BEFORE THE ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD

GREATER GARDNER NEIGHBORHOOD ASSOCIATION, NORTH VALLEY COALITION OF NEIGHBORHOOD ASSOCIATIONS, AND KYLE SILFER, DAVID WOOD, and MARCIA FINICAL AS INDIVIDUALS,	)	**Authority to Construct**
Appellants,	)	**Permit Modification**
	)	**Permit No. 0902-M3**
vs.	)	
CITY OF ALBUQUERQUE AIR QUALITY DIVISION,	)	
Appellee.	)	

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 16-505(E) of the New Mexico Rules of Professional Conduct, the undersigned counsel ("Counsel") move for an order from the Board granting temporary admission to enable their participation in the above-entitled matter as co-counsel for Permittee American Cement Corporation. In support of this Motion, Counsel state the following:

1. The following Counsel are attorneys at law affiliated as shareholders and associate of the law firm of Brownstein Hyatt Farber Schreck, LLP, which maintains an office at 410 Seventeenth Street, Suite 2100, Denver, CO 80202, telephone 303.223.1100:

Mark J. Mathews, Colorado attorney registration no. 23749
Adam T. DeVoe, Colorado attorney registration no. 32059
Bret A. Fox, Colorado attorney registration no. 36723

2. Counsel are members in good standing with the Bar of the State of Colorado, and have not been disbarred or suspended from practice in any jurisdiction.

3. By this motion, Counsel seek admission to provide legal services and representation on a temporary basis before the Albuquerque-Bernalillo County Air Quality Control Board (the "Board"), which services and representation relate to and are limited to the above-entitled proceeding currently pending before the Board.

4. An administrative agency such as the Board is authorized to allow, by order adopted pursuant to the informal practice of the agency, a non-admitted lawyer to appear in a proceeding before the agency. See NMRA 16-505(E), cmt. 9. Upon the advice of Board

counsel, this Motion is submitted in accordance with such Board procedures as authorized by NMRA 16-505(E).

WHEREFORE, the undersigned Counsel respectfully request that the Board enter the attached order specially admitting and enabling each to participate in this matter as co-counsel for Permittee American Cement Corporation. A draft Order is submitted herewith for the Board's convenience.

Respectfully submitted this 2nd day of December, 2009.

Mark J. Mathews

Adam T. DeVoe

Bret A. Fox

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e-mail: bfox@bhfs.com
Attorneys for American Cement Corporation

STATE OF COLORADO)
) SS:
COUNTY OF DENVER)

Subscribed and sworn to before me this 2nd day of December, 2009, by Mark J. Mathews, Esq.

My commission expires: 6/6/2012

Notary Public

SEAL

JENNIFER L. COX NOTARY PUBLIC STATE OF COLORADO

My Commission Expires June 6, 2012

STATE OF COLORADO)
) SS:
COUNTY OF DENVER)

Subscribed and sworn to before me this 2nd day of December, 2009, by Adam T. DeVoe, Esq.

My commission expires: 6/6/2012

Notary Public

SEAL

JENNIFER L. COX NOTARY PUBLIC STATE OF COLORADO

My Commission Expires June 6, 2012

STATE OF COLORADO)
) SS:
COUNTY OF DENVER)

Subscribed and sworn to before me this 2nd day of December, 2009, by Bret A. Fox, Esq.

My commission expires: 6/6/2012

Notary Public

SEAL

JENNIFER L. COX NOTARY PUBLIC STATE OF COLORADO

My Commission Expires June 6, 2012

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Certificate of Service

I certify that one original and nine copies of the foregoing **Motion for Admission Pro Hac Vice** were filed with the hearing clerk on the 3rd day of December, 2009, and by same date submitted by email and certified mail, return receipt requested, to the following:

Kyle Silfer, Petitioner
4465 Jupiter NW
Albuquerque, NM 87107

and by same date submitted by email to the following:

Adelia W. Kearny
Deputy City Attorney
Room 4015
One Civic Plaza NW
Albuquerque, NM 87102

and by same date submitted by hand delivery to Janice Wright for the following:

Jens Deichman, Hearing Officer and Board Chair
Albuquerque-Bernalillo County Air Quality Control Board
c/o Janice Wright, Hearing Clerk
Environmental Health Department
1 Civic Plaza NW
City & County Building
3rd Floor, Room 3023
Albuquerque, NM 87102

Bill Grantham, Esq., AQCB Legal Counsel
c/o Janice Wright, Hearing Clerk
Environmental Health Department
1 Civic Plaza NW
City & County Building
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Albuquerque, NM 87102

Robin Gomez
Paralegal

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