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Attorneys for Plaintiffs

7 **UNITED STATES DISTRICT COURT FOR**
 8
 9 **THE DISTRICT OF NEVADA**

10 KRISTINA PFAFF-HARRIS and FRED
 11 G WRIGHT, individually and on behalf
 12 of all others similarly situated ,

Plaintiffs,

v.

14 PROGRESSIVE DIRECT INSURANCE
 15 COMPANY and PROGRESSIVE
 16 NORTHERN INSURANCE
 17 COMPANY, Ohio corporations,

Defendants.

Case No.: 2:24-cv-00761-RFB-NJK

MOTION TO WITHDRAW AS COUNSEL

1 COMES NOW, Gregg A. Hubley, Esq. and Christopher A.J. Swift, Esq., on behalf of
2 Nathan L. Nanfelt, Esq., Laura R. Gerber, Esq., Derek W. Loeser, Esq., and Chris N. Ryder, Esq.
3 of the law firm KELLER ROHRBACK L.L.P., hereby moves this Honorable Court for an Order
4 allowing the law firm KELLER ROHRBACK L.L.P. to withdraw as attorneys of record for
5 Plaintiffs Kristina Pfaff-Harris and Fred G. Wright (“Plaintiffs”).

6 This Motion is made and based upon the following Memorandum of Points and
7 Authorities, and the Declaration of Nathan L. Nanfelt, attached hereto.

8 **MEMORANDUM OF POINTS AND AUTHORITIES**

9 1. This lawsuit was filed on April 19, 2024. Dkt. 1.

10 2. The lawsuit lists Nathan L. Nanfelt, Laura R. Gerber, Derek W. Loeser, and
11 Chris N. Ryder of KELLER ROHRBACK L.L.P., (collectively, “the Keller Rohrback attorneys”)
12 as attorneys of record on the complaint.

13 3. Listing the Keller Rohrback attorneys as counsel for Plaintiffs in this lawsuit was
14 error, because the Keller Rohrback attorneys do not and have never represented Plaintiffs in this
15 matter.

16 4. The Keller Rohrback attorneys were not notified that the complaint lists them as
17 counsel of record at the time the lawsuit was filed.

18 5. The Keller Rohrback attorneys first became aware that they are listed as counsel
19 of record on April 25, 2024, when they received copy by mail of an April 23, 2024 Notice to
20 Counsel Pursuant to Local Rule IA 11-2.

21 6. Nevada Supreme Court Rule (“SCR”) 46 provides that an attorney may
22 withdraw “at any time before judgment or final determination ... upon the order of the court or
23 judge thereof on the application of the attorney...” Pursuant to SCR 166, an attorney may be
24 permitted to withdraw if withdrawal can be accomplished without adversely affecting the
25 interests of the client, or if good cause exists for terminating the representation.

26 7. Local Rule IA 11-6(a) allows for an attorney to withdraw with leave of court
27 after notice of the intent to withdraw is served. Plaintiffs’ Counsel, Carney Bates & Pulliam
28 PLLC, has notified Plaintiffs that KELLER ROHRBACK L.L.P. is seeking withdrawal.

ORDER

IT IS THEREFORE ORDERED that Nathan L. Nanfelt, Laura R. Gerber, Derek W. Loeser, and Chris N. Ryder of KELLER ROHRBACK L.L.P. be allowed to withdraw as Counsel of record, for Plaintiffs Kristina Pfaff-Harris and Fred G. Wright.

IT IS SO ORDERED.

Dated: May 8, 2024



United States Magistrate Judge

1 P.A., EDELSBERG LAW, P.A., CARNEY BATES & PULLIAM, PLLC, NORMAND PLLC,
2 and JACOBSON PHILLIPS PLLC are not seeking withdrawal as counsel of record in this matter.

3 11. Accordingly, by this motion, I respectfully request the withdrawal of KELLER
4 ROHRBACK L.L.P. as counsel of record. This Motion is brought in good faith and not for
5 purposes of any delay.

6 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing
7 is true and correct.

8 DATED this 7th day of May 2024.

9
10 By: /s/Nathan L. Nanfelt
Nathan L. Nanfelt