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Attorneys for Plaintiff State of Hawaii

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official  
capacity as President of the United States  
of America, et al.,

Defendants.

Case No. 4:19-cv-00872-HSG

NOTICE OF MOTION AND MOTION TO  
WITHDRAW AS COUNSEL FOR  
PLAINTIFF STATE OF HAWAII

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that Clyde J. Wadsworth of the Department of the Attorney General of the State of Hawaii, 425 Queen Street, Honolulu, Hawaii 96813, shall and hereby does respectfully seek leave of this Court, pursuant to Local

R. 11-5(a) and in compliance with Cal. R. Prof. Conduct 3-700, to withdraw as counsel for Plaintiff State of Hawaii.

**MOTION TO WITHDRAW AS COUNSEL**

Pursuant to Local R. 11-5, Clyde J. Wadsworth (Movant) hereby notifies the parties and the Court of his intent to withdraw as counsel for Plaintiff State of Hawaii. Movant offers the following grounds for this notice and motion:

1. Movant was previously admitted to practice in the U.S. District Court for the Northern District of California on June 13, 1985.

2. Movant has represented the State of Hawaii as part of his employment with the Department of the Attorney General. Movant has been appointed to serve as a judge of the Hawaii Intermediate Court of Appeals and, shortly, will no longer be employed as an attorney with the Department.

3. Robert T. Nakatsuji, Deputy Solicitor General, was admitted to practice *pro hac vice* in this action on September 5, 2019. Mr. Nakatsuji also represents the State of Hawaii and will continue to do so.

4. Movant's withdrawal will not cause any prejudice or delay in this case. All parties have counsel actively representing them, and none will require any additional time to review or acclimate to the absence of Movant as counsel for the State of Hawaii.

5. Given the insubstantial nature of this Motion, as well as the substantial burden to all parties in traveling and attending a hearing on this Motion, Movant respectfully requests that the Court waive oral argument

6.        THEREFORE, Movant Clyde J. Wadsworth respectfully requests that this Court waive oral argument on this Motion, grant him leave to withdraw as counsel in the above-captioned matter, and enter an order stating that Movant has so withdrawn.

Dated: Honolulu, Hawaii, October 10, 2019.

Respectfully Submitted,

/s/ Clyde J. Wadsworth

Clyde J. Wadsworth  
Solicitor General

Attorney for Plaintiff  
STATE OF HAWAII

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 10, 2019, I caused the foregoing document to be filed via the U.S. District Court for the Northern District of California's CM/ECF system, which I understand caused service on all registered parties through their attorneys.

DATED: Honolulu, Hawaii, October 10, 2019.

/s/ Clyde J. Wadsworth  
Clyde J. Wadsworth  
Solicitor General

Attorney for Plaintiff  
STATE OF HAWAII

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**[PROPOSED] ORDER  
GRANTING MOTION TO  
WITHDRAW AS COUNSEL FOR  
PLAINTIFF STATE OF HAWAII**

Clyde J. Wadsworth seeks leave to withdraw as counsel for Plaintiff State of Hawaii in the above-captioned litigation pursuant to Local R. 11-5(a) and Cal. R. Pro. Conduct 3-700(A)(1). As this Court finds that Mr. Wadsworth has submitted satisfactory reasoning for withdrawal, and that granting his Motion will not cause substantial prejudice or delay to any party:

IT IS HEREBY ORDERED THAT Clyde J. Wadsworth's Motion to Withdraw as

Counsel for Plaintiff State of Hawaii is GRANTED, and Clyde J. Wadsworth is hereby terminated as counsel in this proceeding.

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
United States District Court Judge