

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN DOE AND JANE DOE, AS THE)	CASE NO.: 2:08 CV 575
NATURAL PARENTS AND NEXT)	
FRIENDS OF THEIR MINOR CHILD,)	JUDGE GREGORY FROST
JAMES DOE,)	
)	MAGISTRATE JUDGE NORAH MCCANN KING
Plaintiffs,)	
)	
vs.)	<u>MOTION TO WITHDRAW AS COUNSEL</u>
)	
MOUNT VERNON CITY SCHOOL)	
DISTRICT BOARD OF EDUCATION, ET)	
AL.,)	
)	
Defendants.)	

NOW COME Robert H. Stoffers, Jason R. Deschler and Mazanec, Raskin, Ryder & Keller Co., L.P.A., and hereby respectfully move the Court, pursuant to Local Rule 83.4(c)(1)(ii) for leave to withdraw as Trial Attorneys for Defendant John Freshwater in the above-referenced case. Defendant Freshwater continues to be represented by R. Kelly Hamilton.

A Memorandum in Support is attached hereto and incorporated herein.

Respectfully submitted,

MAZANEC, RASKIN, RYDER & KELLER CO., L.P.A.

s/ Robert H. Stoffers

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Trial Attorneys for Defendant John Freshwater

MEMORANDUM IN SUPPORT

Robert H. Stoffers, Jason R. Deschler and the law firm of Mazanec, Raskin, Ryder & Keller Co., L.P.A., request the Court to allow them to withdraw as Trial Attorneys for Defendant John Freshwater in the above-referenced case. Mazanec, Raskin, Ryder & Keller, Co., L.P.A. and its attorneys, Robert H. Stoffers and Jason R. Deschler, were retained by the insurer for the Mount Vernon School District Board of Education to represent Defendant Freshwater in this case. Throughout this case, Defendant Freshwater also has been represented by attorney R. Kelly Hamilton.

On April 23, 2010 circumstances arose which prevent Robert H. Stoffers, Jason R. Deschler and Mazanec, Raskin, Ryder & Keller, Co., L.P.A. from continuing to represent Defendant Freshwater in the within case in accordance with Ohio Rules of Professional Conduct. Defendant Freshwater continues to be represented by R. Kelly Hamilton. Attached hereto are the Affidavits of Robert H. Stoffers and Jason R. Deschler which attest to there being good cause, pursuant to the Ohio Rules of Professional Conduct, which require them and Mazanec, Raskin, Ryder & Keller Co., L.P.A. to withdraw as Trial Attorneys for Defendant Freshwater.

WHEREFORE, Robert H. Stoffers, Jason R. Deschler and Mazanec, Raskin, Ryder & Keller Co., L.P.A., respectfully move the Court for an Order permitting them to withdraw as Trial Attorneys for Defendant John Freshwater in the within case.

Respectfully submitted,

MAZANEC, RASKIN, RYDER & KELLER CO., L.P.A.

s/ Robert H. Stoffers

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2010, a copy of the foregoing *Motion to Withdraw as Counsel* was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

I further hereby certify that a copy of the foregoing *Motion to Withdraw as Counsel* is being sent via regular U.S. Mail, certified mail, and email this 27th day of April 2010, to the following:

John Freshwater
7760 New Delaware Road
Mount Vernon, OH 43050
Email: jnfreshwater@yahoo.com

s/ Robert H. Stoffers

ROBERT H. STOFFERS (0024419)

Co-Trial Attorney for Defendant John Freshwater