

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

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**ALLY BANK, FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, ET AL.,**

**Plaintiffs,**

**vs.**

**JAMES C. CASTLE AKA J. CHRISTOPHER  
CASTLE, ET AL.,**

**Defendants.**

**Case No.: 11-CV-896 YGR**

**ORDER GRANTING REQUEST TO WITHDRAW  
AS COUNSEL; VACATING STATUS  
CONFERENCE AND ORDER TO SHOW CAUSE**

The Court, in its November 12, 2014 Order Setting Status Hearing Re: Withdrawal of Counsel or Substitution of Counsel for James C. Castle (Dkt. No. 733), set a status hearing and directed counsel Ann McFarland Draper to file a status report regarding her withdrawal as counsel for defendant and cross-claimant James C. Castle, a.k.a. J. Christopher Castle, individually and as trustee of the J. Christopher Castle Irrevocable Trust.

In the interim, as part of Draper’s joint letter with plaintiffs’ counsel Stephen C. Seto (Dkt. No. 742), Draper indicated that “ethical issues have become apparent” to her and that, after

1 consultation with the State Bar Ethics Hotline, she may have a “mandatory withdrawal” situation that  
2 would preclude her from continuing to represent Castle.

3 Castle has filed a number of documents with the Court, apparently without the assistance of  
4 counsel. (*See* Dkt. No 709-4, “Affidavit of Status of James Christopher Castle: American Freeman;”  
5 Dkt. No. 723, “Notice of Indenture” and “Amicus Curiae Affidavit for the Record” of James  
6 Christopher Castle.) Those documents include a “Notice of General Appearance,” dated October 29,  
7 2014, and filed November 17, 2014 (Dkt. No. 743), as well as a document dated November 10, 2014,  
8 and filed on December 2, 2014, in which Castle indicates that he “must terminate the relationship  
9 with Ann McFarland Draper...[and] proceed on my own.” (Dkt. No. 745.)

10 Based upon the foregoing, as well as the Motion of Ann McFarland Draper to Be Relieved as  
11 Counsel, filed on December 8, 2014, by Draper (Dkt. No. 750), and the declaration submitted in  
12 support thereof, the Court **ORDERS** that:

13 (1) the Motion of Ann McFarland Draper to Be Relieved as Counsel is **GRANTED**.

14 Counsel Ann McFarland Draper is relieved as counsel for defendant and cross-complainant  
15 James C. Castle, aka J. Christopher Castle, individually and as Trustee of the J. Christopher Castle  
16 Irrevocable Trust *effective upon filing proof of service of this Order upon Castle*. Based upon  
17 information provided by Draper, Castle resides in New Zealand, but receives mail through the  
18 following address in the United States:

19 J. Christopher Castle  
20 P.O. Box 1211  
21 Burlingame, CA 94014

22 Castle also receives electronic mail at the following email addresses:

23 chris@oreplex.com and jcristopher@gmail.com

24 Future notices served on Castle shall be served at each of these addresses.

25 There are no future hearings scheduled at this time. The next case management conference in  
26 this matter is set for Monday, **March 16, 2015, at 2:00 p.m.** in Courtroom 1, 4th Floor, Oakland,  
27 and the case management statement is due by March 9, 2015.

28 The trial in this action has not yet been set.

1. Castle is hereby notified of the following effects of this order on him:

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

**NOTICE TO CLIENTS**

Your present attorney will no longer be representing you. You may not, in most cases, represent yourself if you are one of the parties on the following list:

- A guardian
- A conservator
- A trustee
- A personal representative
- A probate fiduciary
- A corporation
- A guardian ad litem
- An unincorporated association

If you are one of these parties, **YOU SHOULD IMMEDIATELY SEEK LEGAL ADVICE REGARDING LEGAL REPRESENTATION.** Failure to retain an attorney may lead to an order striking the pleadings that have been filed on your behalf or to the entry of a default judgment against you.

2. Castle is notified that if he will be representing himself, he shall be solely responsible for the case.

**NOTICE TO CLIENT WHO WILL BE UNREPRESENTED**

You will not have an attorney representing you. You may wish to seek legal assistance. If you do not have a new attorney to represent you in this action or proceeding, and you are legally permitted to do so, you will be representing yourself. It will be your responsibility to comply with all court rules and applicable laws. **If you fail to do so, or fail to appear at hearings, action may be taken against you. You may lose your case.**

3. Castle is notified that it is his duty to keep the Court informed at all times of his current address. The Court needs to know how to contact you.

**NOTICE TO CLIENT WHO WILL BE UNREPRESENTED**

If you do not keep the Court and other parties informed of your current address and telephone number, they will not be able to send you notices of actions that may affect you, including actions that **may adversely affect your interests or result in your losing your case.**


The status hearing currently set for Thursday, December 11, 2014, is **VACATED.**

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

The Court's Order to Show Cause regarding sanctions against Draper or Castle (Dkt. No. 744) is **WITHDRAWN AND VACATED**.

**IT IS SO ORDERED.**

**Dated:** December 9, 2014

  
\_\_\_\_\_  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**