

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERICKSON PRODUCTIONS INC. and JIM
ERICKSON,

Plaintiffs,

v.

KRAIG R. KAST,

Defendant.

Case No. [5:13-cv-05472-HRL](#)

**INTERIM ORDER RE DEFENSE
COUNSEL'S MOTION TO WITHDRAW**

Re: Dkt. No. 119

Attorney Nicholas Ranallo moves for permission to withdraw as defense counsel of record. The record is, however, ambiguous as to whether defendant Kast actually has notice of the application and agrees to Ranallo's withdrawal. See Civ. L.R. 11-5(a) ("Counsel may not withdraw from an action until relieved by order of Court after written notice has been given reasonably in advance to the client and to all other parties who have appeared in the case."). The application is based on a purported declaration by defendant Kast that is unsigned. Ranallo has not filed an attestation, as required by Civ. L.R. 5-1(i)(3), that Kast has concurred in the filing of this document. Moreover, Ranallo's certificate of service indicates that his application was only electronically served on opposing counsel through the ECF system.

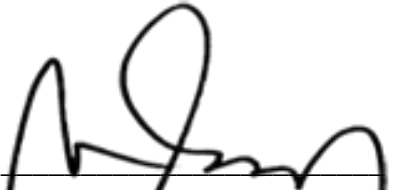
Accordingly, Ranallo shall promptly e-file Kast's declaration bearing Kast's signature, along with a proof of service confirming that the pending application to withdraw has in fact been

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served on Kast.

SO ORDERED.

Dated: August 25, 2015



HOWARD R. LLOYD
United States Magistrate Judge

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5:13-cv-05472-HRL Notice has been electronically mailed to:
Kevin P McCulloch kevin@nmiplaw.com, lesly@nmiplaw.com
Nicholas Ranallo nick@ranallolawoffice.com
Robert K Wright rkwlaw@earthlink.net