

Name and address:

Guy M. Burns  
 JOHNSON POPE BOKOR RUPPEL & BURNS, LLP  
 401 E. Jackson St., Suite 3100  
 Tampa, FL 33602

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

BURTON W. WIAND, et al.  <p style="text-align: right;">Plaintiff(s),</p> <p style="text-align: center;">v.</p> PAUL R. WASSGREN, et al.  <p style="text-align: right;">Defendant(s),</p>	CASE NUMBER      2:20-cv-08849  <p style="text-align: center;"><b>APPLICATION OF NON-RESIDENT ATTORNEY                  TO APPEAR IN A SPECIFIC CASE                  PRO HAC VICE</b></p>
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**INSTRUCTIONS FOR APPLICANTS**

- (1) *The attorney seeking to appear pro hac vice must complete Section I of this Application, personally sign, in ink, the certification in Section II, and have the designated Local Counsel sign in Section III. **ELECTRONIC SIGNATURES ARE NOT ACCEPTED.** Space to supplement responses is provided in Section IV. The applicant must also attach a Certificate of Good Standing (issued within the last 30 days) from every state bar to which he or she is admitted; failure to do so will be grounds for denying the Application. Scan the completed Application with its original ink signature, together with any attachment(s), to a single Portable Document Format (PDF) file.*
- (2) *Have the designated Local Counsel file the Application electronically using the Court's electronic filing system ("Motions and Related Filings => Applications/Ex Parte Applications/Motions/Petitions/Requests => Appear Pro Hac Vice (G-64)", attach a Proposed Order (using Form G-64 ORDER, available from the Court's website), and pay the required \$400 fee online at the time of filing (using a credit card). The fee is required for each case in which the applicant files an Application. Failure to pay the fee at the time of filing will be grounds for denying the Application. **Out-of-state federal government attorneys are not required to pay the \$400 fee.** (Certain attorneys for the United States are also exempt from the requirement of applying for pro hac vice status. See L.R. 83-2.1.4.) A copy of the G-64 ORDER in Word or WordPerfect format must be emailed to the generic chambers email address. L.R. 5-4.4.2.*

**SECTION I - INFORMATION**

Burns, Guy M.

Applicant's Name (Last Name, First Name & Middle Initial)

check here if federal government attorney

Johnson Pope Bokor Ruppel & Burns, LLP

Firm/Agency Name

401 E. Jackson St.

(813) 225-2500

(813) 223-7118

Suite 3100

Telephone Number

Fax Number

Street Address

Tampa, FL 33602

Guyb@jpfirm.com

City, State, Zip Code

E-mail Address

**I have been retained to represent the following parties:**

BURTON W. WIAND, as Receiver On behalf of EQUIALT FUND, LLC; EQUIALT FUND II, LLC; EQUIALT FUND III, LLC; EA SIP, LLC, EQUIALT QUALIFIED OPPORTUNITY ZONE FUND, LP; EQUIALT SECURED INCOME PORTFOLIO REIT, INC.; and their Investors

Plaintiff(s)    Defendant(s)    Other: \_\_\_\_\_

Plaintiff(s)    Defendant(s)    Other: \_\_\_\_\_

Name(s) of Party(ies) Represented

List all state and federal courts (including appellate courts) to which the applicant has been admitted, and provide the current status of his or her membership. Use Section IV if more room is needed, or to provide additional information.

<u>Name of Court</u>	<u>Date of Admission</u>	<u>Active Member in Good Standing? (if not, please explain)</u>
Florida State Supreme Court	10/18/1973	Yes
U.S. District Court, Middle District of FL	05/17/1974	Yes
U.S. District Court, Northern District of FL	4/19/2002	Yes

List all cases in which the applicant has applied to this Court for *pro hac vice* status in the previous three years (continue in Section IV if needed):

<u>Case Number</u>	<u>Title of Action</u>	<u>Date of Application</u>	<u>Granted / Denied?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If any *pro hac vice* applications submitted within the past three (3) years have been denied by the Court, please explain:

*Attorneys must be registered for the Court's electronic filing system to practice pro hac vice in this Court. Submission of this Application will constitute your registration (or re-registration) to use that system. If the Court signs an Order granting your Application, visit [www.pacer.gov](http://www.pacer.gov) to complete the registration process and activate your e-filing privileges in the Central District of California.*

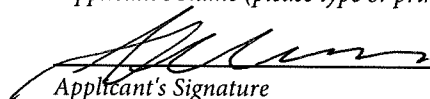
**SECTION II - CERTIFICATION**

I declare under penalty of perjury that:

- (1) All of the above information is true and correct.
- (2) I am not a resident of the State of California. I am not regularly employed in, or engaged in substantial business, professional, or other activities in the State of California.
- (3) I am not currently suspended from and have never been disbarred from practice in any court.
- (4) I am familiar with the Court's Local Civil and Criminal Rules, the Federal Rules of Civil and Criminal Procedure, and the Federal Rules of Evidence.
- (5) I designate the attorney listed in Section III below, who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, in which the attorney is physically present on a regular basis to conduct business, as local counsel pursuant to Local Rule 83-2.1.3.4.

Dated 9/24/20

Guy M. Burns  
*Applicant's Name (please type or print)*

  
*Applicant's Signature*

**SECTION III - DESIGNATION OF LOCAL COUNSEL**

Phelps, Kathy B.

*Designee's Name (Last Name, First Name & Middle Initial)*

Diamond McCarthy LLP

*Firm/Agency Name*

1999 Avenue of the Stars

(310) 651-2997

(310) 278-2339

Suite 1100

*Telephone Number*

*Fax Number*

*Street Address*

kphelps@diamondmccarthy.com

Los Angeles, CA 90067

*Email Address*

*City, State, Zip Code*

155564

*Designee's California State Bar Number*

**I hereby consent to the foregoing designation as local counsel, and declare under penalty of perjury that I maintain an office in the Central District of California for the practice of law, in which I am physically present on a regular basis to conduct business.**

Dated 9/24/20

Kathy Bazoian Phelps

*Designee's Name (please type or print)*



*Designee's Signature*

**SECTION IV - SUPPLEMENT ANSWERS HERE (ATTACH ADDITIONAL PAGES IF NECESSARY)**



# The Florida Bar

651 East Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
www.FLORIDABAR.org

State of Florida )

County of Leon )

In Re: 0160901  
Guy M Burns  
Johnson Pope Bokor Ruppel & Burns LLP  
401 E Jackson St Ste 3100  
Tampa, FL 33602-5228

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **October 18, 1973**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 24th day of **September, 2020**.

A handwritten signature in black ink that reads "Cynthia B. Jackson".

Cynthia B. Jackson, CFO  
Administration Division  
The Florida Bar

PG:R10  
CTM-103376



Guy M. Burns, Esq.  
 Johnson Pope Bokor Ruppel & Burns, LLP  
 401 E. Jackson St., Suite 3100  
 Tampa, FL 33602  
 Tel: (813) 225-2500 / Fax: (813) 223-7118

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

BURTON W. WIAND, as Receiver on behalf of EQUIALT FUND, LLC, et al.,

CASE NUMBER

2:20-cv-08849

Plaintiff(s)

v.  
 PAUL R. WASSGREN; FOX ROTHSCHILD LLP; and DLA PIPER LLP (US)

**(PROPOSED) ORDER ON APPLICATION OF  
 NON-RESIDENT ATTORNEY TO APPEAR IN  
 A SPECIFIC CASE *PRO HAC VICE***

Defendant(s).

**The Court, having determined whether the required fee has been paid, and having reviewed the Application of Non-Resident Attorney to Appear in a Specific Case *Pro Hac Vice* filed by**

Burns, Guy M.  
*Applicant's Name (Last Name, First Name & Middle Initial)*  
(813) 225-2500                      (813) 223-118  
*Telephone Number*                      *Fax Number*  
Guyb@jpfirm.com  
*E-Mail Address*

of 

Johnson Pope Bokor Ruppel & Burns, LLP 401 E. Jackson St., Suite 3100 Tampa, FL 33602
---

  
*Firm/Agency Name & Address*

**for permission to appear and participate in this case on behalf of**

BURTON W. WIAND, as Receiver on behalf of EQUIALT FUND, LLC; EQUIALT FUND II, LLC; EQUIALT FUND III, LLC; EA SIP, LLC, EQUIALT QUALIFIED OPPORTUNITY ZONE FUND, LP; EQUIALT SECURED INCOME PORTFOLIO REIT, INC.; and their investors

*Name(s) of Party(ies) Represent*                       *Plaintiff(s)*     *Defendant(s)*     *Other:* \_\_\_\_\_

**and designating as Local Counsel**

Phelps, Kathy B.  
*Designee's Name (Last Name, First Name & Middle Initial)*  
155564                      (310) 651-2997                      (310) 278-2339  
*Designee's Cal. Bar No.*                      *Telephone Number*                      *Fax Number*  
kphelps@diamondmccarthy.com  
*E-Mail Address*

of 

Diamond McCarthy LLP 1999 Avenue of the Stars, Suite 1100 Los Angeles, CA 90067
---

  
*Firm/Agency Name & Address*

**HEREBY ORDERS THAT the Application be:**

- GRANTED
- DENIED:     for failure to pay the required fee.
- for failure to attach a Certificate of Good Standing issued within 30 days prior to filing of Application.
- for failure to complete Application: \_\_\_\_\_
- pursuant to L.R. 83-2.1.3.2:  Applicant resides in California;  previous Applications listed indicate Applicant is regularly employed or engaged in business, professional, or other similar activities in California.
- pursuant to L.R. 83-2.1.3.4; Local Counsel:  is not member of Bar of this Court;  does not maintain office District.
- because \_\_\_\_\_

**IT IS HEREBY FURTHER ORDERED THAT the Application fee, if paid:**     be refunded     not be refunded.

**Dated:**

\_\_\_\_\_  
**U.S. District Judge/U.S. Magistrate Judge**