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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Edward C. Pellegrini,)
Trustee of Edward)
Pellegrini Trust, Edward C.)
Pellegrini Revocable Trust,)
Pellegrini Family GS Trust;)
Plaintiff,)
v.)
Greenville M. Gooder, Jr.;)
David N. Platt; Ascension)
Asset Management, LLC;)
Westway Development, LLC;)
and Does 1 through 100)
Defendants.)

CV 11-6908 RSWL (JCGx)

**ORDER Re: Motion to
Withdraw as Counsel of
Record for Defendants
[39]**

On March 8, 2012, Defendants' Local Counsel John R. Armstrong, Thomas D. Georgianna, and Horwitz, Cron & Armstrong, LLP's ("Defendants' Local Counsel") Motion to Withdraw as Counsel of Record for Defendants Greenville M. Gooder, Jr., David N. Platt, Ascension Asset Management, LLC, and Westway Development, LLC ("Defendants") was scheduled for a hearing before this Court [39]. Defendants' Local Counsel seeks leave of the Court to withdraw from the present Action on the

1 grounds that a dispute between Defendants' Local
2 Counsel and Defendants' *pro hac vice* counsel
3 Mavromihalis, Pardalis, and Nohavicka LLP ("pro hac
4 vice counsel") has arisen as to the role and
5 responsibilities of local counsel. As a preliminary
6 matter, the Court finds that a hearing is not necessary
7 for this Matter, and as such, the Court takes this
8 Motion under submission. As to the merits of this
9 Motion, the Court having reviewed all papers submitted
10 pertaining to this Motion, **NOW FINDS AND RULES AS**

11 **FOLLOWS:**

12 Defendants' Local Counsel's Motion is hereby
13 **GRANTED.** The Court finds that Defendants' Local
14 Counsel has shown good cause to merit withdrawal in the
15 present Action. Additionally, allowing Defendants'
16 Local Counsel to withdraw from this Action would not
17 cause undue delay in prosecution. Moreover,
18 Defendants' Local Counsel has given adequate notice to
19 *pro hac vice* counsel, and the Court finds that allowing
20 withdrawal at this time would not prejudice Defendant.
21 Therefore, the Court **GRANTS** Defendants' Local Counsel
22 Motion to Withdraw as Counsel for Defendants.
23 Accordingly, John R. Armstrong, Thomas D. Georgianna
24 and Horwitz, Cron & Armstrong, LLP shall no longer be
25 the attorney of record for Defendants effective the
26 date of the filing of this Order.

27 The Court finds, however, that granting of this
28 Motion will leave Defendants without local counsel in

1 violation of Local Rule 83-2.3.3. As such, this Court
2 further orders *pro hac vice* counsel to retain new local
3 counsel.

4 Finally, Defendants' Local Counsel is HEREBY
5 ordered to give notice to *pro hac vice* counsel and all
6 Defendants of this Order. *Pro hac vice* Counsel's last
7 known contact information is as follows:

8 Address: Joseph D. Nohavicra
9 Mavromihalis, Paradlis & Nohavicra
10 34-03 Broadway, Suite 200
11 Astoria, New York 1106
12

13 **IT IS SO ORDERED.**

14 DATED: March 8, 2012

15
16 RONALD S.W. LEW

17 **HONORABLE RONALD S.W. LEW**
18 Senior, U.S. District Court Judge
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