

**BEFORE THE  
OHIO POWER SITING BOARD**

In the Matter of the Application of	)	
Firelands Winds, LLC for a Certificate of	)	Case No. 18-1607-EL-BGN
Environmental Compatibility and Public	)	
Need to Construct a Wind-Powered Electric	)	
Generation Facility in Huron and Erie	)	
Counties, Ohio	)	

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**MOTION FOR PERMISSION FOR MICHAEL B. GERRARD TO APPEAR  
*PRO HAC VICE* ON BEHALF OF TOM YINGLING AND KEVIN ERF**

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Pursuant to Rule XII of the Supreme Court Rules for the Government of the Bar of Ohio (“Gov. Bar R.”) and Ohio Administrative Code Rule 4906-2-26(B), Movant respectfully requests that the Ohio Power Siting Board grant permission to Michael B. Gerrard (PHV-21914-2020) to appear *pro hac vice* as lead counsel representing Tom Yingling and Kevin Erf in the above-captioned proceeding.

The name and address of Mr. Gerrard’s law firm are: Arnold & Porter Kaye Scholer, L.L.P., 250 West 55<sup>th</sup> Street, New York, NY 10019-9710.

Movant represents that the following is a list of the jurisdictions in which Michael B. Gerrard has ever been licensed to practice law, including dates of admission to practice, and any attorney registration numbers:

- State of New York, Registration Number 1130046, admission date: January 17, 1979.

Movant represents that Michael B. Gerrard has not been granted permission to appear *pro hac vice* in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Gov. Bar R. XII(2)(A)(6).

Philip Leppla, an active Ohio attorney in good standing (Bar No. 89075), has agreed to associate with Mr. Gerrard on this case.

The affidavit required by Gov. Bar R. XII(2)(A)(7), a copy of Movant's certificate of *pro hac vice* registration furnished by the Supreme Court of Ohio Office of Attorney Services, and a certificate indicating service of this Motion on all known parties and attorneys of record are attached. Mr. Gerrard understands that if this motion is granted, he must file a Notice of Permission to Appear *pro hac vice* and a copy of the Order granting permission with the Supreme Court of Ohio Office of Attorney Services within thirty days of the Order.

WHEREFORE, the Board is respectfully requested to grant permission for Michael B. Gerrard to appear *pro hac vice* before the Board in this proceeding.

Dated: February 11, 2020

Respectfully submitted,

/s/ Philip J. Leppla  
Philip J. Leppla (0089075)  
Leppla Associates, Ltd.  
2100 S. Patterson Blvd.  
Dayton, OH 45409  
Office: (937) 294-5959  
Fax: (937) 294-4411  
pjleppla@leplaw.com

*Counsel for Tom Yingling and Kevin Erf*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this filing will be electronically served via the Ohio Power Siting Board's e-filing system and via electronic mail on all parties referenced in the service list of the docket.

Dated: February 11, 2020

/s/ Philip J. Leppla  
Philip J. Leppla (0089075)

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Michael Gerrard**

FOR PRO HAC VICE REGISTRATION

per Gov. Bar R. XII, Section 2(A)(3)

Certificate of  
PRO HAC VICE  
REGISTRATION

2020

Registration Number:  
PHV- 21914-2020

**Michael Gerrard**

\_\_\_\_\_, having met the requirements of, and found to be in full compliance with, Section 2(A)(3) of Rule XII of the Rules for the Government of the Bar of Ohio, is hereby issued this certificate of pro hac vice registration in the state of Ohio.

To receive permission to appear pro hac vice in an Ohio proceeding, a motion requesting such permission must be filed with the tribunal in accordance with Section 2(A)(6) of Rule XII of the Rules for the Government of the Bar of Ohio.



Gina White Palmer  
Director, Attorney Services

**Expires December 31, 2020**

# THE SUPREME COURT of OHIO

## OFFICE OF ATTORNEY SERVICES

### IN THE MATTER OF THE APPLICATION OF

Michael B. Gerrard

(Attorney Name)

**AFFIDAVIT OF APPLICANT**  
Gov. Bar R. XII, Section 2(A)(3)

### FOR PRO HAC VICE REGISTRATION

Michael B. Gerrard

\_\_\_\_\_, being first duly cautioned, swears or affirms as follows:

- a. I have never been disbarred from the practice of law.
- b. I have been admitted to the practice of law in the following jurisdictions (only list admission to the highest court of a state and ensure the same admissions are listed in your online account. Attach additional page if necessary):

New York

c. Choose one:

- ☒ I am not currently suspended from the practice of law in any jurisdiction where I have been admitted to practice.
- ☐ I am currently suspended from the practice of law in the following jurisdictions:

d. Choose one:

- ☒ I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.
- ☐ I have resigned from the practice of law with discipline pending in the following jurisdiction(s):

State of NY  
County of New York

*Michael B. Gerrard*

SIGNATURE OF APPLICANT

Sworn to or affirmed before me and subscribed in my presence the 6 day of Feb.,

2020, in the state of NY and county of New York.

DEAN M. LANCE  
Notary Public, State of New York  
No. 01LA6154755  
Qualified in New York County  
Commission Expires

10/23/22

*Dean M. Lance*

SIGNATURE OF NOTARY PUBLIC\*

\*Notary public's stamp/seal and commission expiration date are required.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**2/11/2020 1:40:33 PM**

**in**

**Case No(s). 18-1607-EL-BGN**

Summary: Motion MOTION FOR PERMISSION FOR MICHAEL B. GERRARD TO APPEAR  
PRO HAC VICE ON BEHALF OF TOM YINGLING AND KEVIN ERF  
electronically filed by Mr. Philip J Leppla on behalf of Yingling, Tom Mr. and Erf, Kevin Mr.