

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ELIAS KLAICH, individually  
and on behalf of all others  
similarly situated,

Plaintiffs,

v.

THOMASON LAW CENTER, A  
Professional Law Corporation  
d/b/a Client Services Advo,

Defendant.

No. 2:14-CV-00007-GEB-AC

**ORDER GRANTING DEFENDANT'S  
COUNSEL'S RENEWED MOTION FOR  
PERMISSION TO WITHDRAW AS  
COUNSEL**

Kronick Moskovitz Tiedermann & Girard ("KMTG") have  
filed a renewed motion under Local Rule 182 for "an order  
permitting KMTG to withdraw as counsel of record for [D]efendant  
Thomason Law Center," a professional law corporation. (Notice of  
Motion 1:24-25, ECF No. 27.) This renewed motion responds to the  
Court's June 3, 2015 order denying KMTG's motion for permission

1 to withdraw. Specifically, the earlier motion did not clearly  
2 state "whether KMTG [had] explained to its client that if KMTG's  
3 withdrawal motion [was] granted, Defendant [could not] litigate  
4 this case in federal court because a corporation must be  
5 represented by counsel," and was not accompanied by an "affidavit  
6 stating the current or last known address of Defendant," as  
7 required by Local Rule 182(d). (Order 1:26-2:10, ECF No. 26.)

8 In its renewed motion, KMTG provides Defendant's last  
9 known address in a declaration, and it avers that it last spoke  
10 with Defendant on March 27, 2015, at which time Defendant

11 suggested and agreed to KMTG withdrawing as  
12 attorney of record in the instant case [and]  
13 acknowledged that [as a corporate Defendant  
14 it] could not appear without [attorney]  
15 representation, but . . . felt that did not  
matter anymore. [Defendant] indicated that  
because of his financial state and his mental  
and emotional well-being, he may not be  
reachable after the March 27<sup>th</sup> call.

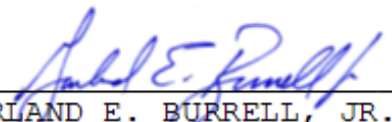
16 (Decl. June D. Coleman Supp. Mot. for Permission to Withdraw ¶¶  
17 3-4, 7 ECF No. 27-1.) KMTG also avers it has "attempted to  
18 contact [Defendant] on several occasions by telephone and email  
19 since March 27[, 2015], but [has] not received any response."  
20 (Id.) KMTG has demonstrated its withdrawal motion should be  
21 granted. Accordingly, it is granted.

22 Therefore, Plaintiff's pending class certification  
23 motion filed on February 2, 2015 is deemed withdrawn without  
24 prejudice to being re-noticed before the United States Magistrate  
25 Judge to whom this case is referred under Local Rule 302(c)(21),  
26 and the hearing on the class certification motion currently  
27 scheduled for July 13, 2015 is vacated. See E.D. Cal. R.  
28 302(c)(21) (prescribing that "all actions in which all the

1 plaintiffs or defendants are . . . in propria persona" are  
2 referred to assigned magistrate judge).

3 KMTG is no longer counsel of record for Defendant  
4 Thomason Law Center, therefore, future service on Defendant shall  
5 be sent to: 23272 Mill Creek Drive, Suite 350, Laguna Hills, CA  
6 92653.

7 Dated: June 5, 2015

8  
9  
10   
11 \_\_\_\_\_  
12 GARIAND E. BURRELL, JR.  
13 Senior United States District Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28