4 received a J.D. with honors from the Catholic University of America in Washington, D.C. In 2007, I
5 received a LL.M. in taxation with distinction from Georgetown University in Washington, D.C.

6 3. In December 2002, I was admitted to the State Bar of Maryland, where I am currently
7 inactive. In August 2003, I was admitted to the Bar of the District of Columbia (Bar No. 482831), and I
8 have remained an active member in good standing of the Bar of the District of Columbia at all times
9 since then.

10 4. Prior to my employment with the Department of Justice, Tax Division , I served as an
11 Assistant Public Defender in Baltimore City, Maryland, for approximately five years, and as a General
12 Attorney for the Office of Chief Counsel for the Internal Revenue Service for approximately five and
13 half years. I began working for the Department of Justice, Tax Division, in October 2014. In my
14 capacity as a trial attorney with the Tax Division, I am currently representing the United States in United
15 States District Courts or United States Bankruptcy Courts in California, Arizona, and Nevada.

16 5. I am currently lead counsel in the following civil tax case in the United States District
17 Court for the District of Nevada: United States v. Cage, Case No.2:15-cv-00458-RCJ-GWF.

18 6. I have never been the subject of any ethical proceeding.

19 7. I hereby attest and affirm that I will comply with this Court's Orders. I further attest and
20 affirm that I have reviewed and will comply with local ethical rules and the rules of the State Bar of
21 Nevada.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

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4 Executed this 11th day of May, 2015 in Washington, D.C.

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7 JONATHAN M. HAUCK
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