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5  
6 Attorneys for Defendants Philip H. Davis  
and PHD Development, LLC

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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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MUTIBANK 2009-1 RES-ADC VENTURE,  
11 LLC, a Delaware limited liability company,

CASE NO.: 2:10-cv-01084-JCM-GWF

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Plaintiff,

SUBSTITUTION OF ATTORNEY

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v.

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15 STEVEN B. AIZENBERG, an individual;  
PHILIP H. DAVIS, an individual; FRED  
LESSMAN, an individual; PHD  
DEVELOPMENT, LLC, a Nevada limited  
16 liability company; S.B.A. DEVELOPMENT,  
INC., a Nevada corporation; and THE FRED  
17 LESSMAN 2001 LIVING TRUST,

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Defendants.

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20 Defendants, PHILIP H. DAVIS and PHD DEVELOPMENT, LLC, hereby substitute  
21 DAVID R. JOHNSON, ESQ. of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD,  
22 L.L.P. as their attorney in the above-entitled action in the place and stead of the law firm of  
23 IGLODY LAW OFFICE dated this 9<sup>th</sup> day of May, 2011.

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PHILIP H. DAVIS

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PHD DEVELOPMENT, LLC

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**CONSENT TO SUBSTITUTION**

The law firm of IGLODY LAW OFFICE hereby consents to the substitution of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P., as attorney for Defendants, PHILIP H. DAVIS and PHD DEVELOPMENT, LLC, in the above-entitled action, in its place and stead.

Dated this 15 day of May, 2011.


IGLODY LAW OFFICE

  
\_\_\_\_\_  
Lee I. Iglddy, Esq.  
9555 South Eastern Avenue, Ste. 280  
Las Vegas, NV 89123

**ACCEPTANCE OF ATTORNEY**


DAVID R. JOHNSON, ESQ. of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P. does hereby agree to be substituted in place and stead of the law firm of IGLODY LAW OFFICE in the above-entitled action.

Dated this 10 day of MAY, 2011.

WATT, TIEDER, HOFFAR  
& FITZGERALD, L.L.P.  
  
\_\_\_\_\_  
DAVID R. JOHNSON, ESQ.

This substitution of counsel is made subject to the provisions of with LR IA 10-6 (c) and (d) and in full conformity thereof.

IT IS SO ORDERED.

  
\_\_\_\_\_  
GEORGE FOLEY, JR.  
United States Magistrate Judge  
DATED: May 20, 2011

1 **PROOF OF SERVICE**

2 I am a citizen of the United States and employed in Clark County, Nevada. I am over the  
3 age of eighteen years and not a party to the within-entitled action. My business address is 3993  
4 Howard Hughes Parkway, Suite 400, Las Vegas, Nevada 89169. On May 19, 2011, I served a  
5 copy of the within document(s):

6 **SUBSTITUTION OF ATTORNEY**

- 7
- 8  by transmitting via facsimile the document(s) listed above to the fax number(s) set  
forth below on this date before 5:00 p.m.
- 9  by placing the document(s) listed above in a sealed envelope with postage thereon  
10 fully prepaid, the United States mail at Las Vegas, Nevada addressed as set forth  
below.
- 11  by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and  
12 affixing a pre-paid air bill, and causing the envelope to be delivered to a  
13 \_\_\_\_\_ agent for delivery.
- 14  by personally delivering the document(s) listed above to the person(s) at the  
address(es) set forth below.
- 15  by transmitting via e-mail or electronic transmission the document(s) listed above  
16 to the person(s) at the e-mail address(es) set forth below.

17 **Cam Ferenbach, Esq.**  
18 [cferenbach@lionelsawyer.com](mailto:cferenbach@lionelsawyer.com)  
19 **Kirby J. Smith, Esq.**  
[ksmith@lionelsawyer.com](mailto:ksmith@lionelsawyer.com)  
20 **Lionel Sawyer & Collins**  
21 **1700 Bank of America Plaza**  
**300 South Fourth Street**  
**Las Vegas, Nevada 89101**  
**Attorney for Plaintiffs**

**Adam D. Smith, Esq.**  
[asmith@glenlerner.com](mailto:asmith@glenlerner.com)  
**Glen J. Lerner & Associates**  
**4795 South Durango Drive**  
**Las Vegas, NV 89147**  
**Attorney for Defendant**  
**Fred Lessman and The Fred Lessman**  
**2001 Living Trust**

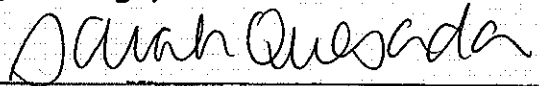
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23 I am readily familiar with the firm's practice of collection and processing correspondence  
24 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
25 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on  
26 motion of the party served, service is presumed invalid if postal cancellation date or postage  
27 meter date is more than one day after date of deposit for mailing in affidavit.

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I declare under penalty of perjury under the laws of the State of Nevada that the above is true and correct.

Executed on May 19 2011, at Las Vegas, Nevada.



An Employee of Watt, Tieder, Hoffar & Fitzgerald, LLP