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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF ARIZONA**
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11 Manuel de Jesus Ortega Melendres, on
12 behalf of himself and all others similarly
situated; et al.

13 Plaintiffs,

14 v.

15 Joseph M. Arpaio, in his individual and
16 official capacity as Sheriff of Maricopa
County, AZ; et al.

17 Defendants.
18

No. CV-07-2513-PHX-GMS

ORDER

19 At the Status Conference today the Court mentioned receiving an Application of
20 Attorney for Admission to Practice Pro Hac Vice Pursuant to LRCiv 83.1(b)(2) from Mr.
21 Jonathon A. Moseley who practices in Virginia. The application was accompanied by
22 both a two page letter dated May 2, 2015 and a three page document entitled Additional
23 Information.

24 In the two page letter – noted as being copied to all counsel – Mr. Moseley
25 indicates he is a staff attorney working for the public interest law firm Freedom Watch,
26 Inc. and that he seeks to intervene in this action on behalf of Dennis Montgomery,
27 Freedom Watch apparently represents Mr. Montgomery in Florida defamation litigation.
28 In the letter Mr. Moseley is apparently critical of the testimony of Sheriff Arpaio or Chief

1 Deputy Sheridan or both.

2 Mr. Moseley requested that the Additional Information document be filed under
3 seal, because it concerned previous bar discipline that had been imposed on him for a
4 period, and in providing his explanation he thought “it would be preferable to avoid
5 mentioning third parties in the public court files.” He nevertheless avows that he
6 “provided [the additional information] to counsel” to allow them to “fulfill their
7 obligations.” He indicates in that Additional Information that “I also ask that the Court
8 and the parties consider that I, Jonathon Moseley, am not proposing to actually
9 participate in the conduct of this case, but merely to sponsor the filing of an *Amicus*
10 *Curiae* brief for Sheriff Joe Arpaio by attorney Larry Klayman of Freedom Watch.”

11 This statement of representation appears to be inconsistent with that stated in his
12 letter. As confirmed with Ms. Iafrate at the Status Conference, Mr. Klayman represents
13 Sheriff Arpaio in other litigation. To the extent that his law firm seeks to represent Mr.
14 Montgomery in this litigation it appears that such interests may be adverse to those of
15 Sheriff Arpaio and/or Deputy Chief Sheridan who are jointly defended. Because of the
16 confusion regarding this matter, the Court indicated it would take up this matter in its
17 Status Conference set for May 14, 2015 at 9:30 a.m. and would so advise Mr. Moseley.
18 In the meantime, so that counsel can be fully advised, the Court attaches to this Order Mr.
19 Moseley’s application and his two-page letter. Consistent with what appear to be Mr.
20 Moseley’s intentions, the three page “Additional Information” document is forwarded to
21 counsel of record only, but not attached to this Order, so that its confidential status may
22 be preserved.


23 **IT IS ORDERED** directing the Clerk of Court to send a copy of this Order to:

24
25 Jonathon Alden Moseley
26 Freedom Watch, Inc.
2020 Pennsylvania, Ave. N.W., Suite 345
Washington, D.C. 20006

27 ///

28 ///

Dated this 8th day of May, 2015.


Honorable G. Murray Snow
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

MANUEL de JESUS ORTEGA MELENDRES, et. al.

Plaintiff(s)/Petitioner(s),

vs.

JOSEPH M. ARPAIO, et. al.

Defendant(s)/Respondent(s)**CASE NO:** CV-07-2513-PHX-GMS**Application of Attorney For Admission To Practice Pro Hac
Vice Pursuant to LRCiv 83.1(b)(2)**

FILED	LODGED
RECEIVED	COPY
MAY 04 2015	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

NOTICE: \$35.00 APPLICATION FEE REQUIRED!

I, Jonathon Alden Moseley, hereby apply to the Court under LRCiv 83.1(b)(2) for pro hac vice admission to appear and practice in this action on behalf of Dennis L. Montgomery, witness and proposed intervenor.

City and State of Principal Residence: Lake Placid, Florida, temporarily working in Springfield, Virginia
Firm Name: Freedom Watch, Inc.
Address: 2020 Pennsylvania Ave, N.W., Suite 345 **Suite:** 15-287
City: Washington **State:** D.C. **Zip:** 20006
Firm/Business Phone: (310) 595-0800
Firm Fax Phone: (703) 783-0449 **E-mail Address:** Contact@JonMoseley.com

I am admitted to practice before the following courts. (attach additional sheets if necessary)

TITLE OF COURT	DATE OF ADMISSION	IN GOOD STANDING?	
Supreme Court of Virginia, including all Virginia courts	06/01/1997	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*
U.S. District Court for the Eastern District of Virginia	08/20/2010	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*
		<input type="checkbox"/> Yes	<input type="checkbox"/> No*

* Explain:

(An **Original** Certificate of Good Standing from a **FEDERAL BAR** in which an applicant has been admitted dated no more than 45 days prior to submission of this application is required.)

I have concurrently, or within 1 year of this application, made *pro hac vice* applications to this Court in the following actions (attach additional sheets if necessary):

Case Number	Title of Action	Date Granted or Denied*

* Explain:

ALL APPLICANTS ARE REQUIRED TO ANSWER THE FOLLOWING QUESTIONS.

If you answer YES to either of the following questions, please explain all circumstances on a separate page.

Are you currently the subject of a disciplinary investigation or proceeding by any Bar or Court? ☐ Yes ☒ No

Have you ever been disbarred from practice in any Court? ☐ Yes ☒ No

I declare under penalty of perjury that the foregoing is true and correct; that I am not a resident of, nor am regularly employed, engaged in business, professional or other activities in the State of Arizona; and that I am not currently suspended, disbarred or subject to disciplinary proceedings in any court. I certify that I have read and will ascribe to the Standards for Professional Conduct, will comply with the Rules of Practice of the United States District Court for the District of Arizona ("Local Rules"), and will subscribe to receive court notices as required by LRCiv 83.1(c).

Jonathon A. Moseley for the Plaintiff
 Date May 2, 2015 Signature of Applicant
 Fee Receipt # PHX 150133

AO 136 (Rev. 9/98) Certificate of Good Standing

UNITED STATES DISTRICT COURT

Eastern

DISTRICT OF

Virginia

**CERTIFICATE OF
GOOD STANDING**

I, Fernando Galindo, Clerk of this Court,

certify that Jonathon Alden Moseley, Bar # 41058,

was duly admitted to practice in this Court on

08/20/2010, and is in good standing
DATE

as a member of the Bar of this Court.

Dated at Alexandria, VA *on* May 1, 2015.
LOCATION DATE

Fernando Galindo
CLERK OF COURT

Judith Lambam
DEPUTY CLERK



Virginia State Bar

1111 East Main Street, Suite 700
Richmond, VA 23219-3565

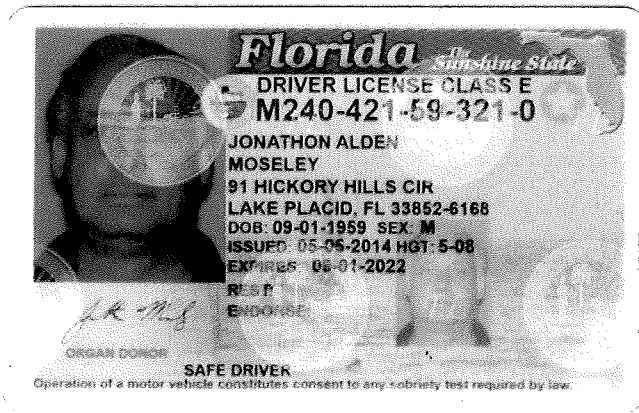
Jonathon Alden Moseley

Status: Active

ID Number: 41058

Issued: 01/05/2015

This card is evidence of good standing with the Virginia State Bar as of the date of issuance. To verify a member's good standing, please visit www.vsb.org or contact the Membership Dept. at (804) 775-0530; membership@vsb.org.



Florida *The Sunshine State*

DRIVER LICENSE CLASS E
M240-421-59-321-0

JONATHON ALDEN
MOSELEY
91 HICKORY HILLS CIR
LAKE PLACID, FL 33852-6168
DOB: 09-01-1959 SEX: M
ISSUED: 05-05-2014 HGT: 5-08
EXPIRES: 05-01-2022

REST
ENDORSE

ORGAN DONOR

SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.



FREEDOM WATCH

www.FreedomWatchUSA.org

World Headquarters 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 (310) 595-0800 leklayman@gmail.com

May 2, 2015

The Honorable G. Murray Snow
United States District Court District of Arizona - Phoenix Division
Sandra Day O'Connor U.S. Courthouse, Suite 622
401 West Washington Street, SPC 80
Phoenix, Arizona 85003-2118

Re: Application for Admittance *Pro Hac Vice*

Melendres v. Arpaio, Case No. CV-07-2513-PHX-GMS.
Hearing Held on April 23-24, 2015

Honorable Judge Snow:

I hereby submit the attached application to appear *Pro Hac Vice* on behalf of Mr. Dennis Montgomery in the above styled case. We understand that at this present time admittance *Pro Hac Vice* does not establish or imply that the Court will necessarily receive any exhibits, information, or pleadings on behalf of Dennis Montgomery. My admittance would of course authorize the filing of pleadings to request of the Court leave for Mr. Montgomery to submit any information or participate as the Court deems proper.

I am a staff attorney working under the public interest law firm Freedom Watch, Inc.. I am admitted in the Commonwealth of Virginia.

Freedom Watch represents Dennis Montgomery in a lawsuit concerning massive and outrageous defamation against him by James Risen and Houghton Mifflin Harcourt Publishing Company in the publication of Risen's recent book Pay Any Price, in the U.S. District Court for the Southern District of Florida. We are evaluating similar lawsuits against other publications republishing the same scurrilous false smears.

Dennis Montgomery was previously a resident of Nevada for many years and much of his work in the past occurred in Nevada.

We just became aware through the April 30, 2015, publication of an article on the website of KPHO CBS Channel 5 in Phoenix, Arizona, that (a) a hearing was held on April 23-24, 2015, prominently involving our client Dennis Montgomery at times unexpectedly in this instant case, (b) the hearing repeated on the court record many of the

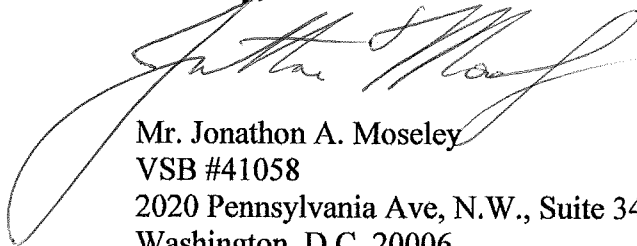
totally false libels of Dennis Montgomery, and also (c) to the extent that issues touching on Dennis Montgomery are apparently significant and important to this Court, the information presented about Dennis Montgomery and his limited involvement with the Maricopa County Sheriff's Office was grossly inaccurate and misleading.

In particular, the impression left by a witness who does not have any first-hand knowledge or personal knowledge of Dennis Montgomery's work because he only spoke once with Dennis Montgomery and was never actually involved with Montgomery's work combined with loose reporting and false reporting in the news media, falsely suggests actions that Dennis Montgomery never had anything to do with.

Dennis Montgomery was engaged by the "Cold Case Posse" (i.e., "task force") function of the Maricopa County Sheriff's Office. He was not engaged in relation to this case. He was engaged to help research other matters, not this case. The only small exception is that in the wake of revelations of the partisan politicization of the IRS against the tea party, there was some discussion about whether there might be attempts to politicize government and the courts by those in Washington, D.C.

Therefore, I seek admittance *Pro Hac Vice* for the purpose of presenting answers that the Court evidently felt were important, but accurate answers, in the manner and under such procedure as the Court may decide upon motion to be proper. If the Court determined that questions were important, then accurate answers should be as well.

Sincerely,



Mr. Jonathon A. Moseley
VSB #41058
2020 Pennsylvania Ave, N.W., Suite 345
Washington, D.C. 20006
Telephone: (310) 595-0800
leklayman@gmail.com
Attorney for Plaintiff

cc: Counsel of Record
(This letter and Application form only;
Filing under seal of private statement requested)