ELECTRONICALLY FILED 2017 Jan 09 PM 4:21 CLERK OF THE APPELLATE COURT CASE NUMBER: 114153

IN THE SUPREME COURT OF THE STATE OF KANSAS

HODES & NAUSER,	MDs., P.A. et al.,)	
	Plaintiffs-Appellees,	1	Case No.15-114153-A
VS.):	
DEREK SCHMIDT, in his official)	
capacity as Attorney General of the State of Kansas, et al.,)	
)	Defendants-Appellants.))	

MOTION TO ADMIT OUT-OF-STATE ATTORNEY PRO HAC VICE FOR THIS CASE

COMES NOW Richard J. Peckham, a Kansas-licensed attorney in good standing, hereby moves the court for admission of Horatio G. Mihet, an attorney licensed in Florida and the District of Columbia *PRO HAC VICE* for purposes of this case only. In support of the motion, the undersigned submits the nonrefundable fee, together with the verified application of Horatio G. Mihet, which the undersigned has reviewed.

As the moving attorney, I hereby acknowledge my obligation to remain actively engaged in the conduct of the case, to sign every pleading, document, brief, motion and

other papers filed in this case on behalf of our client, and to attend every hearing, unless otherwise directed by the court.

Kichard J. Peckham

Kansas Bar # 10480

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VERIFIED APPLICATION OF AN OUT-OF-STATE ATTORNEY FOR ADMISSION PRO HAC VICE TO PRACTICE IN THE CAPTIONED CASE

Horatio G. Mihet, an attorney not licensed to practice in Kansas, moves this court, under Supreme Court Rule 116, for an order allowing the out-of-state attorney to practice in this court for the professional business and purpose of this case only, to represent Amici Curiae AAPLOG, CMA and ACPeds in the above-captioned case.

Richard J. Peckham, an attorney who is regularly engaged in the practice of law in Kansas, and who is in good standing under all the applicable rules of the Supreme Court of the State of Kansas, moved for my admission pro hac vice. Said Kansas attorney shall be actively engaged in the conduct of the case; shall sign all pleadings, documents, and briefs; and shall be present throughout all court or administrative appearances, unless otherwise directed by the court.

In support, the applicant shows the court that he/she is regularly admitted to the bars and/or courts of Florida and Ohio, and is regularly engaged in the practice of law in each of those jurisdictions; is in good standing pursuant to the rules of the highest appellate court of those jurisdictions; and is not currently the subject of disciplinary action, nor has been the subject of a disciplinary action under investigation, including but not limited to suspension or disbarment.

The applicant has not applied for nor been granted permission previously to appear pro hac vice in the State of Kansas within the past twelve months.

Horatio G. Mihet acknowledges that he will be held to the standard of conduct of the State of Kansas, the Kansas Rules of Professional Conduct, and will be subject to the orders of, and amenable to disciplinary action by, the courts and administrative tribunals of the State of Kansas. The out-of-state attorney has sworn to and signed the Out-of-State Attorney's Oath, which is attached hereto.

This application, the statements herein made and all information provided are complete, true and correct under penalty of perjury. The signator acknowledges that he has a continuing obligation to advise the court if a change occurs with regard to any information herein provided.

Dated: January 4, 2017.

Horatio G. Miller

Florida Bar # 026581

Ohio Bar # 0075518

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(407) 875-1776

hmihet@lc.org

OUT-OF-STATE ATTORNEY'S OATH

I. Horatio G. Mihet, solemnly swear or affirm that I will support and bear true allegiance to the Constitution of the United States and the Constitution of the State of Kansas; that I will neither delay nor deny the rights of any person through malice, for monetary gain, or from any unworthy desire; that I will not knowingly foster or promote, or give my assent to any fraudulent, groundless or unjust suit; that I will neither do, nor consent to the doing of any falsehood in court; and that I will discharge my duties as an attorney and counselor in the Supreme Court of Kansas with fidelity both to the court and to my cause, and to the best of my knowledge and ability. So help me God.

I further acknowledge that I will be held to the standard of conduct of the State of Kansas, the Kansas Rules of Professional Conduct, and will be subject to the order of, and amenable to disciplinary action by, the courts and administrative tribunals of this State.

I do, under penalty of perjury, so swear (or affirm).

Dated: January 4, 2017.

Horatio G. **Mibat** Florida Bar # 026581 Ohio Bar # 0075518

PO Box 540774 Orlando, FL 32854-0774

(407) 875-1776 hmihet@lc.org

SUBSCRIBED AND SWORN TO before me this 4th day of January, 2017



LOQUAY SY-Q NOTARY PUBLIC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and

foregoing document was deposited in the United States Mail, first class, postage prepaid,

on the _____day of January, 2017, addressed as follows:

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