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14 *Attorneys for Defendant/Counterclaimant iProov*
 15 *Ltd.*

16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE STATE OF NEVADA**

18 FACETEC, INC., a Delaware corporation,
 19 Plaintiff,

20 v.

21 iPROOV LTD, a United Kingdom limited
 liability company,

22 Defendant.

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iPROOV LTD, a United Kingdom limited
 24 liability company,

25 Counter-Claimant,

26 v.

27 FACETEC, INC., a Delaware corporation,
 28 Counter-Defendant.

Case No. 2:21-cv-02252-ART-BNW

**IPROOV LTD’S UNOPPOSED
 MOTION TO WITHDRAW STEPHEN
 R. SMITH AND MATTHEW J.
 BRIGHAM OF COOLEY LLP AS
 COUNSEL OF RECORD AND
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT**

1 Defendant and Counter-Claimant iPROOV LTD (“iProof”), by and through their undersigned
2 counsel, respectfully request, pursuant to Local Rules IA 11-6 and 6-2, leave of the Court to withdraw
3 Stephen R. Smith and Matthew J. Brigham of Cooley LLP as counsel of record.

4 Counsel for Plaintiff and Counter-Defendant FaceTec, Inc. have indicated that they do not
5 oppose this motion.

6 Dated: June 26, 2023

/s/ Matthew J. Brigham

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*Attorneys for Defendant/Counterclaimant
iProof Ltd.*

MEMORANDUM OF POINTS AND AUTHORITIES

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2 Local Rule IA 11-6(b) states that: “If an attorney seeks to withdraw after appearing in a case,
3 the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel.”
4 Stephen Smith and Matthew Brigham of Cooley LLP, who have appeared in this action, and iProov,
5 who consents to this withdrawal, accordingly seek to withdraw Mr. Smith and Mr. Brigham as counsel
6 of record.

7 All parties in this case have received notice of the instant motion and will additionally receive
8 notice of this motion through the CM/ECF system. Counsel for Plaintiff and Counter-Defendant
9 FaceTec, Inc. have indicated that they do not oppose this motion. Additionally, pursuant to Local
10 Rule IA 11-6(d), withdrawal will not cause any delay in the instant proceedings as iProov will continue
11 to be represented in this action by attorneys Jay J. Schuttert and David Gutke of Evans Fears &
12 Schuttert LLP, Alan Sege of Alan Sege, PC, and Ryan E. Hatch of Hatch Law PC.

13 Additionally, movants have attached a proposed order and the LR IA 6-2 signature block,
14 whichever the Court chooses to use.

1 Dated: June 26, 2023

/s/ Matthew J. Brigham
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*Attorneys for Defendant/Counterclaimant
iProov Ltd.*

17 **ORDER**

18 **IT IS SO ORDERED.**

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20 UNITED STATES DISTRICT COURT JUDGE/
21 UNITED STATES MAGISTRATE JUDGE

22 DATED: June 27, 2023

23 Case No.: 2:21-cv-02252-ART-BNW
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **IPROOV LTD'S UNOPPOSED MOTION TO WITHDRAW STEPHEN R. SMITH AND MATTHEW J. BRIGHAM OF COOLEY LLP AS COUNSEL OF RECORD AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT** was served on counsel of record on June 26, 2023 using the Court's CM/ECF System.

/s/ Matthew J. Brigham

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**UNITED STATES DISTRICT COURT
FOR THE STATE OF NEVADA**

FACETEC, INC., a Delaware corporation,
Plaintiff,

v.

iPROOV LTD, a United Kingdom limited
liability company,

Defendant.

iPROOV LTD, a United Kingdom limited
liability company,

Counter-Claimant,

v.

FACETEC, INC., a Delaware corporation,
Counter-Defendant.

Case No. 2:21-cv-02252-ART-BNW

**[PROPOSED] ORDER GRANTING
IPROOV LTD’S UNOPPOSED
MOTION TO WITHDRAW STEPHEN
R. SMITH AND MATTHEW J.
BRIGHAM OF COOLEY LLP AS
COUNSEL OF RECORD**

This matter is before the Court on the Motion to Withdraw as Counsel of Record filed June 23, 2023. Stephen Smith and Matthew Brigham of Cooley LLP seek to withdraw as counsel of record for Defendant and Counter-Claimant iProov Ltd. The Motion represents that iProov will continue to be represented in this action by attorneys Jay J. Schuttert and David Gutke of Evans Fears & Schuttert LLP, Alan Sege of Alan Sege, PC, and Ryan E. Hatch of Hatch Law PC. Local Rule IA 11-6 provides that “no withdrawal . . . will be approved if it will result in delay of discovery, the trial, or any hearing in the case.” Discovery has not yet closed and withdrawal will not delay this action.

1 Having reviewed and considered this matter, and for good cause shown,

2 IT IS SO ORDERED:

3 1. The Motion to Withdraw is GRANTED.

4 2. Defendant and Counter-Claimant iProov Ltd. will continue to be represented in this action
5 by attorneys Jay J. Schuttert and David Gutke of Evans Fears & Schuttert LLP, Alan Sege of Alan
6 Sege, PC, and Ryan E. Hatch of Hatch Law PC.

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UNITED STATES DISTRICT COURT JUDGE/
UNITED STATES MAGISTRATE JUDGE

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DATED: _____

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Case No.: 2:21-cv-02252-ART-BNW

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