

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELI MELLOR,

Plaintiff,

vs.

WEST TROP STORAGE, LLC, *et al.*,

Defendants.

2:13-cv-01502-JCM-VCF

MINUTE ORDER

Before the Court is Plaintiff’s Motion for Sanctions (#18) addressing the manner in which attorney P. Sterling Kerr withdrew from representing the plaintiff in this case. Plaintiff asserts that the Mr. Kerr’s stated reasons for moving to withdraw were not truthful and therefore a violation of Rule 11 of the Federal Rules of Civil Procedure.

It appears that a dispute arose between plaintiff and Mr. Kerr leading to his motion to withdraw. The exact reasons for the deterioration of the attorney-client relationship are not relevant to the court’s decision to allow Mr. Kerr to withdraw.

Unless Mr. Kerr is asserting a retaining lien against the file in this case, he must turn over the entire file on this matter to plaintiff on or before April 16, 2014. If Mr. Kerr is asserting a retaining lien on the file, he need not turn over the file as ordered but must, instead, on or before April 16, 2014, file a motion with this court requesting adjudication of the validity and scope of the asserted lien.

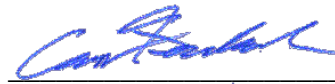
Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Motion for Sanctions (#18) is DENIED in part and GRANTED only to the extent that P. Sterling Kerr is HEREBY ORDERED to deliver plaintiff’s entire

1 file to plaintiff on or before **April 16, 2014**, unless Mr. Kerr files, on or before April 16, 2014, a motion
2 with this court seeking adjudication of a retaining lien or asserting other just cause for retaining the file.

3 The Clerk of Court is directed to mail and e-mail this order to Preston S. Kerr using the contact
4 information he maintains with this court pursuant to Special Order 109.

5 DATED this 2nd day of March, 2014.



6 CAM FERENBACH
7 UNITED STATES MAGISTRATE JUDGE