

1 VAL D. HORNSTEIN (SBN 133726)
 E-mail: Val@HornsteinLaw.com
 2 MICHAEL D. MORRIS (SBN 103521)
 E-mail: Morris@HornsteinLaw.com
 3 HORNSTEIN LAW OFFICES, Prof. Corp.
 4 235 Pine Street, 13th Floor
 San Francisco, CA 94104
 5 Tele: 415-454-1490
 Facsimile: 415-788-6929
 6

7 KENNETH E. KELLER (SBN 71450)
 E-mail: KKeller@KKSRR.com
 8 MICHAEL D. LISI (SBN 196974)
 E-mail: MLisi@KKSRR.com
 9 Krieg, Keller, Sloan, Reilley Roman LLP
 10 555 Montgomery Street, 17th Floor
 San Francisco, CA 94111
 11 Tele: 415-249-8330
 Facsimile: 415-249-8333
 12 Attorneys for Plaintiffs CRS Recovery Inc.
 13 and Dale Mayberry

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 CRS RECOVERY, Inc., a Virginia Corp.;
 17 DALE MAYBERRY

18 Plaintiffs,

19 vs.

20 JOHN LAXTON, aka johnlaxton@gmail.com
 21 NORTH BAY REAL ESTATE, INC., *et. al.*

22 Defendants.

Case No.: CV 06-07093 CW

STIPULATION RE WITHDRAWAL OF
 COUNSEL FOR DEFENDANTS JOHN
 LAXTON AND NORTHBAY REAL ESTATE
 INC. UPON RELIEF BY CLIENT; ORDER
 THEREON

Hon. Claudia Wilken

23 WHEREAS, on July 6, 2010, defendants JOHN LAXTON and NORTHBAY REAL ESTATE
 24 INC. notified the Court and counsel of record that they relieved their counsel HORNSTEIN LAW
 25 OFFICES, PROF. CORP., VAL D. HORNSTEIN and MICHAEL D. MORRIS ("Former Counsel")
 26 from further representation for any proceedings of any nature in this matter. See Item 1.C of the
 27 parties' July 6, 2010 Joint Supplemental Case Management Conference Statement, and Exhibit A
 28

1 thereto (Declaration of John Laxton), Dkt. 209. Mr. Laxton's Declaration (Dkt. 209-1) is attached as
2 Exhibit A hereto.

3 WHEREAS, on July 13, 2010, Defendants, through Mr. Laxton re-stated their decision at the
4 Supplemental Case Management Conference.

5 WHEREAS, on July 14, 2010, Former Counsel filed and served a Notice of Relief of Counsel
6 by Client with the Court. Dkt. 210.

7 WHEREAS, on July 14, 2010, the Court requested a "...stipulation and proposed order for
8 leave to withdraw as counsel." Dkt. 211.

9 ACCORDINGLY, IT IS HEREBY STIPULATED, by and among plaintiffs CRS RECOVERY,
10 INC. and DALE MAYBERRY, by and through their counsel of record on the one hand, and Former
11 Counsel and subject to the Courts' approval, that HORNSTEIN LAW OFFICES, PROF. CORP., VAL
12 D. HORNSTEIN and MICHAEL D. MORRIS may withdraw and are hereby relieved as counsel of
13 record for Defendants JOHN LAXTON and NORTHBAY REAL ESTATE INC.
14

15 This will have no material effect on the case schedule or case management.
16

17 Respectfully submitted,

18 DATED: July 16, 2010

HORNSTEIN LAW OFFICES, Prof. Corp.

19 By: s/Val D. Hornstein/s
20 VAL D. HORNSTEIN

Former Attorneys for Defendants John Laxton
and Northbay Real Estate, Inc.

21
22 DATED: July 16, 2010

KRIEG, KELLER, SLOAN, REILLEY ROMAN LLP

23
24 By: s/Michael Lisi/s
25 MICHAEL LISI

Attorneys for Plaintiffs CRS Recovery, Inc.
and Dale Mayberry

26
27 //

28 //

1 I hereby attest that I have been authorized by counsel for Plaintiffs CRS Recovery Inc. and
2 Dale Mayberry to execute this Stipulation.

3 Executed on this 16th day of July, 2010, at San Francisco, California.

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5 HORNSTEIN LAW OFFICES, Prof. Corp.


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7 By: s/Val D. Hornstein/s
VAL D. HORNSTEIN

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11 ORDER

12 Pursuant to the foregoing stipulation of the parties, it is ordered that HORNSTEIN LAW
13 OFFICES, PROF. CORP., VAL D. HORNSTEIN and MICHAEL D. MORRIS may withdraw and are
14 hereby relieved as counsel of record for Defendants JOHN LAXTON and NORTHBAY REAL
15 ESTATE INC., effective as of July 6, 2010

16
17 PURSUANT TO STIPULATION, IT IS SO ORDERED,

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19
20 DATED: 7/21/2010

21 
22 HON. CLAUDIA WILKEN,
23 United States District Court Judge

1 VAL D. HORNSTEIN (SBN 133726)
2 E-mail: Val@HornsteinLaw.com
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4 E-mail: Morris@HornsteinLaw.com
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11 and Northbay Real Estate, Inc.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 CRS RECOVERY, Inc., a Virginia Corp. and
15 DALE MAYBERRY

16 Plaintiffs,

17 vs.

18 JOHN LAXTON, aka johnlaxton@gmail.com,
19 NORTH BAY REAL ESTATE, INC., et. al.

20 Defendants.

Case No.: CV 06-07093 CW

DECLARATION OF JOHN LAXTON RE
SUPPLEMENTAL CASE MANAGEMENT
CONFERENCE STATEMENT

Date: July 13, 2010
Time: 2:00 PM
Courtroom: 2

HORNSTEIN LAW OFFICES, Prof. Corp.

21 1. I am defendant and president of defendant Northbay Real Estate Inc. ("NRE"). I
22 have personal knowledge of the matters set forth in this declaration and could and would
23 competently testify thereto.

24 2. I have reached a decision to not proceed with my current counsel, HORNSTEIN
25 LAW OFFICES, PROF. CORP. and VAL HORNSTEIN and MICHAEL D. MORRIS. Current counsel
26 is agreeable to this. I authorize current counsel's withdrawal from further representation at this
27 time.

28 3. I have not yet located replacement counsel. As such, I request a reasonable length of
time to retain replacement counsel and I ask that further proceedings in this matter be stayed,

A

1 pending my notification of my retention of replacement counsel.

2

3 I declare under penalty of perjury that the foregoing is true and correct. Executed at

4 Windsor, CA on July 6, 2010.

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JOHN LAXTON

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HORNSTEIN LAW OFFICES, Prol. Corp.