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3   UNITED STATES DISTRICT COURT

4   EASTERN DISTRICT OF CALIFORNIA

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6
    ELIAS KLAICH, individually   No. 2:14-CV-00007-GEB-AC
7   and on behalf of all others
    similarly situated,   **ORDER DENYING DEFENDANT'S
8   COUNSEL'S MOTION TO WITHDRAW AS
             Plaintiffs,   COUNSEL**
9
         v.
10
    THOMASON LAW CENTER, A
11 Professional Law Corporation
    d/b/a Client Services Advo,
12
             Defendant.
13

14   Kronick Moskovitz Tiedermann & Girard ("KMTG") moves

15 under Local Rule 182[1] for "an order permitting KMTG to withdraw

16 as counsel of record for [D]efendant Thomason Law Center

17 ("Thomason")," a professional corporation. (Notice of Motion

18 1:23-24, ECF No. 23.)

19   Local Rule 182(d) prescribes: "Withdrawal as attorney

20 is governed by the Rules of Professional Conduct of the State Bar

21 of California, and the attorney shall conform to the requirements

22 of those Rules." California Rule of Professional Conduct 3-

23 700(A)(2) prescribes: "A[n] [attorney] shall not withdraw from

24 employment until the [attorney] has taken reasonable steps to

25 avoid reasonably foreseeable prejudice to the rights of the

26 client . . . ." Here, it is unclear whether KMTG has explained

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    [1]   Counsel states it moves "pursuant to Local Rule 183" (Notice of Motion
    1:23), however, that rule governs pro se plaintiffs. Local Rule 182 governs
28 counsel's motion since it concerns attorney appearances and withdrawal.

to its client that if KMTG's withdrawal motion is granted, Defendant cannot litigate this case in federal court because a corporation must be represented by an attorney. See E.D. Cal. L.R. 183(a) ("A corporation or other entity may appear only by an attorney.").

Further, Local Rule 182(d) prescribes an attorney seeking to withdraw as counsel "shall provide an affidavit stating the current or last known address or addresses of the client." KMTG has not submitted a separate affidavit stating the current or last known address of Defendant.
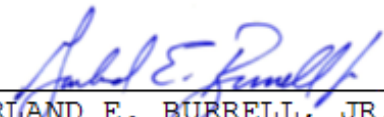
For the stated reasons, KMTG's motion for withdrawal as counsel is denied.

Dated: June 3, 2015

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