

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

MALIBU MEDIA, LLC)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:13-cv-00205-WTL-MJD
)	
KELLEY TASHIRO and N. CHARLES)	
TASHIRO)	
)	
Defendants)	

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR KELLEY TASHIRO

Jonathan LA Phillips, of Shay Phillips, Ltd., seeks leave to withdraw his and his firm’s appearance on behalf of Defendant Kelley Tashiro.

1. Local Rule 83-7 and Indiana Rule of Professional Conduct 1.16 govern the withdrawal of attorneys. Indiana Rule of Professional Conduct 1.16(b)(5) provides for withdraw under several circumstance, including when a “client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled.”

2. This provision, among others, allows for the withdrawal of undersigned. Kelley Tashiro has failed to fulfill an obligation to undersigned regarding the legal services. If the Court believes a more descriptive explanation is called for, undersigned will submit such an explanation, for review *in camera* to prevent waiver of the attorney-client privilege.

3. Undersigned informed Mrs. Tashiro of her failure to fulfill an obligation to undersigned and of his intent to withdraw, in writing, over two months ago. Mrs. Tashiro has consented to the withdrawal. Undersigned has waited until no deadlines were pending to seek leave to withdraw. He again informed Mrs. Tashiro of his intent to withdraw. Hence,

neither Kelley Tashiro, the Court, nor Malibu Media, LLC should be prejudiced if this motion is granted.

4. Mrs. Tashiro will be unrepresented. She can be reached at 3690 Chancellor Drive, Greenwood, Indiana 46163. Her phone number is (317) 889-6564.

5. It is just and proper to allow undersigned and his firm to withdraw from representation of Kelley Tashiro. Pursuant to Local Rule 83-7(b)(2), the withdrawal date should be fixed as the date of entry of the Court's Order.

Therefore, the undersigned counsel and Shay Phillips, Ltd. request that the Court enter an Order permitting counsel to withdraw his and the law firm's appearance.

Respectfully submitted,

/s/ Jonathan LA Phillips
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CERTIFICATE OF SERVICE

I certify that on July 29, 2015, a copy of the foregoing has been filed with the Clerk of the Court via the Court's ECF filing system, thereby serving it upon all counsel of record. I further certify that Mrs. Kelley Tashiro was served with a copy of the foregoing by placement of the same in the US Mail, First Class, postage pre-paid to her home address, as well as by electronic mail.

/s/ Jonathan LA Phillips