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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FATDOOR, INC.,
Plaintiff,
v.
NEXTDOOR.COM, INC.,
Defendant.

Case No. [14-cv-02335-BLF](#)

**ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL**

Re: ECF No. 24

Before the Court is the Administrative Motion to Withdraw as Counsel filed by Scott J. Allen and Bruno W. Tarabichi on June 26, 2014. (Admin. Mot., ECF 24)¹ Messrs. Allen and Tarabichi seek to withdraw from their representation of Plaintiff Fatdoor, Inc., which is represented by other counsel. Plaintiff filed a “Response” on June 27, 2014, requesting that this Court grant the motion with respect to Mr. Tarabichi, but deny the motion with respect to Mr. Allen. (Pl.’s Resp., ECF 25)

Although Messrs. Allen and Tarabichi cited Civil Local Rule 11-5 in their motion, that rule is inapplicable where, as here, a party continues to be represented by other counsel. Under the present circumstance, counsel must file a Notice of Change in Counsel and may withdraw without leave of court. Civ. L.R. 5-1(c)(2)(C). Plaintiff has not identified any contrary authority permitting it to object to Mr. Allen’s withdrawal when Plaintiff continues to be represented by other counsel. Nor has Plaintiff articulated any specific prejudice from Mr. Allen’s withdrawal of representation other than the typical loss of institutional knowledge that is to be expected when counsel withdraws from a case. As Plaintiff continues to be represented by other counsel from the

¹ This is a re-filing of an administrative motion originally filed on June 23, 2014, (ECF 12), before the case was re-assigned to this Court.


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same entity, the Court does not find its argument sufficiently persuasive to prevent Mr. Allen from withdrawing representation.

For the foregoing reasons, the Administrative Motion to Withdraw as Counsel is GRANTED as to both Scott J. Allen and Bruno W. Tarabichi.

IT IS SO ORDERED.

Dated: July 2, 2014


BETH LABSON FREEMAN
United States District Judge