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15 *Attorneys for Defendant PICA Corporation*

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 MMCA Group, Ltd., a Virginia Corporation,  
19 Plaintiff,  
20 vs.  
21 HEWLETT-PACKARD COMPANY, a Delaware Corporation, PINKERTON CONSULTING & INVESTIGATIONS EUROPE, a foreign Corporation, PICA, an Ohio Corporation, RODOLFO DIAZ, an individual, WARREN ROTHER, an individual alien, ROBERT COZZOLINA, an individual, and KEVIN HUNSAKER, an individual.  
22 Defendants.

CASE NO.: CV-06-07067-MMC

**NOTICE OF REQUEST OF WITHDRAWAL AS COUNSEL FOR DEFENDANT PICA AND ~~PROPOSED~~ ORDER THEREON**

Judge: Hon. Maxine M. Chesney

**TO THE HONORABLE COURT AND OPPOSING COUNSEL:**

Defendant PICA, by and through the undersigned attorneys, respectfully request the following:

Defendant PICA had been represented in this matter by Luis M. Alcalde, Esq. and

1 Donald S. Simon, Esq. On January 29, 2007, Defendant PICA submitted a  
2 Motion/Application for Admission of Matthew R. Planey, Esq. *pro hac vice* to also appear  
3 in this matter as counsel for Defendant PICA. On that same date, this Court entered an  
4 Order granting said Motion/Application. Since that time, Matthew R. Planey, Esq., of the  
5 law firm of Crabbe, Brown & James, LLP in Columbus, Ohio has continued to appear on  
6 the Court docket as a counsel of record of Defendant PICA.

7 As of July 27, 2008, Luis M. Alcalde, Esq.'s relationship with the law firm of Crabbe,  
8 Brown & James, LLP ended and he became President and General Counsel of Defendant  
9 PICA. Since that time, Mr. Planey has not been actively involved in the defense of  
10 Defendant PICA. Due to an oversight, Matthew R. Planey, Esq. of the law firm of Crabbe,  
11 Brown & James, LLP remains on the Court's docket as a counsel of record of Defendant  
12 PICA. On May 7, 2009, this Court granted Mr. Alcalde's and Mr. Simon's Application to  
13 Withdraw as Counsel for Defendant PICA. In order to correct this oversight and to clear  
14 up the Court's docket, Matthew R. Planey, Esq. seeks to withdraw from representing  
15 Defendant PICA and being a counsel of record in this matter. In this regard, Defendant  
16 PICA has acquiesced to Mr. Planey's withdrawal of their legal representation herein.

17 In view of the foregoing, the undersigned attorneys respectfully request that this  
18 Honorable Court authorized the withdrawal of Mr. Planey as one of Defendant PICA's legal  
19 counsel. Defendant PICA further requests that this Court, Plaintiff and Defendants and  
20 their respective counsel cease providing notices of orders and motions to Mr. Planey with  
21 respect to this case

22 Respectfully submitted,

23  
24 Dated: May 12, 2009

s/Donald S. Simon

25 Donald S. Simon, Esq.

26 Attorney for Defendant PICA  
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Dated: May 12, 2009

s/Matthew R. Planey

Matthew R. Planey, Esq.

Crabbe, Brown & James, LLP

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~~PROPOSED~~ ORDER OF THE COURT

The request of Defendant PICA and Matthew R. Planey, Esq. that Mr. Planey be allowed to withdraw as counsel of record for Defendant PICA in this above-entitled matter is hereby APPROVED. Pursuant to Local Rule 11-5(b), papers in this action shall continue to be served upon Mr. Simon for forwarding purposes only until the earlier of (i) 30 days from the date of May 7, 2009 Order granting Mr. Simon's Application to Withdraw as Counsel for Defendant PICA, or (ii) when Defendant PICA files a Notice of New Counsel. Service of papers on Mr. Simon shall not be effective after 30 days.

Dated: May 18, 2009



Maxine M. Chesney,  
U.S. District Court Judge