

1 ROBERT A. SWIDER, *pro hac vice*
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 6
 7 Attorneys for Defendant
 8 COMPASS VISION, INC.
 9

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 12

13 LAURA FUJISAWA, et al.,
 14 Plaintiffs,

15 v.

16 COMPASS VISION, INC., et al.,
 17 Defendants.
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) CASE NO. 3:07-cv-05642-BZ
)
) **NOTICE TO COURT**
) **CONCERNING ORDER ON**
) **DIEPENBROCK HARRISON'S**
) **MOTION TO WITHDRAW**

22 _____
 23 COMPASS VISION, INC.
 24 Third-Party Plaintiff/Counter-
 25 Defendant,

26 v.

27 MAXIMUS, INC.
 28 Third-Party Defendant/Counter-
 Claimant

) Judge: Hon. Bernard Zimmerman
)
) Complaint filed: May 7, 2009
) Third Party Complaint filed: April 14,
) 2009
) Trial Date: November 29, 2010

1 Compass Vision through its pro hac vice counsel informs the Court that it is unable to
2 meet the payment terms set forth in the Order Denying Motion to Withdraw dated June 17,
3 2010. Compass Vision also notifies the Court, that the Court in the pending Southern District
4 cases has granted the Motion of Diepenbrock Harrison to withdraw as counsel and that
5 Compass Vision must have Substitution of Counsel filed in those cases by 5 PM on July 13,
6 2010. Compass Vision further advises the Court that it is in the process of finalizing
7 arrangements with replacement counsel in California and requests that if Diepenbrock
8 Harrison's withdrawal as counsel is effective immediately that the Court allow Robert Swider
9 to remain as pro hac vice counsel without local counsel until 5 PM on July 13, 2010.

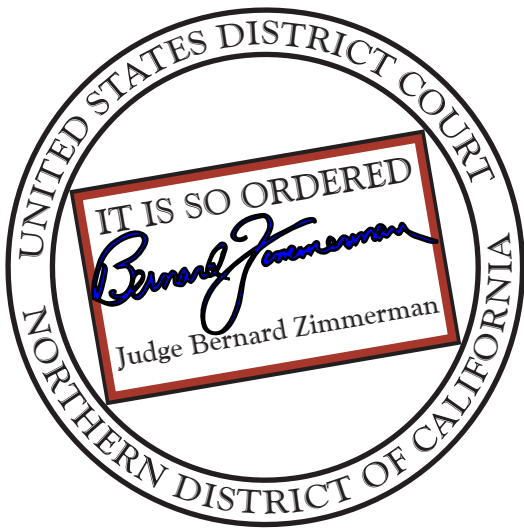
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Respectfully submitted,

DATED: June 30, 2010

SWIDER MEDEIROS HAVER LLP

By: /s/ Robert A. Swider
Robert A. Swider
Attorney, *pro hac vice*, for Defendant,
Compass Vision, Inc.



DATED: 7/1/2010

1 Re: *Laura Fujisawa, et al. vs. Compass Vision (and related cross-action)*
2 *United States District Court for the Northern District of California,*
3 *Case No. 3:07-cv-05642-BZ*

4 **DECLARATION OF SERVICE**

5 I, undersigned, declare:

6 I am a citizen of the United States, employed in the County of Multnomah,
7 Oregon. My business address is 621 SW Morrison Street, Suite 1420, Portland,
8 Oregon 97205. I am over the age of 18 years and not a party to the within action.
9 On June 8, 2010, I caused to be served the following document(s):

10 ***JOINT ALL PARTY APPLICATION FOR TELEPHONIC APPEARANCE***
11 ***AT MOTION TO SEVER HEARING MAY 5, 2010***

12 [] BY ELECTRONIC SERVICE. I served the above listed document(s) via the
13 United States District Court's Electronic Filing Program on the designated
14 recipients through electronic transmission through the CM/ECF system on the
15 Court's Website addressed to:

16 Steven S. Kane skane@thekanelawfirm.com	Attorneys for Plaintiffs
17 Norman Perlberger perlberglaw@aol.com	
18 Eliot H. Lewis ehlewis@ppl-law.com	
19 Jeremy A. Meier Thomas A. Woods meierj@gtlaw.com	Attorneys for Third-Party Defendant/ Counterclaimant MAXIMUS, Inc.
20 Christian Green christian.green@cna.com	Attorneys for Defendant National Medical Services, Inc. d/b/a NMS Labs
21 David Beach beach@perrylaw.net	
22 Anne D'Arcy darcy@perrylaw.net	
23 Eileen M. Diepenbrock ediepenbrock@diepenbrock.com	Attorneys for Defendant Compass Vision, Inc.
24 Jennifer L. Dauer jdauer@diepenbrock.com	

25 I declare that I am a member of the Oregon State Bar admitted to this Court
26 *pro hac vice* and that the foregoing is true and correct.

27 Executed on June 30, 2010 at Portland, Oregon.

28 /s/ Robert A Swider
Robert A. Swider