

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

STANDING ORDER REGARDING PRO HAC VICE MOTIONS

WHEREAS under District of Delaware Local Rule 83.6(d), “all attorneys admitted or authorized to practice before this Court, including attorneys admitted on motion or otherwise, shall be governed by the Model Rules of Professional Conduct of the American Bar Association”;

WHEREAS under American Bar Association (ABA) Model Rule of Professional Conduct 5.4, a “lawyer or law firm shall not share legal fees with a nonlawyer,” a “lawyer shall not form a partnership with a nonlawyer if any of the activities of the partnership consist of the practice of law,” and a “lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if: a nonlawyer owns any interest therein . . . [or] a nonlawyer has the right to direct or control the professional judgment of a lawyer,” Model Rules of Pro. Conduct r. 5.4(a), (b), and (d)(1), (3);

WHEREAS at least two states and the District of Columbia have amended their rules of professional conduct to allow nonlawyers to hold a financial interest and exercise managerial authority in a law firm, *see* Ariz. Code of Jud. Admin. § 7-209 (authorizing the practice of law by an “[a]lternative business structure,” “a business entity that includes nonlawyers who have an economic interest or

decision-making authority in the firm and provides legal services”); Utah Rules of Pro. Conduct r. 5.4(d) (“A lawyer may practice law with nonlawyers, or in an organization, including a partnership, in which a financial interest is held or managerial authority is exercised by one or more persons who are nonlawyers”); D.C. Rules of Pro. Conduct r. 5.4(b) (“A lawyer may practice law in a partnership or other form of organization in which a financial interest is held or managerial authority is exercised by an individual nonlawyer who performs professional services which assist the organization in providing legal services to clients”);

WHEREAS it appears that certain law firms of lawyers who have been or are currently admitted *pro hac vice* in this Court have considered or are considering allowing nonlawyers to hold an ownership interest and exercise managerial authority in those firms, *see, e.g.*, Emily Sawicki & Alison Knezevich, *McDermott Exploring Selling Stake to Private Equity* (Nov. 12, 2025), <https://www.law360.com/pulse/articles/2409986> [<https://perma.cc/QGX4-AM7F>]; Marialuisa Taddia, *Quinn Emanuel Founder ‘Open’ to Private Equity Investment* (Dec. 5, 2025), <https://www.law360.com/pulse/articles/2417573> [<https://perma.cc/D4WD-QYEL>]; and

WHEREAS ABA Model Rule 5.4’s prohibitions are “directed mainly against entrepreneurial relationships with nonlawyers and primarily are for the

purpose of protecting a lawyer's independence in exercising professional judgment on the client's behalf free from control by nonlawyers," A.B.A. Comm. on Ethics & Pro. Resp., Formal Op. 423 (2001).

NOW THEREFORE, at Wilmington on this Seventh Day of April in 2026, it is HEREBY ORDERED that any attorney seeking admission *pro hac vice* in a case assigned to the undersigned judge shall complete and file with the Court either the Certification attached hereto as Exhibit A-1 or the Certification attached hereto as Exhibit A-2 as appropriate.

A handwritten signature in blue ink, appearing to read "John F. Condy", is written over a horizontal line.

CHIEF JUDGE

EXHIBIT A-1

CERTIFICATION FOR PRO HAC VICE ADMISSION OF LAWYER
WHO DOES NOT PRACTICE WITH OR IN THE FORM OF
A PROFESSIONAL CORPORATION OR ASSOCIATION
AUTHORIZED TO PRACTICE LAW FOR PROFIT

I certify that I do not practice law with or in the form of a professional corporation or association authorized to practice law for profit.

I certify that I am eligible for admission to this Court; that I am admitted, practicing, and in good standing as a member of the Bar of _____; and that pursuant to District of Delaware Local Rule 83.6 I submit to the disciplinary jurisdiction of this Court for any alleged misconduct that occurs in the preparation or course of this action. I also certify that I am generally familiar with this Court's Local Rules.

In accordance with the Standing Order on Attorney Registration and Pro Hac Vice Fees, I further certify that the fee of \$50.00 has been submitted to the Clerk's Office upon the filing of this motion.

I further certify that:

1. With the exception of the circumstances listed in Rule 5.4(a)(1)–(4) of the Model Rules of Professional Conduct of the American Bar Association, neither I nor my law firm shares or will share legal fees with a nonlawyer;

2. I do not participate with a nonlawyer in a partnership that engages in any activity that consists of the practice of law; and
3. I will not permit a person who recommends, employs, or pays me or my law firm to render legal services for another person or persons to direct or regulate my professional judgment or the professional judgment of a lawyer in my firm in rendering such legal services.

Date

Applicant's Signature
(Applicant's Law Firm and Address)

EXHIBIT A-2

CERTIFICATION FOR PRO HAC VICE ADMISSION OF LAWYER
WHO PRACTICES WITH OR IN THE FORM OF
A PROFESSIONAL CORPORATION OR ASSOCIATION
AUTHORIZED TO PRACTICE LAW FOR PROFIT

I certify that I practice law with or in the form of a professional corporation or association authorized to practice law for profit.

I certify that I am eligible for admission to this Court; that I am admitted, practicing, and in good standing as a member of the Bar of _____; and that pursuant to District of Delaware Local Rule 83.6 I submit to the disciplinary jurisdiction of this Court for any alleged misconduct that occurs in the preparation or course of this action. I also certify that I am generally familiar with this Court's Local Rules.

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2. I do not participate with a nonlawyer in a partnership that engages in any activity that consists of the practice of law;
3. I will not permit a person who recommends, employs, or pays me or my law firm to render legal services for another person or persons to direct or regulate my professional judgment or the professional judgment of a lawyer in my firm in rendering such legal services;
4. With the exception of a fiduciary representative of the estate of a lawyer for a reasonable time during the administration of the estate, no nonlawyer owns any interest in my law firm;
5. No nonlawyer is a director or officer or occupies a position of similar responsibility in the firm; and
6. No nonlawyer has the right to direct or control my professional judgment or the professional judgment of a lawyer in my firm.

Date

Applicant's Signature
(Applicant's Law Firm and Address)