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10 *Attorneys for Plaintiffs*

11 **UNITED STATES DISTRICT COURT FOR**  
 12 **THE DISTRICT OF NEVADA**

13 KRISTINA PFAFF-HARRIS and FRED  
 14 G WRIGHT, individually and on behalf  
 15 of all others similarly situated ,

16 Plaintiffs,

17 v.

18 PROGRESSIVE DIRECT INSURANCE  
 19 COMPANY and PROGRESSIVE  
 20 NORTHERN INSURANCE  
 21 COMPANY, Ohio corporations,

22 Defendants.

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

24 **MOTION TO WITHDRAW AS COUNSEL**

1 COMES NOW, Gregg A. Hubley, Esq. and Christopher A.J. Swift, Esq., on behalf of  
2 Jeffrey D. Kaliel, Esq., of the law firm KALIELGOLD PLLC, hereby moves this Honorable Court  
3 for an Order allowing the law firm KALIELGOLD PLLC to withdraw as attorney of record for  
4 Plaintiffs Kristina Pfaff-Harris and Fred G. Wright (“Plaintiffs”).

5 This Motion is made and based upon the following Memorandum of Points and  
6 Authorities, and the Declaration of Jeffrey D. Kaliel, attached hereto.

7 **MEMORANDUM OF POINTS AND AUTHORITIES**

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

9 2. The lawsuit lists Jeffrey D. Kaliel of KALIELGOLD PLLC (the “KG Attorney”)  
10 as an attorney of record on the complaint.

11 3. Listing the KG Attorney as counsel for Plaintiffs in this lawsuit was error,  
12 because the KG Attorney does not and has never represented Plaintiffs in this matter.

13 4. The KG Attorney was not notified that the complaint lists him as counsel of  
14 record at the time the lawsuit was filed.

15 5. The KG Attorney first became aware that he was listed as counsel of record on  
16 or about April 25, 2024, when he received copy by mail of an April 23, 2024 Notice to Counsel  
17 Pursuant to Local Rule IA 11-2.

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

23 7. Local Rule IA 11-6(a) allows for an attorney to withdraw with leave of court  
24 after notice of the intent to withdraw is served. Plaintiffs’ Counsel, Carney Bates & Pulliam  
25 PLLC, has notified Plaintiffs that KALIELGOLD PLLC is seeking withdrawal.

26 8. Local Rule IA 11-6(e) provides that, except for good cause, withdrawal will not  
27 be granted if a delay in discovery, the trial or any hearing will result.



**ORDER**

IT IS THEREFORE ORDERED that Jeffrey D. Kaliel of KALIELGOLD PLLC be allowed to withdraw as Counsel of record, for Kristina Pfaff-Harris and Fred G. Wright.

IT IS SO ORDERED.

Dated: May 8, 2024

  
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United States Magistrate Judge



