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NEVADA BAR NO. 002503  
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NEVADA BAR NO. 006612  
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5 Telephone: (702) 369-4161  
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6 Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF NEVADA

9 DANIEL STEIN,

10 Plaintiff,

11 vs.

12 GEICO GENERAL INSURANCE COMPANY, a  
13 foreign corporation; DOES I through X, inclusive,  
14 and ROE CORPORATIONS I through X,  
15 inclusive,

16 Defendants.

CASE NO.: 2:10-cv-00462-JCM-LRL

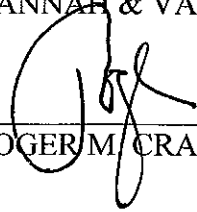
AMENDED MOTION TO WITHDRAW  
AS COUNSEL

17 ROBERT D. VANNAH, ESQ., and ROGER M. CRAM, ESQ., of VANNAH &  
18 VANNAH, as well as CHAD M. GOLIGHTLY, ESQ., of GOLIGHTLY, LTD., hereby move to  
19 withdraw as attorneys of record for Plaintiff DANIEL STEIN pursuant to Nevada Supreme Court  
20 Rule 46 and 166.

21 This Motion is made and based upon the following Points and Authorities, and upon the  
22 Affidavit of Roger M. Cram, Esq., attached hereto.

23 Dated this 19<sup>th</sup> day of October, 2010.

24 VANNAH & VANNAH


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27 ROGER M. CRAM, ESQ.  
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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that the undersigned will bring the Motion to Withdraw for hearing before the above-entitled Court on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, at the hour of \_\_\_\_\_, or as soon thereafter as counsel may be heard.

Dated this 19<sup>th</sup> day of October, 2010.

VANNAH & VANNAH

  
\_\_\_\_\_  
ROGER M. CRAM, ESQ.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. ARGUMENT**

S.C.R. 46 provides in pertinent part:

The attorney in an action or special proceeding may be changed at any time before judgment or final determination as follows:

2. Upon the order of the court or judge thereof on the application of the attorney or the client....

S.C.R. 166 provides in pertinent part:

2. [A] lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client. . .
- ...
4. Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel. . . .

A material communication breakdown has developed between movants and Plaintiff. This breakdown makes it impossible for Plaintiff's counsel to continue representing Plaintiff in this matter. Thus, following further review, Robert D. Vannah, Esq., Roger M. Cram, Esq., and Chad M. Golightly, Esq., wish to discontinue representing Plaintiff in this matter.

The withdrawal of Robert D. Vannah, Esq., Roger M. Cram, Esq., and Vannah & Vannah, as well as Chad M. Golightly, Esq., from Golightly, Ltd., will not materially affect the interests of

1 Plaintiff, since avenues of effective communication and representation have broken down.  
2 Plaintiff's attorneys of record have provided an affidavit stating the last known address of Plaintiff  
3 DANIEL STEIN, which is: 2201 Dogwood Ranch Avenue, Henderson, Nevada 89052.

4 **II. CONCLUSION**

5 Plaintiff's attorneys of record, Robert D. Vannah, Esq., Roger M. Cram, Esq., and Chad M.  
6 Golightly, Esq., respectfully request this Honorable Court to grant this Motion to Withdraw as  
7 counsel for Plaintiff DANIEL STEIN.  
8

9 DATED this 19<sup>th</sup> day of October, 2010.

10 VANNAH & VANNAH

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12 \_\_\_\_\_  
13 ROGER M. CRAM, ESQ.

14  
15 THE MOTION TO WITHDRAW (#22) IS GRANTED PLAINTIFF SHALL  
16 HAVE UNTIL DECEMBER 10, 2010 TO RETAIN NEW COUNSEL.  
17

18 **IT IS SO ORDERED.**

19 

20  
21 **UNITED STATES MAGISTRATE JUDGE**

22 **DATED:** \_\_\_\_\_ 10-27-10  
23  
24  
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**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that on this date, I served the foregoing **AMENDED MOTION TO WITHDRAW AS COUNSEL** on all parties to this action by:

- Facsimile
- Mail

addressed as follows:

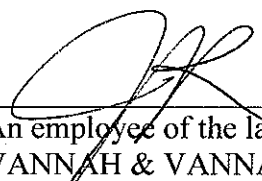
Carrie McCrea Hanlon, Esq.  
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Facsimile: (702) 477-0088  
**Attorneys for Defendant GEICO  
INSURANCE CO., as to the first  
claim for relief only**

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Kristie A. Tappan, Esq.  
Brian A. Gonsalves, Esq.  
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**Attorneys for Defendant GEICO  
GENERAL INSURANCE CO., as to the  
second and third claims for relief only**

Chad M. Golightly, Esq.  
Golightly, Ltd.  
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Facsimile: (702) 961-7766  
**Attorneys for Plaintiff**

Daniel Stein  
2201 Dogwood Ranch Avenue  
Henderson, Nevada 89052  
**Via certified mail only**

Dated this 17<sup>th</sup> day of October, 2010.

  
\_\_\_\_\_  
An employee of the law firm of  
VANNAH & VANNAH