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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MI-94, LLC,  
  
Plaintiff(s),  
  
vs.  
  
Chemetall US, Inc. et al,  
  
Defendant(s).

Case #2:23-cv-00647-CDS-DJA

**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**

FILING FEE IS \$250.00  
[ECF No. 24]

ERIC P. EARLY, Petitioner, respectfully represents to the Court:  
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of  
EARLY SULLIVAN WRIGHT GIZER & McRAE LLP

(firm name)

with offices at 6420 Wilshire Boulevard, 17th Floor,  
(street address)

Los Angeles, California, 90048,  
(city) (state) (zip code)

(323) 301-4660, early@earlysullivan.com.  
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by  
MI-94, LLC to provide legal representation in connection with  
[client(s)]

the above-entitled case now pending before this Court.

1 3. That since December 2, 1993, Petitioner has been and presently is a  
 2 (date) member in good standing of the bar of the highest Court of the State of California  
 3 (state) where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
 4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
 5 possession of the United States in which the applicant has been admitted to practice law certifying  
 6 the applicant's membership therein is in good standing.

7 4. That Petitioner was admitted to practice before the following United States District  
 8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
 9 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
 10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
Central District of California	10/26/2009	166275
Southern District of California	08/31/1994	166275
Colorado Judicial Department	03/16/2021	
Supreme Court of the United States	01/13/1997	
U.S. Court of Appeals, Fourth Circuit	03/03/2022	166275
U.S. Court of Appeals, Seventh Circuit	07/16/2004	166275
U.S. Court of Appeals, Ninth Circuit	07/13/2009	166275
<u>West Virginia Southern District Court</u>	<u>04/12/2019</u>	

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

15 None.

1           6.       That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2 particulars if ever denied admission):

3 None.  
4  
5

6           7.       That Petitioner is a member of good standing in the following Bar Associations.

7 N/A.  
8  
9

10           8.       Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
March 22, 2023	A-23-866790-C	Eighth Judicial Dist. (Nev.)	Granted
			<input type="button" value="v"/>
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12 (If necessary, please attach a statement of additional applications)

13           9.       Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
14 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
15 extent as a member of the State Bar of Nevada.  
16

17           10.      Petitioner agrees to comply with the standards of professional conduct required of  
18 the members of the bar of this court.

19           11.      Petitioner has disclosed in writing to the client that the applicant is not admitted to  
20 practice in this jurisdiction and that the client has consented to such representation.  
21  
22

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



\_\_\_\_\_  
Petitioner's signature

3  
4 STATE OF California )  
5 COUNTY OF Los Angeles )  
6

7 Eric Peter Early, Petitioner, being first duly sworn, deposes and says:

8 That the foregoing statements are true.



\_\_\_\_\_  
Petitioner's signature

9  
10 Subscribed and sworn to before me this

11 \_\_\_\_\_ day of \_\_\_\_\_,  
12 \_\_\_\_\_.

13 \_\_\_\_\_  
14 Notary Public or Clerk of Court

15  
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
17 THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
19 believes it to be in the best interests of the client(s) to designate Scott E. Gizer,  
20 (name of local counsel)  
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
22 above-entitled Court as associate resident counsel in this action. The address and email address of  
23 said designated Nevada counsel is:

24 8716 Spanish Ridge Avenue, Suite 105,  
(street address)

25 Las Vegas, Nevada, 89148,  
(city) (state) (zip code)

26 (702) 331-7593, sgizer@earlysullivan.com.  
(area code + telephone number) (Email address)

**CALIFORNIA ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

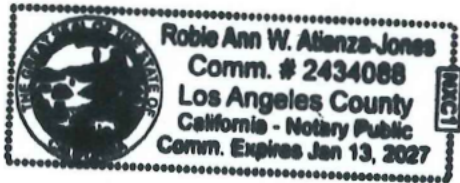
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of LOS ANGELES

On MAY 4, 2023 before me, ROBIE ANN W. ATIENZA-JONES  
Date Here Insert Name and Title of the Officer

personally appeared ERIC PETER EARLY  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]  
Signature of Notary Public

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator


Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

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) appoint(s) Scott E. Gizer as  
(name of local counsel)  
his/her/their Designated Resident Nevada Counsel in this case.

  
\_\_\_\_\_  
(party's signature)

William E. Newbauer III, Manager  
(type or print party name, title)

\_\_\_\_\_  
(party's signature)

\_\_\_\_\_  
(type or print party name, title)

**CONSENT OF DESIGNEE**

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

  
\_\_\_\_\_  
Designated Resident Nevada Counsel's signature

12216 sgizer@earlysullivan.com  
Bar number Email address

APPROVED:

Dated: this 11th day of May, 2023.

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles )

On May 9, 2023 before me, Michael D. First, Notary Public  
(insert name and title of the officer)

personally appeared Scott E. Gizev  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Michael D. First (Seal)

