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KENT ROBISON, ESQ. – NSB #1167
krobison@rssblaw.com
SCOTT L. HERNANDEZ – NSB #13147
shernandez@rssblaw.com
Robison, Sharp, Sullivan & Brust
A Professional Corporation
71 Washington Street
Reno, Nevada 89503
Telephone: 775-329-3151
Facsimile: 775-329-7169
Attorneys for Plaintiff and Counter-Defendant
SMC Construction Co.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SMC CONSTRUCTION CO., a Nevada corporation,

CASE NO.: 3:17-cv-00470-MMD-VPC

Plaintiff,
vs.

**EX PARTE MOTION TO
WITHDRAW AS CO-COUNSEL OF
RECORD AND REMOVE NAME
FROM CM/ECF SERVICE LIST
AND MASTER MAILING MATRIX**

REX MOORE GROUP, INC., a California corporation (designated a Nevada corporation in error); and DOES 1-5, inclusive,
Defendants.

REX MOORE GROUP, INC., a California corporation,

Counterclaimant,
vs.

SMC CONSTRUCTION CO., a Nevada corporation; and EDGEWOOD COMPANIES, a Nevada corporation,
Counter-Defendants.

Scott L. Hernandez, Esq. formerly affiliated with the law firm of Robison, Sharp, Sullivan & Brust, the undersigned, respectfully submits this Ex Parte Motion to Withdraw as Co-Counsel of Record and Remove Name from CM/ECF Service List and Master Mailing Matrix requesting an entry of an order of this Court, in the form attached hereto as Exhibit 1, which permits (1) his withdrawal as co-counsel of record on behalf of Plaintiff/Counter-Defendant,

1 SMC Construction Co.; and (2) removes his name from the CM/ECF service list and master
2 mailing matrix in the above-captioned case.

3 Mr. Hernandez has previously appeared in this case as co-counsel of record on behalf of
4 Plaintiff/Counter-Defendant, SMC Construction Co., when he was affiliated with Robison,
5 Sharp, Sullivan & Brust. As of February 14, 2018, Mr. Hernandez accepted an employment
6 position outside of the law firm of Robison, Sharp, Sullivan & Brust and therefore must remove
7 himself from this case.

8 To correct the record, Mr. Hernandez respectfully requests that the Court enter an order,
9 in the form attached as Exhibit 1, which permits (1) his withdrawal as co-counsel of record on
10 behalf of Plaintiff/Counter-Defendant, SMC Construction Co.; and (2) removes his name from
11 the CM/ECF service list and master mailing matrix in this case.

12 DATED this 14 day of February, 2018.

13 ROBISON, SHARP, SULLIVAN & BRUST
14 A Professional Corporation
15 71 Washington Street
16 Reno, Nevada 89503

17 By: /s/ Scott L. Hernandez
18 KENT R. ROBISON, ESQ. – NSB #1167
19 SCOTT L. HERNANDEZ, ESQ. – NSB #13147
20 Attorneys for Plaintiff and Counter-Defendant
21 SMC Construction Co.

22 *APPROVED*
23 *Valerie P. Fobbe*
24 U.S. MAGISTRATE JUDGE
25 DATED: *February 15, 2018*

EXHIBIT 1

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SMC CONSTRUCTION CO., a Nevada corporation,

Plaintiff,

vs.

REX MOORE GROUP, INC., a California corporation (designated a Nevada corporation in error); and DOES 1-5, inclusive,

Defendants.

CASE NO.: 3:17-cv-00470-MMD-VPC

ORDER GRANTING EX PARTE MOTION TO WITHDRAW AS CO-COUNSEL OF RECORD AND REMOVE NAME FROM CM/ECF SERVICE LIST AND MASTER MAILING MATRIX

No Hearing Required

REX MOORE GROUP, INC., a California corporation,

Counterclaimant,

vs.

SMC CONSTRUCTION CO., a Nevada corporation; and EDGEWOOD COMPANIES, a Nevada corporation,

Counter-Defendants.

The Court having reviewed the Ex Parte Motion to Withdraw as Co-Counsel of Record and Remove Name from CM/ECF Service List and Master Mailing Matrix filed by Scott L. Hernandez, and good cause appearing

IT IS HEREBY ORDERED that Scott L. Hernandez, Esq., is permitted to withdraw as co-counsel of record on behalf of Plaintiff/Counter-Defendant, SMC Construction Co.; and

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IT IS FURTHER ORDERED that the Clerk will remove Scott L. Hernandez's name from the CM/ECF service list and master mailing matrix in the above-captioned case.

DATED this _____ day of _____, 2018.

Submitted by:

ROBISON, SHARP, SULLIVAN & BRUST
A Professional Corporation
71 Washington Street
Reno, Nevada 89503

By: /s/ Scott L. Hernandez
KENT R. ROBISON, ESQ. – NSB #1167
SCOTT L. HERNANDEZ, ESQ. – NSB #13147

Attorneys for Plaintiff and Counter-Defendant
SMC Construction Co.

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of ROBISON, SHARP, SULLIVAN & BRUST, and that on this date I caused a true copy of the **EX PARTE MOTION TO WITHDRAW AS CO-COUNSEL OF RECORD AND REMOVE NAME FROM CM/ECF SERVICE LIST AND MASTER MAILING MATRIX** to be served on all parties to this action by:

_____ placing an original or true copy thereof in a sealed, postage prepaid envelope, in the United States mail at Reno, Nevada, addressed to:

John E. Bragonje, Esq.
Lewis Roca Rothgerber Christie LLP
One East Liberty Street, Suite 300
Reno, NV 89501-1922
Email: jbragonje@lrrc.com
Attorneys for Defendant/Counterclaimant Rex Moore Group, Inc.

Patrick T. Markham, Esq.
Jacobson Markham LLP
8950 Cal Center Drive, Suite 210
Sacramento, CA 95826
Email: ptmarkham@jacobsonmarkham.com
Attorneys for Defendant/Counterclaimant Rex Moore Group, Inc.

Gordon H. DePaoli, Esq.
Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, Nevada 89511
Email: gdepaoli@woodburnandwedge.com
Attorneys for Counterdefendant Edgewood Companies

Andrew L. Collier, Esq.
Avalon J. Fitzgerald, Esq.
William R. Warne, Esq.
Downey Brand LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
Email: acollier@downeybrand.com
afitzgerald@downeybrand.com
bwarne@downeybrand.com
Attorneys for Counterdefendant Edgewood Companies

_____ personal delivery/hand delivery to:

X emailing an attached Adobe Acrobat PDF version of the document to the email addresses below/facsimile (fax) and/or E-Filing pursuant to Section IV of the District of Nevada Electronic Filing Procedures

John E. Bragonje, Esq.
Lewis Roca Rothgerber Christie LLP
Email: jbragonje@lrrc.com
Attorneys for Defendant/Counterclaimant Rex Moore Group, Inc.

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Patrick T. Markham, Esq.
Jacobson Markham LLP
Email: ptmarkham@jacobsonmarkham.com
Attorneys for Defendant/Counterclaimant Rex Moore Group, Inc.

Gordon H. DePaoli, Esq.
Woodburn and Wedge
Email: gdepaoli@woodburnandwedge.com
Attorneys for Counterdefendant Edgewood Companies

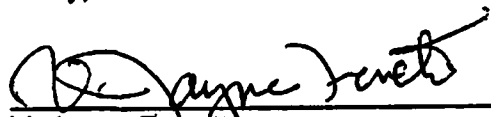
Andrew L. Collier, Esq.
Downey Brand LLP
Email: acollier@downeybrand.com
Attorneys for Counterdefendant Edgewood Companies

Avalon J. Fitzgerald, Esq.
Downey Brand LLP
Email: afitzgerald@downeybrand.com
Attorneys for Counterdefendant Edgewood Companies

William R. Warne, Esq.
Downey Brand LLP
Email: bwarne@downeybrand.com
Attorneys for Counterdefendant Edgewood Companies

Federal Express/UPS or other overnight delivery

DATED this 14th day of February, 2018.



V. Jayne Ferrette
Employee of Robison, Sharp, Sullivan & Brust