

United States District Court

For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 GOLDEN BRIDGE TECHNOLOGY INC,) Case No. 5:12-cv-04882-PSG
11 Plaintiff,)
12 v.) **ORDER DENYING MOTION TO
13 APPLE, INC.,) WITHDRAW
14 Defendant.)
) **(Re: Docket Nos. 374)****

Since this case appeared on the undersigned's docket, Plaintiff Golden Bridge Technology Inc. has been represented by attorneys from the McKool Smith firm. With GBT's consent, McKool now seeks to withdraw as GBT counsel based on the client's failure to pay its bills.

This court is quite sympathetic to the idea that attorneys ordinarily should not be made to work for free. But here two key factors weigh against granting McKool's withdrawal request. First, no other attorneys have appeared for GBT. Even in the time since McKool filed its motion, no new attorneys have appeared. Second, trial is upon us. Jury selection is May 30, and opening statements are set for the following Monday. All pretrial motions have been briefed, and the parties are set to appear for a final pretrial conference this Friday. If the court were to grant the motion, it is difficult to imagine how this trial could proceed as scheduled. And rescheduling the trial would simply shift the burden to Apple, which hardly would be fair.

1 With great reluctance, and full appreciation of the sacrifice required by counsel, the court
2 must deny the motion to withdraw.

3 **IT IS SO ORDERED.**

4 Dated: May 14, 2014

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6 PAUL S. GREWAL

7 United States Magistrate Judge