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6 Attorneys for Defendant Summit Receivables

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8 UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

9 LAURA NORDYKE and BONNIE  
10 NORDYKE,

11 Plaintiff,

12 v.

13 SUMMIT RECEIVABLES,

14 Defendant.

Case No.: 2:17-cv-01705-WBS-AC

**STIPULATION AND [PROPOSED]  
ORDER GRANTING MOTION FOR  
LEAVE TO WITHDRAW AS COUNSEL  
FOR DEFENDANT SUMMIT  
RECEIVABLES**

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16 **STIPULATION AND [PROPOSED] ORDER FOR WITHDRAWAL OF COUNSEL AND**  
17 **ENTRY OF CLERK DEFAULT AGAINST DEFENDANT SUMMIT RECEIVABLES**

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19 COME NOW, DEFENDANT SUMMIT RECEIVABLES; by and through its counsel of  
20 record; and ANTHONY GUADAGNA, personally:

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22 DEFENDANT SUMMIT RECEIVABLES and ANTHONY GUADAGNA, personally,  
23 hereby agree and stipulate as follows:

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25 1. To entry of clerk default against Summit Receivables;

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2           2.       To permit VERNON A. NELSON, JR., ESQ. and MARGARET G. FOLEY, ESQ.,  
3 counsel of record for Summit Receivables, to withdraw from their representation of Summit  
4 Receivables in this matter;

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6           3.       That the contents of this stipulation are expressly based on DEFENDANT  
7 SUMMIT RECEIVABLES and ANTHONY GUADAGNA's joint and mutual understanding that:

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9                   a.       DEFENDANT SUMMIT RECEIVABLES cannot be represented in this  
10 matter without counsel;

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12                   b.       In the event that ANTHONY GUADAGNA, personally, does not retain  
13 new counsel in this matter; and in the further event that PLAINTIFFS LAURA  
14 NORDYKE and BONNIE NORDYKE pursue default judgment in this matter; then  
15 DEFENDANT SUMMIT RECEIVABLES will not be represented by counsel in this  
16 matter when PLAINTIFFS LAURA NORDYKE and BONNIE NORDYKE prove up their  
17 default judgment amount;

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c. In the event that DEFENDANT SUMMIT RECEIVABLES does not retain new counsel, then ANTHONY GUADAGNA, personally, will not be able to present testimony or argument to the Court in connection with the Court’s determination of the amount of default judgment in this matter in favor of PLAINTIFFS LAURA NORDYKE and BONNIE NORDYKE, which may include damages, attorney fees, and costs.

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IT IS SO STIPULATED.

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Dated this 19<sup>th</sup> day of March, 2018.  
THE LAW OFFICE OF VERNON NELSON

Dated this 19<sup>th</sup> day of March, 2018.

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/s/ Margaret Foley

/s/ Anthony Guadagna

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VERNON A. NELSON, JR., ESQ.

ANTHONY GUADAGNA

California Bar No. 194992

CEO of Summit Receivables, LLC

16

MARGARET F. FOLEY, ESQ.

California Bar No.: 262706

In His Personal Capacity

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Attorneys for Defendant Summit Receivables

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ORDER

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Based upon the foregoing Stipulation, as well as the understanding reached on the

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record in open court during the proceeding on May 19, 2018, the Motion of VERNON A.

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NELSON, JR., ESQ. and MARGARET G. FOLEY, ESQ., counsel of record for Summit

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1 Receivables, to withdraw from their representation of Summit Receivables in this matter is hereby  
2 GRANTED.

3 Dated: March 20, 2018



4 WILLIAM B. SHUBB  
5 UNITED STATES DISTRICT JUDGE  
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