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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 MICHAEL VASILE and SALLY ANN  
12 BURT KELSCH,

Plaintiffs,

13 v.

14 FLAGSHIP FINANCIAL GROUP, LLC,  
15 et al.,

Defendants.  
16

No. 2:12-CV-02912-KJM-CKD

ORDER

17 The motion to withdraw as counsel brought by Radoslovich Krogh, PC  
18 (“counsel”) is before the court. Counsel moves to withdraw as counsel of record for defendants  
19 JKA Enterprises, LLC, Jared Acosta, Timothy Kim and Nicholas Johnson (“defendants”) in the  
20 above-captioned matter. The motion is unopposed, and the court decides the matter without  
21 argument. For the reasons below, the court GRANTS counsel’s motion.

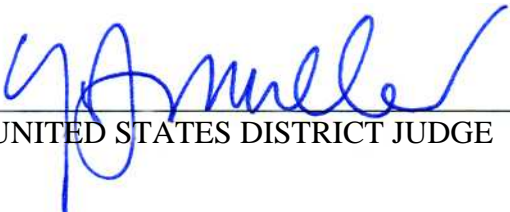
22 Withdrawal of counsel is governed by Local Rule 182(d). Under the Rule, an  
23 attorney who seeks to withdraw must (1) give notice to the client and all parties who have  
24 appeared; (2) comply with the Rules of Professional Conduct of the State Bar of California; and  
25 (3) obtain leave of court. L.R. 182(d). Professional Conduct Rule 3-700 in turn permits  
26 withdrawal where a client “breaches an agreement or obligation to the [attorney] as to expenses  
27 or fees,” provided the attorney “take[s] reasonable steps to avoid reasonably foreseeable  
28 prejudice to the rights of the client.”

1 Here, counsel has met all withdrawal requirements. As required by Local Rule  
2 182(d), counsel has provided notice to all parties who have appeared, including the represented  
3 defendants, Mot. to Withdraw 3, ECF No. 54, and filed the instant motion seeking leave.  
4 Counsel has also complied with the Rules of Professional Conduct. The motion is motivated  
5 by defendants' refusal to pay attorneys' fees and costs, and in light of the court's previous order  
6 dismissing the action as against defendants, ECF No. 47, counsel's provision of notice is  
7 sufficient to avoid prejudice to defendants.

8 Accordingly, the motion to withdraw as counsel of record for defendants JKA  
9 Enterprises, LLC, Jared Acosta, Timothy Kim and Nicholas Johnson is GRANTED.

10 IT IS SO ORDERED.

11 DATED: November 21, 2013.

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15 UNITED STATES DISTRICT JUDGE  
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