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7 Attorneys for Relief Defendants
8 Kim C. Tucker and Park 269 LLC

9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 **FEDERAL TRADE COMMISSION,**

13
14 **Plaintiff,**

15 **vs.**

16 **AMG SERVICES, INC., et al.,**

17 **Defendants, and**

18 **PARK 269 LLC, a Kansas Limited Liability**
19 **Company; and KIM C. TUCKER, in her**
20 **individual and corporate capacity,**

21 **Relief Defendants.**

Case No. : 2:12-cv-00536-GMN-VCF

**RELIEF DEFENDANTS' MOTION TO
WITHDRAW ATTORNEYS**

22
23 Pursuant to LR IA 11-6(b), Relief Defendants Kim Tucker and Park 269, LLC, and
24 attorneys Pete Smith and Linda Mcfee ("the Withdrawing Lawyers") respectfully move the Court for
25 leave to withdraw as attorneys in this case, stating as follows:
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27
28

1 1. On September 30, 2016, the Court entered a final judgment in this case. (ECF No.
2 1057.) The Withdrawing Lawyers have prepared and submitted pleadings responsive to all post-
3 judgment filings of the FTC. The Withdrawing Lawyers also have engaged on behalf of the Relief
4 Defendants in negotiations attempting to resolve the pending Motion for Order Directing Turnover of
5 Assets (ECF No. 1059, "Turnover Motion"), the motion for Appointment of a Receiver (ECF No.
6 1064 (filed under seal), "Receiver Motion"), and the oppositions filed thereto. Those negotiations
7 will conclude, successfully or otherwise, prior to November 28, 2016. The Relief Defendants'
8 deadline for filing a notice of appeal is November 29, 2016.
9

10 2. The Withdrawing Lawyers have confirmed that the Relief Defendants have other legal
11 counsel who will enter an appearance in this case and file a notice of appeal on the November 29,
12 2016 deadline. The Relief Defendants and new counsel will prosecute that appeal.
13

14 3. With the entry of judgment and with new counsel entering an appearance to advance
15 the appeal, Relief Defendants' attorneys Pete Smith and Linda Mcfee will cease representing the
16 Relief Defendants in this case.
17

18 4. Notice of the withdrawal of attorneys Pete Smith and Linda Mcfee has been provided
19 to the Relief Defendants, and, as stated in the certificate of service, to opposing counsel. The Relief
20 Defendants consent to the withdrawal.
21

22 5. Because the Court has entered final judgment (ECF No. 1057), and because new
23 attorneys are assuming responsibility for any further proceedings in this Court, the withdrawal of
24 attorneys Pete Smith and Linda Mcfee shall not cause any delay of pretrial proceedings, discovery,
25 the trial or any hearing in this case.
26

27 6. WHEREFORE, the Relief Defendants and Pete Smith and Linda Mcfee respectfully
28 move the Court for leave to withdraw.

1 Dated: November 28, 2016

Respectfully submitted,

3 /s/ Linda Mcfee

4 Linda C. McFee, Esq.

5 R. Pete Smith, Esq.

McDowell, Rice, Smith & Buchanan

6 605 West 47th Street, Suite 350

Kansas City, MO 64112

7 Attorneys for Relief Defendants

8 Kim C. Tucker and Park 269 LLC

11 **IT IS SO ORDERED**

12 

14 UNITED STATES MAGISTRATE JUDGE

16 DATED: December 1, 2016