

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

RICKY B. PERRITT, individually;	§	
THE CUPCAKERY, LLC, a Texas Limited	§	
Liability Company; BUSTER BAKING,	§	
LLC, a Texas Limited Liability Company;	§	
THE WOODLANDS BAKING, LLC,	§	
A Texas Limited Liability Company;	§	
CUSTOM VERSION CORPORATION,	§	
A Texas Corporation	§	Civil Action No. 4:11-CV-23
	§	
v	§	
	§	
PAMELA F. JENKINS, individually; and	§	
THE CUPCAKERY LLC, a Nevada	§	
Limited Liability Company	§	

MOTION TO SUBSTITUTE COUNSEL

COMES NOW Plaintiff, RICKY B. PERRITT, Individually; THE CUPCAKERY, LLC, a Texas Limited Liability Company; BUSTER BAKING LLC, a Texas Limited Liability Company; THE WOODLAND BAKING, LLC, A Texas Limited Liability Company; CUSTOM VERSION CORPORATION, A Texas Corporation, and files this its Motion to Substitute Counsel and would respectfully show the Court as follows:

I.

Plaintiff is represented by Michael J. Whitten, Michael J. Whitten & Associates, P.C., 218 North Elm Street, Denton, Texas 76201. Plaintiff now moves that R. WILLIAM WOOD of the law firm of Wood, Thacker & Weatherly, P.C., 400 West Oak Street, Suite 310, Denton, Texas 76201, (940) 565-6565 be substituted as lead counsel on behalf of the Plaintiff.

II.

Plaintiff has approved that R. WILLIAM WOOD of the law firm of Wood, Thacker & Weatherly P.C. be substituted as lead counsel on behalf of the Plaintiff.

III.

This substitution is not being taken for purposes of delay.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Motion of Substituted Counsel be granted and that R. WILLIAM WOOD of the law firm of Wood, Thacker & Weatherly P.C. be substituted as lead counsel on behalf of the Plaintiff.

Respectfully submitted,

WOOD, THACKER & WEATHERLY, P.C.  
400 West Oak, Suite 310  
Denton, Texas 76201  
(940) 565-6565  
(940) 566-6673 FAX  
Attorneys for Plaintiff

/s/ R. William Wood  
R. WILLIAM WOOD  
State Bar Card No. 21906000

APPROVED:

Mr. Michael J. Whitten  
Michael J. Whitten & Associates P.C.  
218 North Elm Street  
Denton, Texas 76201

/s/ Michael J. Whitten  
Michael J. Whitten  
State Bar Card No. 21392000

CERTIFICATE OF SERVICE

A true and correct copy of the above and foregoing document has been furnished to all counsel of record in accordance with the Federal Rules of Civil Procedure, this 23rd day of August, 2011.

/s/ R. William Wood

R. William Wood

Ms. Jodie Slater  
Strong & Nolan LLP  
1701 N. Market Street, Suite 200  
Dallas, Texas 75202  
VIA FACSIMILE (214)752-6929

Mr. Clyde M. Siebman  
Siebman, Burg, Phillips & Smith, LLP  
300 North Travis Street  
Sherman, Texas 75090  
VIA FACSIMILE (903)870-0066

Mr. Michael J. Whitten  
Michael J. Whitten & Associates P.C.  
218 North Elm Street  
Denton, Texas 76201  
VIA FACSIMILE (940)898-0196

CERTIFICATE OF CONFERENCE

I called this 24<sup>th</sup> day of August, 2011, to attempt to speak to anybody in the office of Strong & Nolan, LLP but were unable to reach anyone. I understand from emails with counsel that Defendant's counsel, Jodi Slater, is out of town on a honeymoon. I left word for her to return my call.

/s/ R. William Wood

R. William Wood