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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Robert A. Politte, et al.,)	Civil No. 07cv1950 AJB (WVG)
)	
Plaintiffs,)	ORDER DENYING MOTION
v.)	TO WITHDRAW AS COUNSEL
)	
United States of America,)	[Doc. No. 340]
)	
Defendant.)	
_____)	


On April 10, 2012, Plaintiffs’ counsel filed a motion to withdraw as counsel, [Doc. No. 340], and a hearing on the motion was set for May 25, 2012. Subsequent to the filing of the motion to withdraw, Plaintiffs’ counsel filed notices of appeal on May 18, 2012, [Doc. Nos. 342-344], of the final judgment, [Doc. No. 335], entered by the Court on March 21, 2012 in this case.

A district court is divested of jurisdiction upon the filing of a notice of appeal of a final judgment, because the district court may not change the status of the case while it is on appeal. *Laurino v. Syringa Gen. Hosp.*, 279 F.3d 750, 755 (9th Cir. 2002); *Pyrodyne Corp. v. Pyrotronics Corp.*, 847 F.2d 1398, 1403 (9th Cir.1988); *McClatchy Newspapers v. Central Valley Typographical Union No. 46*, 686 F.2d 731, 734-35 (9th Cir.1982). The effective filing of a notice of appeal transfers jurisdiction from the district court to the court of appeals with respect to all matters involved in the appeal. *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 103 S.Ct. 400, 402, 74 L.Ed.2d 225 (1982) (per

1 curiam). Since granting Plaintiffs' counsel's motion the representation of the Plaintiffs Based upon the
2 foregoing, Plaintiffs' counsel's motion to withdraw as counsel is hereby DENIED.

3 IT IS SO ORDERED.

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5 DATED: May 25, 2012

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7 _____
8 Hon. Anthony J. Battaglia
9 U.S. District Judge
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