

FILED

SEP 30 2015

HEATHER L. SMITH  
CLERK OF APPELLATE COURTS

No. 15-114153-A

IN THE KANSAS COURT OF APPEALS

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HODES & NAUSER, M.D., P.A. *et al.*, *Plaintiffs-Appellees*,

vs.

DEREK SCHMIDT, in his official capacity as Attorney General  
of the State of Kansas, *et al.*, *Defendants-Appellants*.

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MOTION FOR ADMISSION *PRO HAC VICE* OF OUT-OF-STATE ATTORNEY

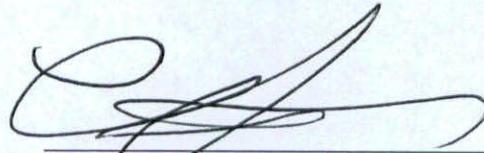
Pursuant to Rule 1.10 of the Rules of the Kansas Supreme Court, Kevin M. Smith, counsel for *amicus curiae* the Family Research Council, respectfully moves for the admission *pro hac vice* of Paul Benjamin Linton, in the above-captioned case. I am regularly engaged in the practice of law in Kansas, in good standing with the Kansas Supreme Court and request the admission of Paul Benjamin Linton, who is an attorney regularly engaged in the practice of law and in good standing in Illinois.

I will be actively engaged in the conduct of this case, to the extent permitted for *amici curiae*, and will sign all pleadings, documents and briefs submitted on behalf of the *amicus curiae*. I respectfully request the admission *pro hac vice* of Paul Benjamin Linton to practice law in the appellate courts of Kansas for purposes of this case only.

In support of this motion, I am submitting the verified application of Paul Benjamin Linton (attached) and the \$100.00 non-refundable fee.

Dated: September 8, 2015

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin M. Smith', written over a horizontal line.

Kevin M. Smith  
Kansas Bar No. 19242  
Law Offices of Kevin M. Smith, P.A.  
1502 N. Broadway  
Wichita, Kansas 67214-1106  
(316) 262-2331 (tel)  
(316) 262-8862 (fax)  
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vs.

DEREK SCHMIDT, in his official capacity as Attorney General  
of the State of Kansas, *et al.*, *Defendants-Appellants*.

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VERIFIED APPLICATION OF OUT-OF-STATE ATTORNEY  
FOR *PRO HAC VICE* ADMISSION

Pursuant to Rule 1.10(e)(1) of the Rules of the Kansas Supreme Court, Paul Benjamin Linton submits this verified application for *pro hac vice* admission in support of the accompanying motion for *pro hac vice* admission in the above-captioned cause.

- (A) The party represented, as *amicus curiae*, is the Family Research Council.
- (B) The name, business address, telephone number, fax number, e-mail address, and Kansas attorney registration number of the Kansas attorney of record are as follows:

Kevin M Smith  
Kansas Bar No. 19242  
Law Offices of Kevin M. Smith, P.A.  
1502 N. Broadway  
Wichita, Kansas 62714-1106  
(316) 262-2331 (tel)  
(316) 262-8862 (fax)  
4acelaw@sbcglobal.net

- (C) The applicant's residence address and business address, telephone number, fax number, and e-mail address are as follows:

921 Keystone Avenue  
Northbrook, Illinois 60062 (both residence and business address)  
(847) 291-3848 (tel)  
(847) 412-1594 (fax)  
PBLCONLAW@AOL.COM

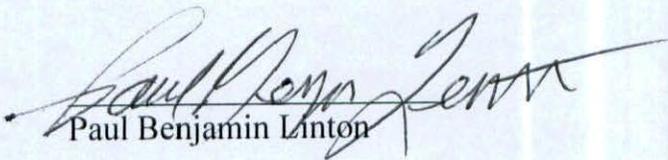
- (D) The bars to which the applicant is admitted, the dates of admission, and the applicable attorney registration numbers are as follows:

Court	Date of Admission	Registration No.
Supreme Court of Illinois	October 28, 1974	1670158
United States District Court, Northern District, Illinois	December 10, 1974	(same number)
United States Court of Appeals for the First Circuit	November 29, 2010	n/a
United States Court of Appeals for the Fourth Circuit	February 14, 2014	n/a
United States Court of Appeals for the Fifth Circuit	October 21, 1991	n/a
United States Court of Appeals for the Sixth Circuit	September 2, 1994	n/a
United States Court of Appeals for the Seventh Circuit	March 25, 1975	n/a
United States Court of Appeals for the Eighth Circuit	September 22, 1994	n/a
United States Court of Appeals for the Ninth Circuit	February 26, 1991	n/a
United States Court of Appeals for the Tenth Circuit	June 28, 1994	n/a

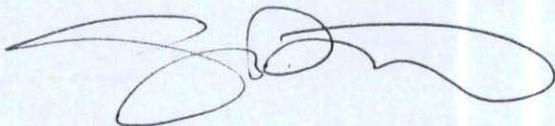
United States Court of Appeals    April 10, 2014            n/a  
for the Eleventh Circuit

United States Supreme Court    June 8, 1981            n/a

- (E) Applicant is a member in good standing of each of the foregoing bars, and is regularly engaged in the practice of law in the State of Illinois.
- (F) Applicant has not been the subject of prior public discipline, including suspension or disbarment, in any jurisdiction.
- (G) Applicant is not currently the subject of a disciplinary action or investigation in any jurisdiction.
- (H) Applicant has not sought permission to appear *pro hac vice* in any case in Kansas within the preceding 12 months (or at any other time).

  
Paul Benjamin Linton

Signed and Sworn to  
Before Me  
This 27<sup>th</sup> Day of August, 2015





## CERTIFICATE OF SERVICE

I hereby certify that one copy of the foregoing motion for admission of out-of-state attorney *pro hac vice*, supported by the verified application of out-of-state attorney for admission *pro hac vice*, was served, via first class mail, postage prepaid, on September 8, 2015, on the following counsel of record and the out-of-state attorney's client, the Family Research Council:

Robert V. Eye  
Brett A. Jarmer  
Robert V. Eye Law Office, LLC  
123 S.E. 6th Avenue, Suite 200  
Topeka, Kansas 66603

Jeffrey A. Chanay  
Chief Deputy Attorney General  
Office of the Attorney General  
Memorial Building 3rd Floor  
120 S.W. Tenth Avenue  
Topeka, Kansas 6612

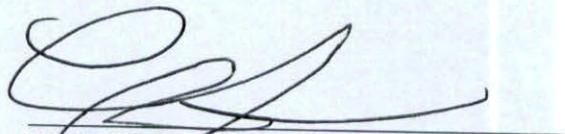
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Kansas City, Missouri 64108



Kevin M. Smith  
Counsel for the *Amicus*