

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

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Waste Connections of California, Inc.,

NO. C 09-05345 JW

Plaintiff,

**ORDER GRANTING MOTION FOR
CLARIFICATION**

v.

DOXA Constr. and Dev., Inc., et al.,

Defendants.

On December 7, 2010, the Court issued an Order Granting Motion to Withdraw as Counsel of Record for Defendants Roger Oliver and Doxa Construction and Development Inc. (hereafter, "Order," Docket Item No. 56.) In the Order, the Court relieved Mr. Andrew L. Westover as attorney of record. (See Order.) However, counsel's Motion requested authorization for the withdrawal of Mr. Westover *and* Mr. J. Hector Moreno, Jr., Mr. Rory Coetzee, and The Law Firm of J. Hector Moreno, Jr. & Associates. (See Motion to Withdraw as Counsel at 4, hereafter, Docket Item No. 54.) On December 23, 2010, in a letter written to the Court, Mr. Westover requested clarification of the Order in regards to Mr. Moreno, Mr. Coetzee and The Law Firm of J. Hector Moreno, Jr. & Associates.¹

¹ Despite counsel's failure to file a motion for an order, or to provide a proposed order and stipulation, pursuant to Civil Local Rule 7-11(a), the Court treats this letter as a Motion for Administrative Relief for Clarification of the Court's Prior Order.


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

Upon review of counsel's Motion to Withdraw, the Court clarifies as follows:

- (1) The Motion to Withdraw is GRANTED as to J. Hector Moreno, Jr. (CA Bar 131970), Andrew L. Westover, LL.M. (CA Bar 253398), Rory Coetzee (CA Bar 259209), and The Law Firm of J. Hector Moreno, Jr. & Associates;
- (2) On or before **January 24, 2010**, counsel shall provide the Court with an address for Defendants such that all future pleadings, motions, discovery, and any and all other communications concerning this matter may be forwarded directly to Defendants.
- (3) Upon providing Defendants' current address, counsel shall be relieved of any and all further obligations on behalf of Defendant Roger Oliver and DOXA Construction and Development, Inc.
- (4) Counsel shall send a copy of this Order to Defendants and file the necessary certificate of service.

In addition, the parties are scheduled for a Case Management Conference on January 24, 2011. However, Plaintiff has filed a Motion for Default Judgment and a Motion for Partial Summary Judgment which are scheduled to be heard on **February 14, 2011 at 9 a.m.** and may be dispositive. Thus, the Court finds good cause to VACATE the Conference at this time. The Court will set a new conference date in its Order addressing the pending Motions.

Dated: January 20, 2011



JAMES WARE
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Andrew Lee Westover andrew@jhmlaw.com
3 Jose Hector Moreno jhmoreno@jhmlaw.com
4 Treven Isaac Tilbury ttilbury@downeybrand.com

5 **Dated: January 20, 2011**

Richard W. Wieking, Clerk

6 **By: /s/ JW Chambers**
7 **Elizabeth Garcia**
8 **Courtroom Deputy**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28