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6 Attorney for Defendant,
 7 *Michael "Rick" Allec*

8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 RIGHTHAVEN, LLC, a Nevada limited
 11 liability company,

12 Plaintiff,

13 v.

14 RICK ALLEC, an individual; and RX
 15 ADVERTISING INC., LLC, a limited-liability
 company of unknown origin,

16 Defendants.

Case No. 2:11-cv-00532

MOTION TO WITHDRAW

17 **MOTION TO WITHDRAW**

18 Movant, J. Malcolm DeVoy, respectfully moves for withdrawal of his appearance as
 19 counsel for defendant Michael "Rick" Allec in the above-captioned matter. A conflict has arisen
 20 between Defendant and the movant's law firm that falls within Rule 1.16(b) of the Nevada Rules
 21 of Professional Conduct, and the movant can no longer represent Defendant in this action.

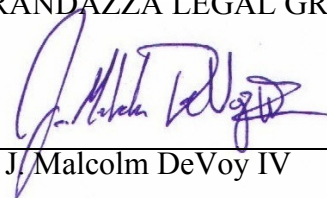
22 The Nevada Rules of Professional Conduct permit this withdrawal. Movant bases this
 23 motion on Rule 1.16(b), subsections 4 (fundamental disagreement), 5, 6 and 7. Under Rule
 24 1.16(b)(1), this withdrawal will not cause prejudice to the client, who does not have an
 25 immediate need for representation and, even following an adverse ruling on the pending Motion
 26 to Dismiss, will have time to retain alternate counsel.
 27

1 In accordance with Rule 1.16(d), the undersigned has already conferred with the
2 Defendant about this motion and taken the steps to end representation specified in that Rule, as
3 applicable. Furthermore, the undersigned has conferred with opposing counsel, who has
4 represented that the Plaintiff does not object to his withdrawal. Accordingly, the undersigned
5 respectfully requests that the Court grant the instant motion.
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7 Dated: September 13, 2011

8 Respectfully Submitted,
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10 RANDAZZA LEGAL GROUP

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J. Malcolm DeVoy IV

13 Attorney for Defendant,
14 *Michael "Rick" Allec*
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am a
3 representative of Randazza Legal Group and that on this 13th day of September, 2011, I caused
4 the document(s) titled:

5
6 to be served as follows:

7 by depositing same for mailing in the United States Mail, in a sealed envelope
8 addressed to Steven A. Gibson, Esq., Righthaven, LLC, 9960 West Cheyenne
9 Avenue, Suite 210, Las Vegas, Nevada, 89129-7701, upon which first class
postage was fully prepaid; and/or

10 Pursuant to Fed. R. Civ. P. 5(b)(2)(D), to be sent via facsimile as indicated; and/or

11
12 to be hand-delivered;

13
14 by the Court's CM/ECF system.
15

16 /s/ J. Malcolm DeVoy

17 J. Malcolm DeVoy
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