

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,

Civil Action No. : 1:10-cv-00569-RJA

Plaintiff,

**MEMORANDUM IN SUPPORT  
OF MOTION TO WITHDRAW AS  
COUNSEL**

v.

MARK ELLIOT ZUCKERBERG, Individually, and  
FACEBOOK, INC.

Defendants.

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**MEMORANDUM**

On October 25, 2012 the federal government unsealed a criminal complaint against Plaintiff. Exhibit A. That complaint essentially adopts the conclusions in Defendants' experts' reports as the justification for two criminal charges against Plaintiff containing penalties, given Plaintiff's age, amounting to a life sentence in prison. Id.

That complaint, consistent with Defendants' experts' opinions and those espoused by Defendants' counsel from Gibson Dunn, allege that Plaintiff's claims of an authentic contract and authentic emails, among other things in this matter, constitute fraud.

Myself and prior counsel all have and had a duty to bring to this court any evidence of fraud, even fraud by our own client, should we have come across it. No prior counsel and current counsel, including the undersigned, have done so. The

undersigned, at no time, has encountered evidence of fraud by Plaintiff. The reasons for the departure of prior counsel whom have filed a notice of appearance and represented Plaintiff in this case, other than the Milberg law firm, have not been made known to the undersigned. The undersigned has included, per local rule, the reasons for this request in a document provided *in camera* to this court detailing the reasons justifying this request. Given Mr. Ceglia's current detention the undersigned has been unable to communicate with him timely to obtain his consent to this filing.

As this court knows, this case and its pleadings are widely followed in the media. Therefore, the undersigned feels it is important to emphasize in the strongest terms possible, that the reasons underlying this request, provided to the court for its review, have **nothing to do with any belief by the undersigned that Plaintiff is engaged in now or has been engaged in during the past, fraud regarding this case.** The personal reasons for this request are contained in the *in camera* communication provided to this court and will be served by regular U.S. mail upon Mr. Ceglia once the mailing address for his current detention location is determined.

### **CONCLUSION**

For the foregoing reasons, the undersigned respectfully requests this court grant this motion for withdrawal from representation of Plaintiff in this case.

Respectfully submitted,

/s/Dean Boland

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