

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,	)	)
	)	)
Plaintiff,	)	)
	)	)
v.	)	Case: 1:08-cv-01345
	)	)
8 GILCREASE LANE, QUINCY	)	Hon. Rosemary M. Collyer
FLORIDA 32351,	)	)
	)	)
and	)	)
	)	)
ONE CONDO LOCATED ON	)	)
NORTH OCEAN BOULEVARD IN	)	)
MYRTLE BEACH, SOUTH	)	)
CAROLINA,	)	)
	)	)
and	)	)
	)	)
ALL FUNDS, INCLUDING	)	)
APPROXIMATELY \$53 MILLION,	)	)
HELD ON DEPOSIT AT BANK OF	)	)
AMERICA ACCOUNTS IN THE NAMES	)	)
OF (1) THOMAS A. BOWDOIN, JR.,	)	)
SOLE PROPRIETOR, DBA	)	)
ADSURFDAILY, (2) CLARENCE	)	)
BUSBY, JR. AND DAWN STOWERS,	)	)
DBA GOLDEN PANDA AD BUILDER,	)	)
AND (3) GOLDEN PANDA AD BUILDER,	)	)
	)	)
Defendants, and	)	)
	)	)
ADSURFDAILY, INC., THOMAS A.	)	)
BOWDOIN, JR., AND BOWDOIN HARRIS	)	)
ENTERPRISES, INC.,	)	)
	)	)
Claimants.	)	)
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**MOTION AND STATEMENT OF POINTS AND AUTHORITIES TO WITHDRAW AS  
COUNSEL**

The Akerman Senterfitt Law Firm (the "Firm") and its lawyers (including Michael Fayad and Jonathan Goodman), pursuant to the Local Rules of The United States District Court For The District Of Columbia for civil proceedings ("LCvR") 83.6 (c), hereby files its Motion to Withdraw as counsel in this case, and; herein responds to the Court's Order of March 26, 2009.

As grounds for this motion, counsel states the following:

The Akerman Senterfitt law firm previously filed a Notice of Appearance on behalf of AdSurfDaily, Inc., Bowdoin/Harris Enterprises, Inc. and Thomas A. Bowdoin, Jr., who then intervened in this case by filing verified claims.

After this Court denied Claimant's Emergency Motion for Return of Seized Funds, the client-lawyer relationship between the Firm and all three Claimants substantially deteriorated and has not improved thus rendering the representation unreasonably difficult. See District of Columbia Rules of Professional Conduct, including comments (D.C. Rules") 1.0 and 1.16.

Given the attorney-client privilege, the Akerman Senterfitt law firm cannot disclose the specific issues underlying the problems with the client-lawyer relationship. However, without breaching the attorney-client relationship, and based on documents which Mr. Bowdoin publicly filed with the clerk's office, it is obvious that Claimants have decided to represent themselves without consulting their counsel. By way of example only, Mr. Bowdoin has recently filed, on a *pro se* basis, a series of motions. Mr. Bowdoin filed these motions without consulting with counsel and without bothering to advise counsel that he would be submitting motions on his own. Under these circumstances, the Akerman Senterfitt Law Firm cannot render effective assistance of counsel. See D.C. Rule 1,16;LCvR 83.6 (c) and (d).

The Akerman Senterfitt law firm has recently been able to contact its clients and has obtained their consent to withdraw from representing them.

In addition, Akerman Senterfitt's two corporate clients have been specifically advised that they cannot appear as litigants in this Court on a *pro se* basis and that they must have counsel. Through their principal, Mr. Bowdoin, the two corporate clients provided written acknowledgment of their understanding of this legal rule.

A trial date has not yet been set and there are no scheduling issues which would militate against the granting of this Motion to Withdraw. Further, granting this motion will not be unfairly prejudicial to any party nor otherwise be contrary to the interests of justice. See LCvR 83.6 (d).

This motion is not being filed for impermissible reasons of delay.

WHEREFORE, for the foregoing reasons, the Akerman Senterfitt law firm respectfully requests entry of an order granting leave to withdraw from its representation of Adsurfdaily, Inc., Bowdoin/Harris Enterprises, Inc. and Thomas A. Bowdoin, Jr. in this case and discharging Akerman Senterfitt from all further responsibilities as counsel for these three Claimants.

A proposed order is attached.

Respectfully submitted,

**AKERMAN SENTERFITT**

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and

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<sup>1</sup> Mr. Goodman has been permitted to appear *pro hac vice*.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of April, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

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