

1 DAVID W. GEARHART (*admitted pro hac vice*)
 2 dgearhart@lewisrice.com
 3 LEWIS RICE LLC
 4 600 Washington Avenue, Suite 2500
 St. Louis, MO 63101
 Telephone: 314.444.7600

5 RYAN SELNESS (SBN 306369)
 ryan.selness@pillsburylaw.com
 6 PILLSBURY WINTHROP SHAW PITTMAN LLP
 2550 Hanover Street
 7 Palo Alto, CA 94304-1115
 Telephone: 650.233.4500
 8 Facsimile: 650.233.4545

9 Attorneys for Defendants Energy Recovery,
 10 Inc., Thomas Rooney, and Joel Gay

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 DAVID BARNES
 15
 16 Plaintiff,
 17 v.
 18 ENERGY RECOVERY, INC., a Delaware
 Corporation; THOMAS ROONEY, an
 19 individual; and JOEL GAY, an individual
 20 Defendants.

Case No. 3:16-cv-00477-EMC

NOTICE OF WITHDRAWAL AND
 SUBSTITUTION OF COUNSEL

Dept.: 5
 Judge: Hon. Edward M. Chen

Trial Date: March 27, 2017

21
 22
 23
 24
 25
 26
 27
 28

1 TO THE COURT AND PLAINTIFF’S COUNSEL OF RECORD:

2 Please take notice that Defendants Energy Recovery, Inc., Thomas Rooney, and Joel Gay
3 (collectively, “Defendants”) in the above-captioned matter, by and through the undersigned
4 counsel, respectfully request an order authorizing withdrawal and substitution of counsel. The
5 Defendants hereby request that the Court approve the withdrawal of Jason A. Geller and Juan C.
6 Araneda of Fisher & Phillips LLP as counsel of record for Defendants in the above-captioned
7 matter. Energy Recovery, Inc. and Joel Gay hereby request that the Court approve the
8 substitution of Ryan Selness of Pillsbury Winthrop Shaw Pittman LLP in place of Jason A.
9 Geller and Juan C. Araneda as counsel of record for Energy Recovery, Inc. and Joel Gay in the
10 above-captioned matter.

11 The undersigned parties consent to the above substitution of counsel.

12 Dated: June 27, 2016 LEWIS RICE LLC
13
14 By: /s/ David W. Gearhart
15 DAVID W. GEARHART
16 Attorneys for Defendants Energy Recovery,
Inc., Thomas Rooney, and Joel Gay

17 Dated: June 27, 2016 PILLSBURY WINTHROP SHAW
18 PITTMAN LLP
19 By: /s/ Ryan Selness
20 RYAN SELNESS
21 Attorneys for Defendants Energy Recovery,
Inc., Thomas Rooney, and Joel Gay

22
23 Dated: June 27, 2016 FISHER & PHILLIPS LLP
24
25 By: /s/ Jason A. Geller
26 JASON A. GELLER
27 JUAN C. ARANEDA
28

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

CIVIL LOCAL RULE 5-1 ATTESTATION

In accordance with Civil Local Rule 5-1(i)(3), I hereby attest that the other signatories
concurrent in this filing.
Dated: June 27, 2016

By: /s/ Ryan Selness
 RYAN SELNESS

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
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

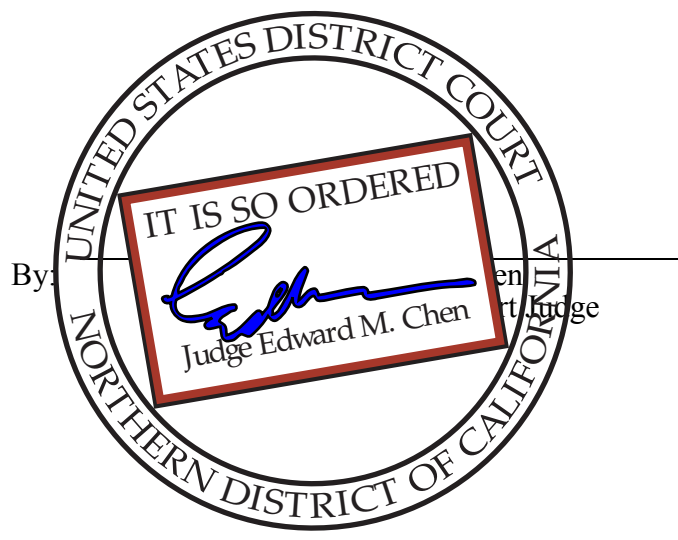
DAVID BARNES
Plaintiff,
v.
ENERGY RECOVERY, INC., a Delaware Corporation; THOMAS ROONEY, an individual; and JOEL GAY, an individual
Defendants.

Case No. 3:16-cv-00477-EMC
~~PROPOSED~~ ORDER GRANTING WITHDRAWAL AND SUBSTITUTION OF COUNSEL
Dept.: 5
Judge: Hon. Edward M. Chen
Trial Date: March 27, 2017

1 Upon review of the Notice of Withdrawal and Substitution of Counsel submitted by
2 Defendants Energy Recovery, Inc., Thomas Rooney, and Joel Gay (collectively, “Defendants”),
3 the Court hereby ORDERS as follows: effective immediately, Jason A. Geller and Juan C.
4 Araneda of Fisher & Phillips LLP are withdrawn as counsel of record for Defendants, and the
5 substitution of Ryan Selness of Pillsbury Winthrop Shaw Pittman LLP as counsel of record for
6 Energy Recovery, Inc. and Joel Gay is approved.

7
8 IT IS SO ORDERED.

9 Dated: 7/1/2016



10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28