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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPHINE FLORES,
Plaintiff,
vs.
CITY OF TULARE, et al.,
Defendants.

1:10-cv-00394-AWI-SMS

**ORDER VACATING HEARING
AND GRANTING MOTION
TO WITHDRAW AS COUNSEL
OF RECORD FOR PLAINTIFF**
(Doc. 13)

**ORDER DIRECTING CLERK TO
UPDATE DOCKET AND SERVE
PRO SE PLAINTIFF HEREWITH**

**ORDER VACATING SCHEDULING
CONFERENCE ORDER**
(Doc. 11)

**ORDER VACATING HEARING AND
DENYING MOTION TO
EXTEND DISCOVERY CUT-OFF
PURSUANT TO STIPULATION
OF COUNSEL AS MOOT**
(Doc. 14)

On February 17, 2011, Attorney William Reiland filed a motion to withdraw as counsel of record for Plaintiff, Josephine Flores (Doc. 13), set for hearing on March 18, 2011 at 9:30 a.m. in Courtroom No. 7 before the Honorable Sandra M. Snyder, United States Magistrate Judge, citing an irreconcilable conflict rendering it impossible and/or unreasonably difficult to

1 effectively represent Plaintiff herein, as well as other grounds,
2 the disclosure of which Attorney Reiland requested to reveal to
3 the Court *In Camera*. On February 25, 2011, the Court issued a
4 minute order (Doc. 15), directing Attorney Reiland to submit a
5 Confidential Declaration to the Court, by either e-mail or U.S.
6 Mail, disclosing the other grounds that exist for his withdrawal,
7 by March 7, 2011. On March 1, 2011, Attorney Reiland e-mailed a
8 Confidential Supplemental Declaration to the Court, clearly and
9 prominently marked **CONFIDENTIAL - DO NOT FILE - FOR CHAMBERS ONLY**
10 as directed, in support of his motion to be relieved as counsel
11 of record, which has been filed under seal (Doc. 16). No
12 opposition or non-opposition to the motion to withdraw has been
13 filed pursuant to Local Rule 230(c).

14 Additionally, on February 23, 2011, Attorney Reiland also
15 filed a motion to extend discovery cut-off pursuant to the
16 stipulation of counsel attached thereto (Doc. 14), to be heard
17 concurrently with the motion to withdraw on March 18, 2011.

18 This Court has reviewed and considered all documents
19 publicly filed and/or confidentially submitted in support of the
20 motions, and has determined that these matters are suitable for
21 decision without oral argument pursuant to Local Rule 230(g).

22 Local Rule 182(d) provides, in pertinent part, "Withdrawal
23 as attorney is governed by the Rules of Professional Conduct of
24 the State Bar of California, and the attorney shall conform to
25 the requirements of those Rules." See Cal.R.P.C. 3-700(C)(1)(d)
26 (permitting an attorney to withdraw from representation in a
27 pending matter when the client "renders it unreasonably difficult
28 for the member to carry out employment effectively").

1 California's rules require the notice of motion and
2 declaration to be served on the client and all other parties who
3 have appeared in the case. CRC 3.1362(d). The declaration of
4 Attorney William Reiland (Doc. 13, Page 5), as well as the proof
5 of service by mail of the motion to withdraw (Doc. 13, Page 8)
6 clearly indicate that Attorney Reiland has served all parties,
7 including his client, by both certified mail - return receipt and
8 regular mail in an abundance of caution, with all required
9 documents filed herefor.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. Attorney William Reiland's Motion to Withdraw as
12 Counsel of Record for Plaintiff, Josephine Flores, is GRANTED
13 (Doc. 13), and the hearing set March 18, 2011 at 9:30 a.m. in
14 Courtroom No. 7 before Judge Snyder is VACATED.

15 2. The Clerk's Office TERMINATE Attorney Reiland as LEAD
16 ATTORNEY/ATTORNEY TO BE NOTICED for Plaintiff in the court
17 docket, and update the court docket to reflect Pro Se Plaintiff's
18 last known contact information as follows:

19 **Josephine Flores**
20 **765 Wright Way**
21 **Tulare, CA 93274**
(559) 687-9721
PRO SE

22 3. The Scheduling Conference Order (Doc. 11), and ALL
23 deadline dates set forth therein, is/are VACATED.

24 4. Attorney William Reiland's Motion to Extend Discovery
25 Cut-Off Pursuant to the Stipulation of Counsel (Doc. 14) attached
26 thereto is DENIED as MOOT, and the hearing set March 18, 2011 at
27 9:30 a.m. in Courtroom No. 7 before Judge Snyder is VACATED.

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