

1 BERSCHLER ASSOCIATES, PC  
Arnold I. Berschler, SBN 56557  
2 22 Battery Street, Suite 888  
San Francisco, CA 94111  
3 Telephone (415) 398 1414  
Info@berschler.com

4 Attorneys for MEREE MUSED,  
5 SALEEM MOHAMED

6  
7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 MEREE MUSED, individually, SALEEM )  
11 MOHAMED, individually, )  
12 Plaintiffs, )  
13 v. )  
14 CROWLEY MARITIME )  
CORPORATION, WATERMAN )  
15 STEAMSHIP CORPORATION, U.S. )  
OCEAN, LLC., PETER STALKUS, )  
16 Defendants. )  
17 )  
18 )

Civil No. 4:16-cv-00763-SBA

JOINT APPLICATION OF NICHOLAS R.  
LANE AND ARNOLD I. BERSCHLER TO  
SUBSTITUTE LANE OUT AS ATTORNEY  
OF RECORD FOR PLAINTIFFS AND  
SUBSTITUTION BERSCHLER

19 **JOINT APPLICATION AND STIPULATION PURSUANT TO L.R. 7.11, 7.12**

20 May it please this Honorable Court:

21 Attorney of record for the plaintiffs, Nicholas R. Lane, and attorney Arnold I. Berschler  
22 jointly move the Court for administrative relief, pursuant to Local Rule of Court, 7.11; et seq.,  
23 F.R.Civ.P. 1 and stipulate pursuant to L.R. 7.12. These applicants request that the Court act without  
24 any hearing upon this application. Good Cause for such a procedure is shown below. The relief  
25 sought is an order substituting out Nicholas R. Lane as plaintiffs' attorney of record and substituting  
26 in Arnold I. Berschler, as plaintiffs' attorney of record. THE GROUNDS BEING: (1) On the date  
27

28 JOINT APPLICATION OF NICHOLAS R. LANE AND ARNOLD I. BERSCHLER TO  
SUBSTITUTE LANE OUT AS ATTORNEY OF RECORD FOR PLAINTIFFS AND  
SUBSTITUTION. BERSCHLER

CIVIL No. 4:16-cv-00763-SBA

1 on which Nicholas R. Lane (“Lane”) filed this action, he used his ECF-based identity as an associate  
2 of Berschler Associates, PC due to the fact that he was an associate of Berschler Associates, PC  
3 regarding this matter. (2) Each plaintiff, Meree Mused and Saleem Mohamed, have each retained  
4 Arnold I. Berschler (Berschler) and Berschler Associates, PC, in writing, and not Nicholas R. Lane,  
5 as their attorney in the matter which now forms the gravamen of their complaint in this action at all  
6 relevant times. (3) Mr. Lane no longer is associated with Berschler Associates, PC. (4) Mr. Lane no  
7 longer has any duties regarding the representation of either plaintiff in this action. (5) Mr. Lane  
8 desires to dissociate himself from this action altogether; wherefore, Mr. Lane stipulates and  
9 respectfully prays the Court issue its order substituting him out and substituting Mr. Berschler in as  
10 plaintiffs’ counsel of record. (6) Mr. Berschler is admitted to practice before this Court and has his  
11 own ECF identity enabling him to log into the Court’s ECF system for all permitted purposes. (7)  
12 Mr. Berschler desires to substitute in as each plaintiff’s attorney of record; wherefore, he stipulates  
13 and respectfully prays this court order such substitution. (8) As of the date of submission of this  
14 joint application, no defendant has appeared in the action (the Court respectfully is requested to take  
15 judicial notice of its Docket in this action.) (9) Each plaintiff is a merchant mariner who presently  
16 is at sea, to Lane’s and Berschler’s current understanding and belief.

#### 17 **POINTS AND AUTHORITIES**

18 It appears that this administrative motion pursuant to Local Rule 7.11 - and requesting the  
19 Court act without any hearing thereon - appears to be proper procedure under these circumstances.  
20 F.R.Civ.P.1 provides the Honorable Court with jurisdiction, in addition to the inherent authority of  
21 the Court to make administrative orders.

#### 22 **DECLARATIONS AND STIPULATION**

23 Nicholas R. Lane and Arnold I. Berschler hereby respectively declare under penalty of  
24 perjury, base upon their respective personal knowledge, that the facts in the above appearing  
25 GROUNDS are true and correct; further, if called, both Lane and Berschler would competently  
26 testify thereto.

27  
28 **JOINT APPLICATION OF NICHOLAS R. LANE AND ARNOLD I. BERSCHLER TO  
SUBSTITUTE LANE OUT AS ATTORNEY OF RECORD FOR PLAINTIFFS AND  
SUBSTITUTION. BERSCHLER**

CIVIL No. 4:16-cv-00763-SBA

1 Nicholas R. Lane and Arnold I. Berschler hereby stipulate and respectfully pray that the  
2 Honorable Court issue its orders:

- 3 1. Substituting out Nicholas R. Lane as the attorney of record for both Meree Mused and for  
4 Saleem Mohamed in this action.  
5 2. Substituting in Arnold I. Berschler as the attorney of record for both Meree Mused and for  
6 Saleem Mohamed in this action.  
7 3. That the Clerk of the Court enter such substitutions into the Court's ECF record in this action  
8 in due course.

9 EXECUTED and SO STIPULATED on April 1, 2016 at Fort Bragg, California.

10 */S/ Nicholas R. Lane*

11 \_\_\_\_\_  
12 Nicholas R. Lane

13 EXECUTED and SO STIPULATED on March 31, 2016 at San Francisco, California.

14 */S/ Arnold I. Berschler*

15 \_\_\_\_\_  
16 Arnold I. Berschler

17 **[proposed] ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 DATED: April 12, 2016

20  
21   
22 HON. SAUNDRA BROWN ARMSTRONG  
23 Senior United Stat District Court Judge

24  
25  
26  
27  
28 JOINT APPLICATION OF NICHOLAS R. LANE AND ARNOLD I. BERSCHLER TO  
SUBSTITUTE LANE OUT AS ATTORNEY OF RECORD FOR PLAINTIFFS AND  
SUBSTITUTION. BERSCHLER

CIVIL No. 4:16-cv-00763-SBA