

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 BRILLIANT INSTRUMENTS, INC.,

4 Plaintiff,

5 v.

6 GUIDETECH, INC., et al.,

7 Defendants.
8

Case No. 09-cv-05517-CW

**ORDER ON MOTION TO WITHDRAW
AS COUNSEL**

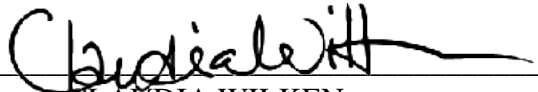
DOCKET NO. 347

9 On October 30, 2014, attorney Eric Sofge filed a notice of appearance for Brilliant
10 Instruments, Inc. in this matter. On October 30, 2014, Kao & Swope, LLP filed a motion to
11 withdraw as counsel for Brilliant. They did not include proof of service on their client. No
12 opposition was filed. The usual method of substituting counsel when prior counsel, new counsel,
13 and the client are all in agreement is to file a stipulation so indicating, preferably with the
14 stipulation of opposing counsel as well. Counsel were asked to do so and did not. Accordingly,
15 the Court conditionally grants the motion to withdraw. Kao & Swope are ordered to file a
16 declaration on December 22 that they have served their motion as well as this order on their client.
17 Brilliant and Eric Sofge are advised that if they object to Kao & Swope's withdrawal, they must
18 file an opposition to the motion on or before January 9. If they do not, the motion will be granted.
19

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21 The Court notes that Brilliant remains the plaintiff in this case and Guidetech remains the
22 defendant. Guidetech was referred to as the plaintiff during the trial for the jury's ease in
23 understanding, and the Court erroneously used that caption on orders after the trial. However, the
24 name of the case remains as it was filed.

25 **IT IS SO ORDERED.**

26 Dated: December 19, 2014

27 
28 CLAUDIA WILKEN
United States District Judge