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5 Attorneys for Defendants,
MICHAEL WEINSTEIN, SCOTT H. TOOTHACRE and
6 FERRIS & BRITTON

7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 ANDREW FLORES, an individual,)
10 AMY SHERLOCK, on her own)
behalf and on behalf of her minor)
11 children, T.S. and S.S., JANE DOE,)
12 an individual,)

13 Plaintiffs,)

14 vs.)

14 GINA M. AUSTIN, an individual;)
15 AUSTIN LEGAL GROUP APC, a)
California Corporation; JOEL R.)
16 WOHLFEIL, an individual;)
17 LAWRENCE (AKA LARRY))
GERACI, an individual; TAX &)
18 FINANCIAL CENTER, INC., a)
19 California Corporation; REBECCA)
20 BERRY, an individual; JESSICA)
MCELFRESH, an individual;)
21 SALAM RAZUKI, an individual;)
22 NINUS MALAN, an individual;)
MICHAEL ROBERT WEINSTEIN,)
23 an individual; SCOTT TOOTHACRE,)
24 an individual; ELYSSA KULAS, an)
individual; RACHEL M.)
25 PRENDERGAST, an individual;)
26 FERRIS & BRITTON APC, a)
California Corporation; DAVID S.)
27 DEMIAN, an individual, ADAM C.)
28 WITT, an individual, RISHI S.)

Case No.: 3:20-cv-00656-BAS-MDD

NOTICE OF WITHDRAWAL OF DOCUMENT

NO ORAL ARGUMENT UNLESS REQUESTED BY THE COURT

District Judge: Cynthia A. Bashant
Magistrate Judge: Mitchell D. Dembin
Courtroom: 4B (4th Floor)

Complaint Filed: April 3, 2020
Trial Date: None

1 BHATT, an individual, FINCH,)
 2 THORTON, and BAIRD, a Limited)
 Liability Partnership, JAMES D.)
 3 CROSBY, an individual; ABHAY)
 4 SCHWEITZER, an individual and dba)
 5 TECHNE; JAMES (AKA JIM))
 6 BARTELL, an individual; BARTELL)
 & ASSOCIATES, a California)
 7 Corporation; MATTHEW WILLIAM)
 SHAPIRO, an individual;)
 8 MATTHEW W. SHAPIRO, APC, a)
 9 California corporation; NATALIE)
 10 TRANGMY NGUYEN, an individual,)
 AARON MAGAGNA, an individual;)
 11 A-M INDUSTRIES, INC., a)
 California Corporation; BRADFORD)
 12 HARCOURT, an individual; ALAN)
 13 CLAYBON, an individual; SHAWN)
 14 MILLER, an individual; LOGAN)
 STELLMACHER, an individual;)
 15 EULENTIAS DUANE)
 ALEXANDER, an individual;)
 16 BIANCA MARTINEZ; an individual;)
 17 THE CITY OF SAN DIEGO, a)
 18 municipality; 2018FMO, LLC, a)
 California Limited Liability)
 19 Company; FIROUZEH TIRANDAZI,)
 20 an individual; STEPHEN G. CLINE,)
 an individual; JOHN DOE, an)
 21 individual; and DOES 2 through 50,)
 22 inclusive,)
 23 Defendants,)
 JOHN EK, an individual;)
 24 THE EK FAMILY TRUST, 1994)
 25 Trust,)
 26 Real Parties In Interest.)

27 **TO THE COURT AND TO ALL PARTIES AND THEIR COUNSEL OF**
 28 **RECORD:**

1 **PLEASE TAKE NOTICE** that Defendants, MICHAEL WEINSTEIN, SCOTT
2 H. TOOTHACRE and FERRIS & BRITTON (hereinafter “Defendants”) hereby
3
4 respectfully submit their request for Withdrawal of Document Docket Number 13. The
5 undersigned improperly submitted the document in duplicate and was advised to
6
7 withdraw the document. Defendants ask that this Court please withdraw Docket
8
9 Number 13 from the record.

10 Dated: July 1, 2020

KJAR, McKENNA & STOCKALPER LLP

11
12
13 By: /s/ Gregory B. Emdee

JAMES J. KJAR

JON R. SCHWALBACH

GREGORY B. EMDEE

Attorneys for Defendants Michael Weinstein,
Scott H Toothacre, and Ferris & Britton

1 **CERTIFICATE OF SERVICE**

2
3 I hereby certify that on July 1, 2020, I electronically filed the foregoing **NOTICE**
4 **OF WITHDRAWAL OF DOCUMENT** with the Clerk of the Court for the United
5 States District Court, Southern District of California by using the Southern District
6 CM/ECF system.

7 Participants in the case who are registered CM/ECF users will be served by the
8 USDC-Southern District of California CM/ECF system.

9 I am employed in the County of Los Angeles, State of California; I am over the
10 age of eighteen years and not a party to the within action; my business address is 841
11 Apollo Street, Suite 100, El Segundo, California 90245. The envelope or package was
12 placed in the mail at El Segundo, California. I am readily familiar with this business's
13 practice for collecting and processing correspondence for mailing. On the same day that
14 correspondence is placed for collection and mailing, it is deposited in the ordinary
15 course of business with the United States Postal Service, in a sealed envelope with
16 postage fully paid.

17
18 I further certify that participants in the case not registered as CM/ECF users have
19 been mailed the above described documents by First Class Mail, postage pre-paid, or
20 have dispatched it to a third party commercial carrier for delivery within three (3)
21 calendar days, to the following non-CM/ECF participants:

22 *NONE*

23 I declare under penalty of perjury under the laws of the State of California
24 the foregoing is true and correct and that this declaration was executed on July 1, 2020
25 at El Segundo, California.

26
27 /s/ *Berta R. Howard*

28 BERTA R. HOWARD, Declarant