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THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COINLAB, INC., a Delaware Corporation,

Plaintiff,

v.

MT. GOX KK, a Japanese corporation, and
TIBANNE KK, a Japanese corporation,

Defendants.

No. 2:13-cv-00777-MJP

**MOTION FOR LEAVE TO WITHDRAW
AS COUNSEL**

**NOTE ON MOTION CALENDAR:
Friday, April 4, 2014**

Baker & McKenzie LLP, Tod L. Gamlen, Daniel Valles, Hillis Clark Martin & Peterson, Louis D. Peterson and Joseph B. Genster (all collectively referred to as “Current Tibanne Counsel”) hereby move, pursuant to LCR 83.2(b) of the Local Rules of the United States District Court for the Western District of Washington, for leave to withdraw as counsel for Defendant Tibanne KK.

As described in the Declaration of Tod L. Gamlen, Tibanne KK has informed Current Tibanne Counsel that it wants to engage new counsel, and has effectively discharged Current Tibanne Counsel. Further, Tibanne KK has not agreed to pay Current Tibanne Counsel for any further services. It is respectfully submitted that grounds for withdrawal exist under the mandatory withdrawal provisions of Rule 1.16(a) (3), and the permissive withdrawal provisions

*MOTION FOR LEAVE TO WITHDRAW AS
COUNSEL -
(2:13-cv-00777-MJP) - 1*

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1 of Rule 1.16(b)(6) of the Washington State Rules of Professional Conduct.

2 Current Tibanne Counsel has informed Tibanne KK that as a corporate entity it is required
3 by law to be represented by an attorney admitted to practice before this Court, and that the failure
4 to obtain a replacement attorney could result in the entry of default against it and the dismissal of
5 its counterclaims.

6 Under LCR 83.2(b), an attorney is ordinarily permitted to withdraw until 60 days before
7 the discovery cutoff date in a civil case. In this case, the discovery cutoff date is June 6, 2014.

8 Current Tibanne Counsel has concluded that they cannot continue to effectively represent
9 Tibanne KK.

10 For these reasons, we respectfully request that this Court grant the present motion to
11 withdraw.

12 DATED this 20th day of March, 2014.

HILLIS CLARK MARTIN & PETERSON P.S.

13 By s/ Louis D. Peterson

14 Louis D. Peterson, WSBA #5776
15 Joseph B. Genster, WSBA #14968
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18 By s/ Tod L. Gamlen

19 BAKER & MCKENZIE LLP

20 (Admitted *pro hac vice*)

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daniel.valles@bakermckenzie.com

Attorneys for Defendant Tibanne KK

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 20th day of March 2014, I electronically filed the foregoing
3 with the Clerk of the Court using the CM/ECF system which will send notification of such filing
4 to the following:

5
6 Roger M. Townsend *Attorneys for Plaintiff*
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10 Edgar Guy Sargent *Attorneys for Plaintiff*
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13 Phone: 206-516-3880
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14
15 and I hereby certify that I have emailed and I caused each such document to be personally
16 delivered by hand to:

17 Tibanne KK
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