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19 *Counsel for Plaintiff*  
*Pacira Pharmaceuticals, Inc.*

21 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

23 PACIRA PHARMACEUTICALS, INC.,

24 Plaintiff,

25 v.

26 RESEARCH DEVELOPMENT FOUNDATION,

27 Defendant.  
28

Case No. 2:21-cv-02241-CDS-DJA

**JUSTIN BOVA'S UNOPPOSED MOTION  
TO WITHDRAW AS COUNSEL AND TO  
BE REMOVED FROM CM/ECF SERVICE  
LIST**

1 Pursuant to LR IA 11-6(b), Justin Bova, who has appeared *pro hac vice* in this action as  
2 counsel, respectfully moves this Court for an order permitting him to withdraw as counsel for  
3 Pacira Pharmaceuticals, Inc. (“Pacira”) and to be removed from the CM/ECF service list. Research  
4 Development Foundation (“RDF”) does not oppose the motion.

5 This Motion is made and based upon the Memorandum of Points and Authorities submitted  
6 herein, the Declaration of Justin Bova attached hereto, the pleadings and papers on file herein, and  
7 any argument adduced at any hearing of this motion.

8 DATED: January 5, 2024

Respectfully submitted,

9 /s/ Debra L. Spinelli

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26 *Counsel for Plaintiff*  
27 *Pacira Pharmaceuticals, Inc.*  
28

1 **I. MEMORANDUM OF POINTS AND AUTHORITIES**

2 **A. Mr. Bova’s Withdrawal is Appropriate.**

3 Mr. Bova moves the Court pursuant to LR IA 11-6(b) for leave to withdraw his appearance  
4 as counsel for Pacira in the above-captioned matter. This Motion is precipitated by Mr. Bova’s  
5 departure from the Kirkland & Ellis, effective January 12, 2024. Gregg LoCascio, Ronald K.  
6 Anguas, Jr., Ryan Kane, and Andrew Walter, all of Kirkland & Ellis, LLP (“Kirkland & Ellis”),  
7 and Debra L. Spinelli, of Pisanelli Bice, will remain as Pacira’s counsel in this matter.

8 LR IA 11-6(b) provides that “[i]f an attorney seeks to withdraw after appearing in a case,  
9 the attorney must file a motion or stipulation and serve it on the affected client and opposing  
10 counsel.” Kirkland & Ellis and thereby Pacira received notice of Mr. Bova’s intent to withdraw  
11 from this case, and all other Kirkland & Ellis cases, upon Mr. Bova’s final day of employment  
12 with Kirkland & Ellis, January 12, 2024. Research Development Foundation (“RDF”) and its  
13 counsel will receive notice of this Motion to Withdraw via the CM/ECF system, pursuant to the  
14 Certificate of Service attached herein. RDF’s counsel was notified of this motion on January 5,  
15 2024, and does not oppose.

16 Finally, LR IA 11-6(e) provides that “no withdrawal . . . will be approved if it will result  
17 in delay of discovery, the trial, or any hearing in the case.” Here, no delay of any kind will result  
18 from Mr. Bova’s withdrawal, as Messrs. LoCascio, Anguas, Kane, and Walter of Kirkland & Ellis,  
19 and Ms. Spinelli of Pisanelli Bice, will continue as counsel for Pacira. Mr. Bova’s withdrawal will  
20 not prejudice either party or delay any proceeding in this matter.

21 **B. Removal of Mr. Bova from the CM/ECF Service List Is Also Appropriate.**

22 Given Mr. Bova’s withdrawal in this matter, the ministerial act of removing his name from  
23 the email service list is appropriate because Mr. Bova will no longer represent any party in this  
24 action.

25 **II. CONCLUSION**

26 For the reasons set forth above, Mr. Bova respectfully requests this Court enter an Order  
27 approving his withdrawal as a representing attorney for Pacira in the instant matter; and removal  
28 of justin.bova@kirkland.com from the CM/ECF service list.

1 DATED: January 5, 2024

2 Respectfully submitted,

3 */s/ Debra L. Spinelli*

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28 *Counsel for Plaintiff*  
*Pacira Pharmaceuticals, Inc.*

22 **IT IS SO ORDERED.**

23 DATED: 1/8/2024

24   
25 \_\_\_\_\_  
26 DANIEL J. ALBREGTS  
27 UNITED STATES MAGISTRATE JUDGE  
28

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC and that on January 5, 2024, and pursuant to Fed. R. Civ. P. 5, a copy of the foregoing was served via the Court's electronic filing system to all parties listed for CM/ECF service.

*/s/ Cinda Towne*  
Cinda Towne

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Case No. 2:21-cv-02241-CDS-DJA

**DECLARATION OF JUSTIN BOVA IN  
SUPPORT OF UNOPPOSED MOTION TO  
WITHDRAW AS COUNSEL AND TO BE  
REMOVED FROM CM/ECF SERVICE  
LIST**

1 I, Justin Bova, declare under penalty of perjury:

2 1. I am an attorney duly admitted to practice law in the State of New York and am  
3 admitted *pro hac vice* in this Court.

4 2. I am associated with the law firm of Kirkland & Ellis LLP, and one of the counsel  
5 of record for Plaintiff Pacira Pharmaceuticals, Inc. (“Pacira”) in this action.

6 3. I have personal knowledge of the facts stated in this declaration, and if called upon  
7 to do so, could and would competently testify thereto.

8 4. I make this declaration in support of my Motion to Withdraw as Counsel and To  
9 Be Removed from the CM/ECF Service List.

10 5. As of January 12, 2024, I will no longer be employed with Kirkland & Ellis LLP.

11 6. Gregg LoCascio, Ronald K. Anguas, Jr., Ryan Kane, and Andrew Walter, of  
12 Kirkland & Ellis LLP, will remain as counsel for Pacira notwithstanding my withdrawal. Debra  
13 L. Spinelli, of Pisanelli Bice, also will remain as Pacira’s counsel in this matter.

14 7. My withdrawal will not result in delay of discovery, hearings, or any trials in this  
15 action.

16 8. On January 5, 2024, counsel for Research Development Foundation was notified  
17 of my Motion to Withdraw as Counsel and To Be Removed from the CM/ECF Service List and  
18 noted that they were unopposed to the Motion.

19 I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is  
20 true and correct.

21 EXECUTED this 5 day of January, 2024.

22  
23 /s/ Justin Bova  
JUSTIN BOVA