

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SUSAN RIZZO, an individual,)	
)	2:12-cv-00825-GEB-DAD
Plaintiff,)	
)	
v.)	<u>ORDER GRANTING MOTION TO</u>
)	<u>WITHDRAW AS ATTORNEY OF</u>
BUTTE COUNTY OFFICE OF)	<u>RECORD</u> *
EDUCATION; HEATHER SENSKE; and)	
DOES 1 through 25, inclusive,)	
)	
Defendants.)	
_____)	

Plaintiff's attorney, Deborah Barron, moves to withdraw as counsel, and Defendants filed a statement of non-opposition to the motion. Barron avers in her Declaration that her withdrawal motion should be granted because Plaintiff "has failed to abide by the requirements of the Attorney Client Fee Agreement," and Plaintiff "insists [that Barron] pursue a course of conduct prohibited and [] renders it unreasonably difficult for [Barron] to carry [out] our employment." (Decl. of Deborah Barron, ECF No. 24, 2:13-16.) "Rule 3-700 of the California Rules of Professional Conduct of the State Bar of California provides that an attorney may request [and obtain] a withdrawal if it is unreasonably difficult for counsel to carry out his employment effectively or if the client breaches an obligation as to

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 expenses or fees." Chaker v. Adams, 10cv2599-GPC(BGS), 2012 WL 4848962
2 (S.D. Cal. Oct. 10, 2012) (citing Cal. R. Prof'l Conduct 3-700(C)(1)(d)
3 & (f)).

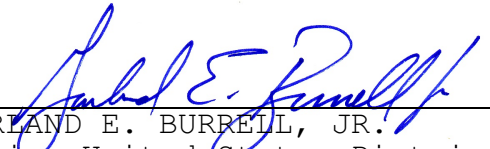
4 If Barron's withdrawal motion is granted, Plaintiff would
5 represent herself in this lawsuit. However, a scheduling order recently
6 issued in this case on February 7, 2013, and Barron has not informed the
7 Court as to whether she told her client about her obligation to comply
8 with the scheduling order. This omission could be a basis for denying
9 Barron's withdrawal motion since it is unclear whether Plaintiff
10 understands this obligation. However, since the scheduling order was
11 recently issued and Plaintiff is now informed of her obligation to
12 comply with it, counsel's withdrawal motion will not be denied on this
13 ground.

14 Accordingly, in light of the nature of the motion and the
15 status of this case, Barron's motion to withdraw as counsel is GRANTED.
16 Plaintiff Susan Rizzo's service address is as follows:

17 Susan Rizzo
18 798 Camellia Drive
19 Paradise, CA 95969

20 This action is referred to the assigned Magistrate Judge under
21 Local Rule 302(c)(21).

22 Dated: February 25, 2013

23 
24 GARLAND E. BURRELL, JR.
25 Senior United States District Judge
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