

1 M. Paul Fischer (I.D. No. 002579)

2 THE LAW FIRM OF  
3 M. PAUL FISCHER, P.C.  
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9 Attorneys for Plaintiffs

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **IN THE PHOENIX DIVISION, DISTRICT OF ARIZONA**

12 PAUL LANCE RAMIREZ,

13 Plaintiff,

14 vs.

15 ARIZONA PUBLIC SERVICE  
16 COMPANY, a Arizona Corporation d/b/a  
17 APS; ABC CORPORATIONS I-X;  
18 BLACK AND WHITE  
19 PARTNERSHIPS I-X; JOHN DOES I-X,

20 Defendant.

No. CV04-2955-PHX-SRB

**PLAINTIFF'S COUNSEL'S EX  
PARTE MOTION TO WITHDRAW  
AS ATTORNEY OF RECORD WITH  
CONSENT**

21 M. Paul Fischer, Esq., with THE LAW FIRM OF M. PAUL FISCHER, P.C., is  
22 the attorney of record for the Plaintiff, PAUL LANCE RAMIREZ, in the above  
23 captioned matter. Undersigned counsel moves at this time for the Court to issue an order  
24 permitting him to withdraw as the attorney of record in this case pursuant to Local Rule  
25 83.3(b)(1) United States District Court Rules. This request is made pursuant to the  
26 consent and agreement of the Plaintiff (See exhibit "1" attached hereto).

The reason for this request to withdraw is because there has been a substantial  
breakdown in communication between undersigned counsel and Plaintiff that would  
make it impossible for undersigned counsel to proceed in representation of this case. It

1 would be in the best interests of the client to seek and obtain new counsel to proceed with  
2 this case.

3 The case is currently scheduled for trial March 13, 2007. Plaintiffs have been  
4 notified in writing of the status of the case, pending compliance with any Court Orders,  
5 and the possibility of sanctions by way of correspondence dated August 3, 2006 (See  
6 exhibit "2" attached).

7 All further correspondence should be directed to Plaintiffs at the last known  
8 address below:

9 Paul Lance Ramirez  
10 514 East Rockwood Drive  
11 Phoenix, AZ 85024  
12 623 516 1231

13 **WHEREFORE**, undersigned counsel respectfully requests that the Court relieve  
14 it of any further responsibility in this matter by permitting The Law Firm of M. Paul  
15 Fischer, P.C., and M. Paul Fischer, Esq., to withdraw as Plaintiffs' counsel.

16 **DATED** this 3<sup>rd</sup> day of August, 2006.

17  
18 THE LAW FIRM OF M. PAUL FISCHER,  
19 P.C.

20 By           /s/ M. Paul Fischer (SBN 002579)

21 M. Paul Fischer  
22 P.O. Box 5139  
23 Mesa, Arizona 85211-5139  
24 Attorneys for Plaintiff  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of August, 2006, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF Systems for filing.

and a **COPY** of the foregoing hand-delivered this date to:

Paul Lance Ramirez  
514 East Rockwood Drive  
Phoenix, AZ 85024

          /s/ Kim Welcher