

1 J. CHARLES COONS, ESQ.
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7
8 **UNITED STATES DISTRICT COURT**
9
10 **DISTRICT OF NEVADA**
11

12 RIGHTHAVEN LLC, a Nevada limited liability)
13 company,)

Case No. 2:10-cv-01356-RLH (RJJ)

14 Plaintiff,)

15 v.)

16 DEMOCRATIC UNDERGROUND, LLC, a)
17 District of Columbia limited-liability company;)
18 and DAVID ALLEN, an individual,)

**MOTION AND PROPOSED ORDER
TO WITHDRAW AS COUNSEL OF
RECORD**

19 Defendants.)

20 DEMOCRATIC UNDERGROUND, LLC, a)
21 District of Columbia limited-liability company,)

22 Counterclaimant,)

23 v.)

24 RIGHTHAVEN LLC, a Nevada limited liability)
25 company, and STEPHENS MEDIA LLC, a)
26 Nevada limited-liability company,)

27 Counterdefendants.)
28

29 J. CHARLES COONS, Esq. respectfully moves this court for an order permitting J.
30 Charles Coons, Esq. ("Mr. Coons"), who has appeared in these proceedings, to withdraw as
31 counsel for Righthaven LLC ("Righthaven"), in the above captioned matter, pursuant to Local
32 Rule IA 10-6, S.C.R 46, and N.R.P.C 1.16 (b)(1) and (7).
33

34 This Motion is made and based upon the Memorandum of Points and Authorities
35 submitted herein, the Declaration of J. Charles Coons, Esq., attached hereto, the pleadings and
36 papers on file herein, and any argument adduced at the hearing of this Motion to Withdraw as
37 Counsel of Record.
38

1 Dated this fourteenth day of February, 2011.

2 J. CHARLES COONS, ESQ.

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4 By: /s/ J. Charles Coons
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10 MEMORANDUM OF POINTS AND AUTHORITIES

11 Mr. Coons is no longer employed as the assistant general counsel at Righthaven.
12 Furthermore, Mr. Coons was not retained to represent Righthaven as outside counsel, in the
13 above captioned matter, or any other pending case or matter before this Court on behalf of
14 Righthaven. The Local Rule IA 10-6 (a) provides that "No attorney may withdraw after
15 appearing in a case except by leave of court after notice served on the affected client and
16 opposing counsel." Righthaven received notice of Mr. Coons' intent to withdraw from this case,
17 and all other Righthaven cases, upon Mr. Coons' final week of employment with Righthaven.
18 Additionally, the opposing counsel in this case will receive notice of this Motion to Withdraw
19 via the CM/ECF system, pursuant to the certificate of service attached herein.

20 Additionally, Local Rule IA 10-6 (e) provides that "no withdrawal... shall be approved if
21 delay of discovery, the trial or any hearing in the case would result." Here, no delay of any kind
22 will result from Mr. Coons' withdrawal because Righthaven is represented in this matter by
23 outside counsel, having previously appeared before this Court, and represented by a robust
24 internal legal team employed by Righthaven. Mr. Coons' withdrawal will not prejudice either
25 party or delay any proceeding in this matter.
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1 CONCLUSION

2 For the reasons set forth above, Mr. Coons respectfully moves this Court enter an Order
3 approving the withdrawal of Mr. Coons as a representing attorney for Righthaven in the instant
4 matter.

5
6 Dated this fourteenth of February, 2011.

7
8 J. CHARLES COONS, ESQ.

9
10 By: /s/ J. Charles Coons
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12 jccoons@gmail.com
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16 **IT IS SO ORDERED:**

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18 _____
19 **UNITED STATES DISTRICT JUDGE**

20 **DATED:** _____
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RIGHTHAVEN LLC, a Nevada limited liability company,

 Plaintiff,

 v.
DEMOCRATIC UNDERGROUND, LLC, a District of Columbia limited-liability company; and DAVID ALLEN, an individual,

 Defendants.

Case No. 2:10-cv-01356-RLH (RJJ)

DECLARATION OF J. CHARLES COONS, ESQ. IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL OF RECORD

DEMOCRATIC UNDERGROUND, LLC, a District of Columbia limited-liability company,

 Counterclaimant,

 v.
RIGHTHAVEN LLC, a Nevada limited liability company, and STEPHENS MEDIA LLC, a Nevada limited-liability company,

 Counterdefendants.

I, J. Charles Coons, declare, under penalty of perjury, that the following is true and correct:

1. I am an attorney-at-law admitted to practice in all courts of the State of Nevada. I have personal knowledge of the facts set forth below and I believe them to be true. I am over eighteen years old and I am competent to testify to the matters set forth herein.

2. I represented Plaintiff Righthaven LLC (“Righthaven”), in the capacity of assistant general counsel, in the above-referenced matter from the filing date of the instant complaint until my departure from Righthaven on January 28, 2011.

3. I am no longer employed with Righthaven as of January 28, 2011.

1 4. I currently do not represent Righthaven, as outside counsel or in any other
2 capacity, on any pending Righthaven case or matter before this Court.

3 5. The Righthaven executive team was given notice of my intent to withdraw from
4 this case and all other pending Righthaven cases, before this Court, on or before January 28,
5 2011.

6
7 Dated this fourteenth of February, 2011.

8
9 J. CHARLES COONS, ESQ.

10
11 By: /s/ J. Charles Coons
12 Nevada Bar No. 10553
13 jccoons@gmail.com
14 10655 Park Run Drive, Suite 150
15 Las Vegas, Nevada 89144
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17 **CERTIFICATE OF SERVICE**

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19 Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that on this fourteenth
20 day of February, 2011, I caused the **MOTION AND PROPOSED ORDER TO WITHDRAW**
21 **AS COUNSEL OF RECORD** and the **DECLARATION OF J. CHARLES COONS, ESQ.**
22 **IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL OF RECORD** to be served
23 by the Court's CM/ECF system.

24
25 By: /s/ J. Charles Coons
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