

IN THE SUPREME COURT FOR THE STATE OF TENNESSEE

FILED  
APR 19 2018  
Clerk of the Appellate Courts  
Rec'd By \_\_\_\_\_

OPRY MILLS MALL LIMITED )  
PARTNERSHIP, ET AL., )  
 )  
Petitioners/Appellants/Plaintiffs, )  
 )  
v. )  
 )  
ARCH INSURANCE COMPANY, )  
ET AL., )  
 )  
Respondents/Appellees/Defendants. )

Court of Appeals No.  
M2016-01763-COA-R3-CV

Supreme Court No.  
M2016-01763-SC-R11-CV

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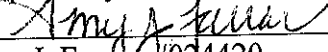
MOTION FOR ADMISSION *PRO HAC VICE*

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Pursuant to Tennessee Supreme Court Rule 19, Marshall Gilinsky, Esq., of the law firm Anderson Kill P.C., in New York, New York, an attorney licensed and principally practicing in the State of New York, in association with Amy Farrar and the law firm of FARRAR | WRIGHT, PLLC, as Co-Counsel for proposed *amicus curiae*, United Policyholders, file this Motion for Admission *Pro Hac Vice* of Marshall Gilinsky. In support of this Motion, the Affidavit of Marshall Gilinsky is attached as **Exhibit 1** and the Certificate of Good Standing from the State of New York is attached as **Exhibit 2**.

WHEREFORE, the undersigned counsel respectfully move this Honorable Court for the *pro hac vice* admission of Marshall Gilinsky as Co-Counsel for proposed *amicus curiae* United Policyholders in this case and move this Court to enter an Order without the necessity of a hearing.

Respectfully submitted,

  
\_\_\_\_\_  
Amy J. Farrar, #024420  
FARRAR | WRIGHT, PLLC  
122 North Church Street  
Murfreesboro, TN 37130  
(615) 800-4747  
amy@farrarwright.com

~~Marshall Gilinsky, with permission, Amy J. Farai~~  
Marshall Gilinsky, Esq. #024430  
ANDERSON KILL P.C.  
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42nd Floor  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon the following counsel of

record on April 19, 2018, by U.S. Mail:

Byron R. Trauger  
Paul W. Ambrosius  
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222 Fourth Avenue North  
Nashville, TN 37219

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303 Peachtree Street, NE, Suite 5300  
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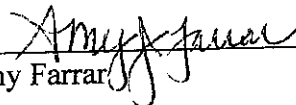
Donald Capparella (No. 011239)  
DODSON PARKER BEHM &  
CAPPARELLA, P.C.  
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Nashville, TN 37208

Andrew J. Detherage  
Charles P. Edwards  
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11 South Meridian Street  
Indianapolis, Indiana 46204

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Washington, DC 20006

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Edmund S. Sauer  
Kimberly M. Ingram  
BRADLEY ARANT BOULT CUMMINGS  
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1600 Division Street, Suite 700  
Nashville, TN 37203

  
\_\_\_\_\_  
Amy Farrar

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AFFIDAVIT FOR ADMISSION PRO HAC VICE OF MARSHALL GILINSKY

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STATE OF CALIFORNIA )  
 ) ss.:  
COUNTY OF LOS ANGELES )

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, Marshall Gilinsky, who after being duly sworn, did state under oath as follows:

1. My name is Marshall Gilinsky, I am over the age of 18 and competent to make this affidavit. The statements made herein are based on my personal knowledge.

2. I wish to appear as counsel *pro hac vice* before the Tennessee Supreme Court on behalf of proposed *Amicus Curiae*, United Policyholders, in the above-styled case, and am submitting this Affidavit pursuant to Tennessee Supreme Court Rule 19.

3. My full name is "Marshall Gilinsky." My residence address is 107 Hobart Road, Newton, MA 02459. My office address is 1251 Avenue of the Americas, 42<sup>nd</sup> Floor, New York, New York, 10020, Telephone: (212) 278-1000, Facsimile: (212) 278-1233, E-mail: mgilinsky@andersonkill.com.



4. I have been admitted to practice law in the following jurisdictions as of the dates set forth:

<b>Court Name</b>	<b>Date Admitted</b>	<b>Bar Number</b>
Massachusetts	10/14/16	569181
Vermont	02/11/2013	5016
Colorado	03/01/1999	030439
New York	02/05/1996	2735140
District of Columbia	06/09/2014	1020978
United States District Court for the Southern District of New York	02/22/2000	MG8398
United States District Court for the Eastern District of New York	07/17/2001	MG8398
United States District Court for the Western District of New York	04/29/2005	MG8393
U.S. Court of Appeals, Eighth Circuit	05/01/2015	
United States District Court for the District of Connecticut	09/01/2006	Ct22022
United States District Court for the District of Vermont	04/12/2013	668398
U.S. Court of Appeals, Second Circuit	09/19/2012	

5. I am currently licensed in good standing to practice law in each jurisdiction listed in paragraph 4 above.

6. I have been admitted *pro hac vice* in 2016, 2017 and 2018 in the chancery court for the thirtieth judicial district at Memphis, as counsel for Wright Medical Group, Inc. and Wright Medical Technology, Inc., in the matter styled St. Paul Insurance Lines Insurance Company v. Wright Medical Group, Inc., et al., docket no. CH-14-0927-3.

7. I am not currently suspended or disbarred by any jurisdiction in which I have been admitted, and I have never been disciplined or sanctioned by the Board of Professional Responsibility of the Supreme Court of Tennessee, by any similar lawyer disciplinary agency in any jurisdiction, or by any similar lawyer disciplinary authority.

8. No disciplinary action or investigation concerning my conduct is pending before the Board of Professional Responsibility of the Supreme Court of Tennessee, before any similar lawyer disciplinary agency in any jurisdiction, or before any similar lawyer disciplinary authority.

9. I have never been denied admission *pro hac vice* or had an admission *pro hac vice* revoked by any court in any jurisdiction.

10. I am familiar with the Tennessee Rules of Professional Conduct and the rules governing the proceedings of the Tennessee Supreme Court.

11. I consent to the disciplinary jurisdiction of the Board of Professional Responsibility of the Supreme Court of Tennessee and the courts or agencies of Tennessee any in any matter arising out of my conduct in this proceeding and agree to be bound by the Tennessee Rules of Professional Conduct and any other rules of conduct applicable to lawyers generally admitted in Tennessee.

12. Amy Farrar is my sponsoring and associating attorney. She is licensed to practice law in Tennessee, is in good standing, and is admitted to practice before the Supreme Court of Tennessee. Her Board of Professional Responsibility number is 024420. She resides in and maintains an office in Tennessee. Her office address is 122 North Church Street, Murfreesboro, Tennessee, 37130, and her office telephone number is (615) 800-4747. Amy

Farrar is a member in good standing with this Court and the Tennessee Board of Professional Responsibility, and will participate as required under Tennessee Supreme Court Rule 19.

13. I have paid all fees required by Tennessee Supreme Court Rule 19 in connection with my motion for admission.

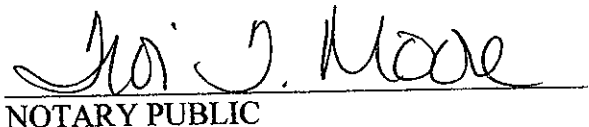
14. I hereby certify that I have caused a copy of this Affidavit, my motion for *pro hac vice* admission, and all associated papers to be served upon all counsel of record in this cause and upon the Board of Professional Responsibility of the Supreme Court of Tennessee.

I declare under penalty of perjury that the foregoing is true and correct.



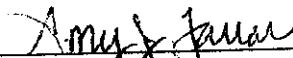
Marshall Gilinsky

SUBSCRIBED TO AND SWORN BEFORE ME on this 18<sup>th</sup> day of April, 2018.

  
NOTARY PUBLIC

CERTIFICATE OF LOCAL ATTORNEY

I hereby certify that I am a member in good standing of the Tennessee Bar and that I have agreed to be associated with Marshall Gilinsky this cause.



Amy J. Farrar, #024420  
FARRAR | WRIGHT, PLLC  
122 North Church Street  
Murfreesboro, TN 37130  
(615) 800-4747  
amy@farrarwright.com

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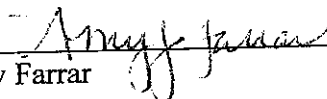
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1600 Division Street, Suite 700  
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\_\_\_\_\_  
Amy Farrar



Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department

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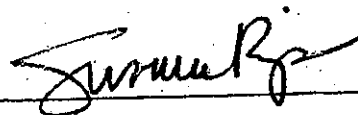
I, Susanna Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**MARSHALL NATHAN GILINSKY**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on February 5, 1996, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this court on

April 17, 2018



Clerk of the Court

2557

