IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

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

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).

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

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

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

Susan Rizzo
798 Camellia Drive
Paradise, CA 95969

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

Dated: February 25, 2013

GARLAND E. BURRELL, JR.
Senior United States District Judge