

GORDON & SILVER, LTD.
ERIC R. OLSEN
Nevada Bar No. 3127
KAREN L. HANKS
Nevada Bar No. 9578
3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
(702) 796-5555
Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. CV-S-04-1401-RLH/LRL

vs.

MOTION TO WITHDRAW AS COUNSEL

CAROLYN A. SHARP a/k/a/ CAROLYN
HARLEY,

Date of Hearing:
Time of Hearing:

Defendant.

COMES NOW Karen L. Hanks, Esq. of the law firm of Gordon & Silver, Ltd. ("Gordon & Silver") and hereby moves to withdraw as attorney of record for the Plaintiff, Carolyn Matzinger a/k/a Carolyn A. Sharp, in the above captioned matter.

This Motion is made and based upon the papers and pleadings on file herein, the following Memorandum of Points and Authorities, and the following affidavit of Karen L. Hanks, Esq.

Dated this 27th day of August, 2006.

GORDON & SILVER, LTD.



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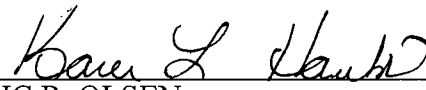
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NOTICE OF MOTION

YOU, AND EACH OF YOU, will please take notice that the undersigned will bring the above and foregoing Motion on for hearing before this Court on the ____ day of August, 2006 at the hour of ____ o'clock ____m. of said day, or as soon thereafter as counsel can be heard in Department No.

Dated this 27th day of August, 2006.

GORDON & SILVER, LTD.



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MEMORANDUM OF POINTS AND AUTHORITIES

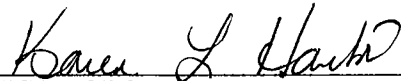
Nevada Supreme Court Rule ("SCR") 46 provides that an attorney may withdraw "at any time before judgment or final determination . . . upon the order of the court or judge thereof on the application of the attorney" Pursuant to SCR 166, an attorney may be permitted to withdraw if withdrawal can be accomplished without adversely affecting the interests of the client, or if good cause exists for terminating the representation. The Eighth Judicial District Court Rule ("EDCR") 7.40 is consistent with these Supreme Court Rules and provides that an attorney may withdraw by order of the court, upon written application, and with notice to all other parties to the action. Additionally, if an attorney is requesting the termination of representation, that attorney must include in an affidavit the address at which the client may be served with notice of further proceedings and the telephone number at which the client can be reached. EDCR 7.40(2)(b).

The attached Affidavit of Karen L. Hanks, Esq. is incorporated herein by reference and establishes that good cause exists for the withdrawal of Gordon & Silver as counsel for Carolyn Matzinger, that the withdrawal can be accomplished without adversely affecting the interest of the client, and provides the last known addresses and telephone number for Carolyn Matzinger.

1 WHEREFORE, the undersigned respectfully requests that this court enter an order
2 approving the withdrawal of Gordon & Silver as attorney of record for Carolyn Matzinger, and
3 for such other and further relief as the Court deems just and proper.

4 Dated this 27th day of August, 2006.

5 GORDON & SILVER, LTD.

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11 **AFFIDAVIT OF KAREN L. HANKS IN SUPPORT OF**
12 **MOTION TO WITHDRAW AS COUNSEL**

13 STATE OF NEVADA)
14) ss:
15 COUNTY OF CLARK)

16 I, KAREN L. HANKS, being first duly sworn, hereby depose and say:

17 1. I am an attorney licensed to practice law in the State of Nevada and am an
18 associate of the law firm of Gordon & Silver, Ltd. ("Gordon & Silver"), present counsel for
19 Carolyn Matzinger.

20 2. I am competent to testify to the matters asserted herein, of which I have personal
21 knowledge, except as to those matters stated upon information and belief. As to those matters
22 stated upon information and belief, I believe them to be true.

23 3. I make this Affidavit in support of Gordon & Silver's Motion to Withdraw as
24 Counsel in the matter styled United States of America vs. Carolyn A. Sharp a/k/a Carolyn
25 Harley, filed in the United States District Court, District of Nevada.

26 4. On or about November 5, 2004, Gordon & Silver entered into a legal
27 representation agreement with Carolyn Matzinger in which Gordon & Silver agreed to represent
28 Carolyn Matzinger in her defense of supplementary proceeding/judgment debtor examination.

5. Gordon & Silver has preformed its portion of the agreement in a skillful and

1 diligent manner. Carolyn Matzinger has failed to meet substantial obligations owed to Gordon &
2 Silver. These failures have required Gordon & Silver to request a withdrawal as counsel. This
3 Motion is brought in good faith and not for purposes of any delay.

4 6. The last known address for Carolyn Matzinger is 5608 Buena Martina Way; Las
5 Vegas, Nevada 89141.

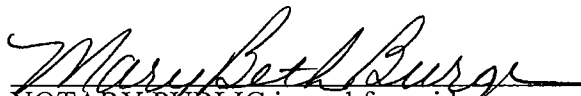
6 7. The last known telephone number for Carolyn Matzinger is (702) 269-4129.

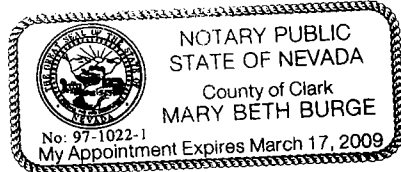
7 FURTHER AFFIANT SAYETH NAUGHT.

8 DATED this 29th day of August, 2006.

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10 
KAREN L. HANKS, ESQ.

11 SUBSCRIBED AND SWORN to before me
12 this 29th day of August, 2006.

13 
14 NOTARY PUBLIC in and for said
County and State



CERTIFICATE OF SERVICE

The undersigned, an employee of Gordon & Silver, Ltd., hereby certifies that on the 31 day of August, 2006, she served a copy of the Motion to Withdraws as Counsel, by facsimile, and by placing said copy in an envelope, postage fully prepaid, in the U.S. Mail at Las Vegas, Nevada, said envelope addressed to:

Carlos A. Gonzalez
Assistant United States Attorney
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101

Dr. Carolyn A. Matzinger
5608 Buena Martina Way,
Las Vegas, Nevada 89141



Carrie Lambert, an employee of
GORDON & SILVER, LTD.

ORDG

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. CV-S-04-1401-RLH/LRL

vs.

CAROLYN A. SHARP a/k/a/ CAROLYN
HARLEY,

Defendant.

**ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL**

Date of Hearing:
Time of Hearing:

The Court having reviewed and considered the Motion to Withdraw as Counsel for Defendant, Carolyn Matzinger, filed by Karen L. Hanks, Esq. of the law firm of Gordon & Silver, Inc., the Memorandum of Points and Authorities thereto and any affidavits in support thereof, the other papers and pleadings already on file herein, and any oral argument permitted at the hearing of this matter, and good cause appearing therefore,

IT IS HEREBY ORDERED that the law firm of Gordon & Silver, Ltd., shall be allowed to withdraw as attorneys of record and that all further pleadings, motions, notices and correspondence in this matter be mailed to Carolyn Matzinger at:

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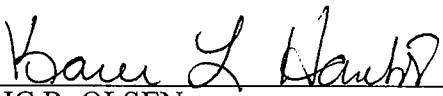
1 5608 Buena Martina Way
2 Las Vegas, NV 89141

3 IT IS HEREBY ORDERED this ____ day of _____ 2006.

4
5 _____
6 DISTRICT COURT JUDGE

7 Prepared and submitted by:

8 GORDON & SILVER, LTD.

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