

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

Actus, LLC	§	
	§	
v.	§	
	§	Civil Action No. 2:09-cv-102 [TJW]
Bank of America Corp., et al	§	Jury Trial Demanded

**DEFENDANT M&T BANK CORPORATION'S UNOPPOSED MOTION TO  
WITHDRAW AS COUNSEL**

Defendant M&T Bank Corporation files this Unopposed Motion to Withdraw as Counsel and respectfully requests that Michael E. Jones and the POTTER MINTON, P.C. law firm be permitted to withdraw herein as counsel of record for M&T Bank Corporation in the above-captioned matter. M&T Bank Corporation consents to this request and said Defendant is currently represented by Joseph A. Micallef with Arnold & Porter, LLP and Michael P. Lynn with Lynn, Tillotson, Pinker & Cox, LLP in this matter. No other changes are requested at this time regarding the other attorneys acting as said defendant's counsel of record. Plaintiff does not oppose this motion.

Dated: November 20, 2009

Respectfully submitted,

By: /s/ Michael E. Jones

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*Attorneys for Defendant*  
**M&T BANK CORPORATION**

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 20<sup>th</sup> day of October, 2009. Any other counsel of record will be served by First Class U.S. Mail on this same date.

/s/ Michael E. Jones  
MICHAEL E. JONES