

IN THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

DOCKET No. 03-E-0106

In the Matter of the Liquidation of  
The Home Insurance Company

**VERIFIED MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE***

Viad Corp ("Viad"), by and through its undersigned counsel, and pursuant to New Hampshire Sup. Ct. Rule 19, moves for the admission of David H. Simmons, Esq. *Pro Hac Vice*, and states as follows:

1. David H. Simmons, Esq., of the firm of deBeaubien, Knight, Simmons, Mantzaris & Neal, LLP, 332 No. Magnolia Ave., Orlando, FL 32801 (407-422-2454), is co-counsel for Viad in this action and desires permission to practice before this Court in this action for all purposes.

2. David H. Simmons' home address is 271 Shell Point East, Maitland, Florida.

3. Viad Corp's address is 1850 North Central Avenue, Suite 800, Phoenix, AZ 85077, telephone number (602) 207-4000.

4. David H. Simmons was admitted to the Bar of the State of Florida in 1977, and he was admitted to practice and is a member in good standing before the United States Supreme Court, the United States District Court for the Middle District of Florida, the United States District Court for the Southern District of Florida, and the United States 11<sup>th</sup> Circuit Court of Appeals. Further, he is certified by the Florida Bar in both

Civil Trial Law and Business Litigation, and is certified by the National Board of Trial Advocacy in Civil Trial Litigation.

5. David H. Simmons has never sought nor been denied admission *pro hac vice* in the State of New Hampshire, has never had a *pro hac vice* admission revoked, nor has the undersigned been formally or informally disciplined or sanctioned by any court in the State of New Hampshire.

6. David H. Simmons has had no formal or written disciplinary proceeding brought against him within the last five (5) years.

7. David H. Simmons has not ever been formally held in contempt or otherwise sanctioned by any court in a written order for disobedience to its rules or orders.

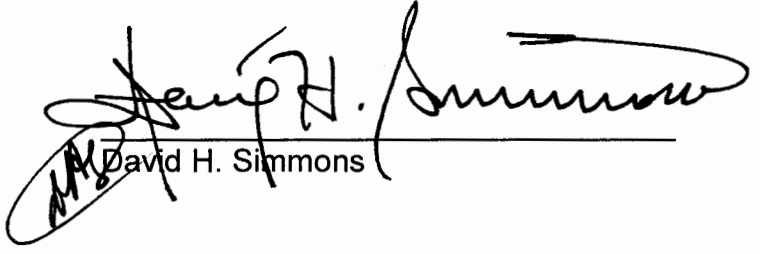
8. David H. Simmons has not sought admission *pro hac vice* in any other court or agency within the State of New Hampshire within the last two (2) years.

9. David H. Simmons agrees to and will comply with all rules regulating the practice of law in the State of New Hampshire and before the Superior Court, including but not limited to: the Superior Court Rules and all local rules applicable to the case at bar.

10. Peter Callaghan, Esq., of Preti, Flaherty, Beliveau, Pachios & Haley, LLP, 57 N. Main St., Concord, NH, 03302-1318, telephone number (603) 410-1500, is a member of the bar of the State of New Hampshire and will remain associated with David H. Simmons in this case, and will be present at any trial or hearing.

WHEREFORE, in accordance with the provisions of Superior Court Rule 19, it is respectfully requested that the Court admit David H. Simmons to practice before the Court on behalf of Viad Corp, a policy holder/claimant in the above-styled action.

Respectfully submitted,


  
David H. Simmons

STATE OF FLORIDA  
COUNTY OF ORANGE

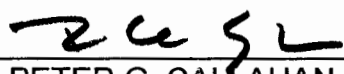
The foregoing instrument was sworn to and subscribed before me this 2nd day of Feb, 2005, by DAVID H. SIMMONS, who is personally known to me and who did take an oath and says that this Verified Motion for Admission of Counsel Pro Hac Vice was executed for the purposes stated herein, and that the matters alleged herein are true and correct.



JESSICA A. TORRENCE  
MY COMMISSION # DD 229747  
EXPIRES August 9, 2007  
Bonded Thru Budget Notary Services

  
Print Name: Jessica A. Torrence  
Notary Public, State of Florida  
My Commission Expires:  
Commission No.:

PRETI, FLAHERTY, BELIVEAU,  
PACHIOS & HALEY, LLP

By:   
PETER G. CALLAHAN, ESQ.  
57 N. Main Street  
P.O. Box 1318  
Concord, NH 03302-1318  
(603) 410-1500

Dated: 2/10/05

CERTIFICATE OF SERVICE

I, Peter Callaghan, do hereby certify that on 2/18, 2005, I served a true copy of the foregoing upon Ronald Snow, Esq., of Orr & Reno, One Eagle Square, P.O. Box 3550, Concord, New Hampshire 03302-3550 and Peter C. L. Roth, Esq., Senior Assistant Attorney General, Environmental Protection Bureau, New Hampshire Department of Justice, 33 Capital Street, Concord, New Hampshire 03301-6397, by first class mail, postage prepaid.

Dated: 2/18/05

P. Callaghan