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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM JAKE MILLER, individually
and doing business as MILLER HAY CO.,

Plaintiff,

v.

S&S HAY COMPANY, an Arizona limited
liability company; SKYE SAUER, an
individual; ARI SCHIFF, an individual,

Defendants.

Case No. 1:12-cv-01796-LJO-SMS

**ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL FOR
DEFENDANT SKYE SAUER**

Paul M. Crane is the attorney for each of the defendants in this matter. On July 17, 2013, he moved to withdraw as counsel for Defendant Skye Sauer. Doc. 37. The motion cited Mr. Sauer's continuing inability to make satisfactory arrangement for payment of attorney's fees and costs in the case. The motion noticed a hearing for August 14, 2013.

Mr. Crane appeared telephonically at the August 14 hearing. Mr. Sauer did not. On the record, Mr. Crane described his efforts to contact Mr. Sauer to inform him of the hearing by telephone, voicemail, and email.

The undersigned recommends that Mr. Crane's motion for leave to withdraw be granted. A client's failure to pay outstanding fees or refusal to cooperate with his attorney are grounds for withdrawal from representation. Local Rule 83-182(d) provides, in pertinent part, "Withdrawal as attorney is governed by the Rules of Professional Conduct of the State Bar of California, and the attorney shall conform to the requirements of those Rules." *See* Cal.R.P.C. 3-700(C)(1)(d)

1 permitting an attorney to withdraw from representation in a pending matter when the client “renders
2 it unreasonably difficult for the member to carry out employment effectively”) and Cal.R.P.C. 3-
3 700(C)(1)(f) (permitting an attorney to withdraw from representation in a pending matter when the
4 client “breaches an agreement or obligation to the member as to expenses or fees”).

5 California’s rules require service on the client and all other parties who have appeared in the
6 case. CRC 3.1362(d). In his motion, Mr. Crane certifies that he has served Plaintiffs and Mr. Sauer.

7 Accordingly, it is hereby ORDERED that the motion of Paul M. Crane to withdraw as
8 counsel for Defendant Skye Sauer is GRANTED.

9
10 IT IS SO ORDERED.

11 Dated: August 14, 2013

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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