

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

DELIVERANCE POKER, LLC,

Plaintiff,

vs.

MICHAEL MIZRACHI,

Defendant.

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CIVIL ACTION NO. 1:10-CV-00664-JRN

WILLIAM PIERATT DEMOND’S MOTION TO WITHDRAW AS  
ATTORNEY IN CHARGE AND SUBSTITUTE OTHER COUNSEL AND  
MEMORANDUM IN SUPPORT

William Pieratt Demond asks this court to allow him to withdraw as attorney in charge for Plaintiff and substitute Douglas M. Becker as attorney in charge.

A. Introduction

1. Plaintiff is Deliverance Poker, LLC; Defendant is Michael Mizrachi.
2. Plaintiff sued Defendant for breach of contract.

B. Argument

3. There is good cause for this court to grant this motion to withdraw.
4. Plaintiff’s counsel previously identified and acquired co-counsel in this case that would facilitate the prosecution of Plaintiff’s case.
5. Plaintiff, lead counsel, and co-counsel are in agreement that a substitution will best serve the interests of the client herein.
6. More specifically, Plaintiff requires the services of counsel that is well-suited to the prosecution of the instant case. Plaintiff, lead counsel, and co-counsel are in agreement that a withdrawal and substitution are the best ways to accomplish this objective without prejudicing any parties’ interests and/or delaying the prosecution of this matter.

7. Douglas M. Becker and the firm of Gray & Becker, P.C. will be substituted as the attorney in charge for Plaintiff. His Texas State Bar Number is 02012900 and his office address, e-mail address, telephone number, and fax number are as follows: Gray & Becker, P.C. 900 West Avenue, Austin, TX 78701, [doug.becker@graybecker.com](mailto:doug.becker@graybecker.com) , (512) 482-0061 (o) and (512) 482-0924 (f).

8. Plaintiff approves of this substitution.

9. The withdrawal and substitution will not delay these proceedings.

### C. Conclusion

10. Plaintiff has acquired substitute counsel that is better suited to prosecuting the present case.

11. Plaintiff and its counsel are in agreement that substituting co-counsel for its current lead counsel will better serve the needs of Plaintiff herein.

For these reasons, William Pieratt Demond asks this court to grant his motion to withdraw and substitute Douglas M. Becker as attorney in charge for Plaintiff.

Respectfully submitted,

By:           /s/ William Pieratt Demond          

**William Pieratt Demond**

Texas State Bar No. 24058931

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**ATTORNEY FOR PLAINTIFF**

**DELIVERANCE POKER, LLC**

By: Douglas M. Becker

**Douglas M. Becker**  
Texas State Bar No. 02012900  
**John D. Jacks**  
Texas State Bar No. 00785986  
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**CO-COUNSEL FOR PLAINTIFF**  
**DELIVERANCE POKER, LLC**

**CERTIFICATE OF CONFERENCE**

I certify that I attempted to confer with counsel for Defendant Michael Mizrachi to determine whether he is opposed to this motion by calling his office at approximately 9:00 a.m. on November 18, 2010, and leaving a message, and calling again at approximately 3:30 p.m. on November 18, 2010. Plaintiff will assume that Defendant opposes this motion since counsel for Defendant has been unavailable to confer regarding this matter.

John D. Jacks

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>TH</sup> day of November 2010, I electronically filed the above and foregoing document, "WILLIAM PIERATT DEMOND'S MOTION TO WITHDRAW AS ATTORNEY IN CHARGE AND MEMORANDUM IN SUPPORT" with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel for Defendant:

John P. Henry  
The Law Offices of John Henry, P.C.  
P.O. Box 1838  
Round Rock, Texas 78680

/s/ William Pieratt Demond  
William Pieratt Demond