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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN J SORCI, individually and as trustee under the FIRST AMENDED AND COMPLETE RESTATEMENT OF THE JOHN R SORCI TRUST created 04/24/02, dated 02/09/07,

No C-09-996 VRW
ORDER

Plaintiff,

v

DENNIS E HECKER, aka DENNIS HECKER, aka DENNY HECKER, AUTOCAL, LLC, and DOES 1 through 25, inclusive,

Defendant.

_____/

Charles S Yesnick of the law firm Prindle, Decker & Amaro ("Prindle") and Timothy R Thornton of the law firm Briggs and Morgan, P A ("Briggs") are attorneys of record for defendant Dennis Hecker. Doc #4 at 2. Briggs moved to withdraw as counsel for Hecker on the ground that Hecker is unable to pay outstanding legal fees owed to Briggs. Doc #9. Thornton submitted an affidavit stating that Briggs has requested payment from Hecker of

1 outstanding invoices for legal fees and Hecker has not paid the
2 outstanding fees. Doc #9. Thornton also stated that Hecker
3 consents to Briggs' withdrawal. Id at 7.

4 Briggs' motion does not mention the involvement of the
5 other counsel of record, Yesnick of Prindle, though the submitted
6 proposed order requests the withdrawal of Prindle as well. Doc
7 #11. Briggs' submissions also do not include the unpaid invoices
8 or a statement from Hecker that he is unable to pay the invoices or
9 that he consents to withdrawal. Accordingly, Briggs is DIRECTED to
10 substantiate that there remain past due invoices to both Briggs and
11 Prindle and that Thornton either cannot pay these past due invoices
12 or consents to withdrawal. The court will continue to require
13 withdrawing counsel to receive electronic filings in this case on
14 behalf of Hecker until Hecker obtains new counsel.

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17 IT IS SO ORDERED.

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20 VAUGHN R WALKER
21 United States District Chief Judge
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