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1 2 3 4 **E-FILED on** 4/2/105 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 12 TIMOTHY CLEVELAND, No. C-09-02376 RMW 13 Plaintiff, ORDER GRANTING MOTION TO 14 v. WITHDRAW 15 ISABELLA'S AT WHARFSIDE, INC., TENE [Re Docket No. 19] SHAKE, and CITY OF MONTEREY, 16 Defendants. 17 18

Counsel for defendants Isabella's at Wharfside, Inc. ("Isabella's") and Tene Shake moves to withdraw as attorneys of record. Defense counsel testifies that his clients breached an agreement regarding the payment of fees and costs. Under California Rule of Professional Conduct 3-700(C)(1)(f), counsel may seek permissive withdrawal if the client "breaches an agreement or obligation to the member as to expense or fees." Accordingly, the court grants the motion to withdraw. It is hereby ordered that Littler Mendelson, a Professional Corporation, including Todd K. Boyer and Brian McMillan, be granted permission to withdraw from this case as attorneys representing Isabella's and Tene Shake.

The address at which defendants Isabella's and Tene Shake will receive service is: 1410 Manor Rd. Monterey, CA 93940, unless otherwise advised in writing by defendants.

ORDER GRANTING MOTION TO WITHDRAW—No. C-09-02376 RMW CCL

United States District Court For the Northern District of California

As a corporation, Isabella's may not appear	pro se. Civil L.R. 3-9(b). It must obtain new
counsel and direct its new counsel to file a notice o	of appearance by May 14, 2010. If no appearance
is made by May 14, 2010, Isabella's will be subject	to having its answer stricken and default entered
against it.	
DATED: <u>4/2/10</u>	Ronald M Whyte Ronald M. Whyte United States District Judge

1	Notice of this document has been sent to:	
2	Counsel for Plaintiff:	
3	Celia Louise McGuinness Paul Leslie Rein	cmcguinness@reinlawoffice.com reinlawoffice@aol.com
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5	Defendants:	
6 7	Tene Shake Isabella's at Wharfside, Inc. 1410 Manor Rd. Monterey, CA 93940	
8	Counsel for Defendants:	
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13	Counsel are responsible for o	distributing copies of this document to co-counsel that have not
14	registered for e-filing under t	the court's CM/ECF program.
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17	Dated: 4/2/10	CCL Chambers of Judge Whyte
	Dated: 4/2/10	
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17 18 19 20 21 22 23	Dated: 4/2/10	
17 18 19 20 21 22 23 24 25 26	Dated: 4/2/10	
17 18 19 20 21 22 23 24 25 26 27	Dated: 4/2/10	
17 18 19 20 21 22 23 24 25 26	Dated: 4/2/10	