

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

BRIAN MCCREARY,
Defendant.

Criminal No. 21-CR-125-BAH

**CONSENT MOTION FOR ADMISSION *PRO HAC VICE*
TO ADMIT JEFFREY A. DENNER**

COMES NOW counsel Richard D. Heideman, and respectfully moves the admission, *pro hac vice*, of Jeffrey A. Denner, as Lead Counsel representing Defendant Brian McCreary, in the above-captioned case and in support thereof states:

1. I am an attorney in good standing of the Bar of the District of Columbia, Maryland, Indiana, Wyoming and Kentucky. I am in good standing and have been admitted to practice before U.S. District Courts for the District of Columbia, District of Maryland, Southern District of Indiana, Eastern District of Kentucky, District Court for the District of Wyoming, U.S. Court of Appeals for the Fourth Circuit, U.S. Court of Appeals for the Sixth Circuit, U.S. Court of Special Appeals for Maryland and the U.S. Court of Appeals for the District of Columbia as well as the United States Supreme Court;
2. I am a partner and Senior Counsel in the firm of Heideman Nudelman & Kalik, PC, with offices within the District of Columbia;
3. I am entering my Notice of Appearance in this matter for the Defendant Brian McCreary as local counsel for Lead Counsel, Jeffrey Denner, who a member in good standing in the Bar of Massachusetts with offices of 607 North Ave, Bldg. 18, 2nd Floor, Wakefield, MA 01880, telephone number: 617-227-2800, who per his Declaration, attached hereto, provides the necessary required information for admission *pro hac vice*;
4. As indicated above, I am attaching hereto said Declaration, signed under the penalties of perjury by Mr. Denner, as well as a certified copy of his Certificate of Good Standing as a lawyer in the Commonwealth of Massachusetts;
5. I know Mr. Denner to be an attorney of 48 years' experience, primarily in criminal defense, and respectfully suggest that he meets all of requirements for admission *pro hac vice* in this District; and

6. Mr. Denner has discussed with me that he has familiarized himself with the local rules of our Federal District Bar, as well as having an excellent working knowledge of Federal Rules of Evidence and the Federal Rules of Criminal Procedure, and relevant decisional law, which he has gained in the approximately five decades he has practiced federal criminal defense in Massachusetts in which he is licensed, as well as in multiple other federal jurisdictions where he has been admitted *pro hac vice*.
7. I have communicated with the AUSA assigned to this matter and they have indicated their consent Mr. Denner's appearance *pro hac vice*.

WHEREFORE it is respectfully moved that Mr. Denner's request for admission *pro hac vice* be granted.

Dated: June 30, 2021

Respectfully submitted,

HEIDEMAN NUDELMAN & KALIK P.C.
5335 Wisconsin Ave., Suite 440
Washington, D.C. 20015
Telephone: 202-463-1818
Telefax: 202-463-2999

By: /s/Richard D. Heideman
Richard D. Heideman (Bar No. 377462)

Attorney for Defendant

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Criminal No. 21-CR-125

**DECLARATION OF JEFFREY A. DENNER IN SUPPORT OF MOTION FOR
ADMISSION *PRO HAC VICE***

I, Jeffrey A. Denner, applicant for admission *pro hac vice* in the matter of United States v. Brian McCreary, Criminal No. 21-CR-125, under oath, do depose and swear that :

1. I am a graduate of Yale College (1969) and Harvard Law School (1973);
2. I am a licensed attorney in good standing in the Commonwealth of Massachusetts and have been continuously so since 1973 (Bar # 120520);
3. I have also been admitted to practice *pro hac vice* in multiple state and federal jurisdictions on trial and appellate levels. I am also admitted to practice before the United States Supreme Court as well various Courts of Military Appeal and Review;
4. I have not appeared *pro hac vice* within the last two years in the United States District Court for the District of Columbia;
5. My office is presently located at 607 North Ave, Bldg. 18, 2nd Floor, Wakefield, MA 01880, Phone # 617-227-2800;
6. In the 48 years I have practiced I have received a public reprimand for an incident that occurred in 2012 in which I agreed that I had not fully explained my scope of engagement with a client nor had I returned any unused portion of the fee that my firm had charged. I took fully responsibility for this, and still do, despite the fact that I was not at all times the primary working attorney on this case, but was the originating attorney who also had contact with the client;
7. I have originated and/or litigated probably 7,500 cases over the last five decades, most frequently criminal cases and often in a federal venue;

8. I am very familiar with the Federal Rules of Evidence and Federal Rules of Criminal Procedure and have familiarized and continue to familiarize myself with the local rules of the District of Columbia and of course agree to abide by all of same and be fully accountable therefore;
9. I am attaching hereto a Certificate of Good Standing from the Commonwealth of Massachusetts.

Dated: June 21, 2021

Respectfully submitted,

/s/ Jeffrey A. Denner

Jeffrey A. Denner, BBO# 120520
Jeffrey Denner Associates, PC
607 North Ave. Suite 18
Wakefield, Massachusetts 01880
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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

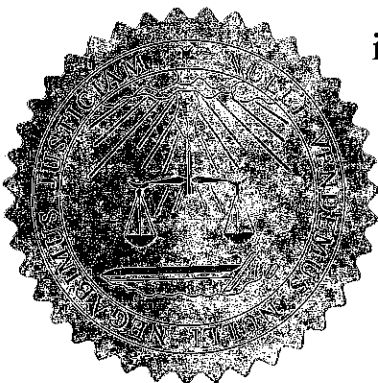
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twelfth** day of **December** A.D. **1973**, said Court being the highest Court of Record in said Commonwealth:

Jeffrey A. Denner

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **third** day of **March**

in the year of our Lord **two thousand and twenty-one**.



Maura S. Doyle

MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.
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ORDER

This matter having come before the Court on Attorney, Richard D. Heideman's Motion to Admit *Pro Hac Vice*, Attorney Jeffrey A. Denner as lead counsel representing Defendant, Brian McCrary, in the above captioned case,

And the Court having been sufficiently advised, IT IS HEREBY ORDERED that said motion is GRANTED and Jeffrey A. Denner shall be admitted to practice *pro hac vice* to represent the Defendant in this matter before the Court.

In accordance with the Rules of this Court, Mr. Denner shall register with the Clerk of Court for the ECF system.

IT IS SO ORDERED on this the ____ day of June, 2021.

Hon. Beryl A. Howell
Chief Judge, United States District Court
District of Columbia