

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

**‘O’**

Case No. 2:15-cv-05645-CAS (PLAx) Date April 5, 2017

Title MINX INTERNATIONAL, INC. v. RUE 21, INC. ET AL.

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** (IN CHAMBERS) - APPLICATION OF NIXON PEABODY LLP TO WITHDRAW AS COUNSEL OF RECORD FOR RUE 21 INC. (Dkt. 55, Filed March 10, 2017)

The Court finds this motion appropriate for decision without oral argument. Fed.R.Civ.P. 78; Local Rule 7–15. Accordingly, the hearing date of April 10, 2017, is vacated, and the matter is hereby taken under submission.

In the instant application, counsel for Rue 21, Inc. (“Rue”) explains that the interests of defendant Club House Creations, Inc. (“Club House”) and Rue have become adverse. Thus Nixon Peabody LLP’s representation of both defendants presented a conflict of interests.

On March 24, 2017, Nixon Peabody LLP requested to withdraw as counsel for Club House, dkt. 59, which the Court granted on March 27, 2017, dkt. 61. The instant application to withdraw as counsel for Rue remained pending.

Upon consideration of the Application the Court finds good cause to permit counsel to withdraw. Accordingly, the Application is **GRANTED**. Stacy Riordan and Neal Guager are hereby relieved as counsel for Rue.

On March 16, 2017, plaintiff filed a notice of partial settlement notifying the Court of its intent to file a dismissal of all claims against Rue. Dkt. 57. Rue is a corporate entity and therefore may not appear pro se. L.R. 83–2.9.2.3. Nixon Peabody, LLP shall serve a copy of this minute order on defendant Rue forthwith. Notwithstanding Rue’s apparent settlement with plaintiff and plaintiff’s indication that it will dismiss claims

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against Rue, Nixon Peabody, LLP is ordered to notify Rue of its obligation to obtain counsel, should it seek to make any further appearance in this matter.

IT IS SO ORDERED.

Initials of Preparer 00 00  
CMJ