

1. PLEASE TAKE NOTICE that (*name of withdrawing attorney*): Michael Duane Davis moves under California Code of Civil Procedure section 284(2) and California Rules of Court, rule 3.1362, for an order permitting the attorney to be relieved as attorney of record in this action or proceeding.
2. A hearing on this motion to be relieved as counsel will be held as follows:

a.	Date: August 9, 2018	Time: 9:00 a.m.	Dept.: By Courtcall	Room:
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3. This motion is supported by the accompanying declaration, the papers and records filed in this action or proceeding, and the following additional documents or evidence (*specify*):
See Attached Declaration of Michael Duane Davis in Support of Motion

4. The client presently represented by the attorney is

- a. ☐ an individual.
- b. ☒ a corporation.
- c. ☐ a partnership.
- d. ☐ an unincorporated association.
- e. ☐ a guardian.
- f. ☐ a conservator.
- g. ☐ a trustee.
- h. ☐ a personal representative.
- i. ☐ a probate fiduciary.
- j. ☐ a guardian ad litem.
- k. ☐ other (*specify*):

Page 1 of 2

CASE NAME:

Antelope Valley Groundwater Cases

CASE NUMBER:

JCCP 4408, 1-05-CV-049053

NOTICE TO CLIENT

If this motion to be relieved as counsel is granted, your present attorney will no longer be representing you. You may not in most cases represent yourself if you are one of the parties on the following list:

- A guardian
- A conservator
- A trustee
- A personal representative
- A probate fiduciary
- A corporation
- A guardian ad litem
- An unincorporated association

If you are one of these parties, YOU SHOULD IMMEDIATELY SEEK LEGAL ADVICE REGARDING LEGAL REPRESENTATION. Failure to retain an attorney may lead to an order striking the pleadings or to the entry of a default judgment.

5. If this motion is granted and a client is representing himself or herself, the client will be solely responsible for the case.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

If this motion to be relieved as counsel is granted, you will not have an attorney representing you. You may wish to seek legal assistance. If you do not have a new attorney to represent you in this action or proceeding, and you are legally permitted to do so, you will be representing yourself. It will be your responsibility to comply with all court rules and applicable laws. If you fail to do so, or fail to appear at hearings, action may be taken against you. You may lose your case.

6. If this motion is granted, the client must keep the court informed of the client's current address.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

If this motion to be relieved as counsel is granted, the court needs to know how to contact you. If you do not keep the court and other parties informed of your current address and telephone number, they will not be able to send you notices of actions that may affect you, including actions that may adversely affect your interests or result in your losing the case.

Date: July 12, 2018

Michael Duane Davis

(TYPE OR PRINT NAME)



(SIGNATURE OF ATTORNEY)

Attorney for (name):

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO


Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 550 E. Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205. On July 16, 2018 **NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL**, I served copies of the within documents described as on the interested parties in this action in a sealed envelope addressed as follows:

See attached Service List

- ☒ **BY MAIL** - I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. Under that practice, it would be deposited with the United States Postal Service on the same day in the ordinary course of business, with postage thereon fully prepaid at San Bernardino, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY PERSONAL SERVICE** - I caused such envelope to be delivered by hand to the offices of the addressee pursuant to C.C.P. § 1011.
- ☐ **BY EXPRESS MAIL/OVERNIGHT DELIVERY** - I caused such envelope to be delivered by hand to the office of the addressee via overnight delivery pursuant to C.C.P. § 1013(c), with delivery fees fully prepaid or provided for.
- ☐ **BY FACSIMILE** - I caused such document to be delivered to the office of the addressee via facsimile machine pursuant to C.C.P. § 1013(e). Said document was transmitted to the facsimile number of the office of the addressee from the office of Gresham Savage Nolan & Tilden, in San Bernardino, California, on the date set forth above. The facsimile machine I used complied with California *Rules of Court*, Rule 2003(3) and no error was reported by the machine. Pursuant to California *Rules of Court*, Rule 2009(i), I caused the machine to print a record of the transmittal, a copy of which is attached to this declaration.
- ☐ **BY ELECTRONIC/EMAIL** - I caused such document to be delivered to the office of the addressee via electronic e-mail pursuant to C.C.P. § 1013(a). Said document was transmitted to the email address of that office which is listed on the above Service List. Said document was served electronically and the transmission was reported as complete and without error.
- ☐ **FEDERAL** - I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 16, 2018, at San Bernardino, California.



Dina Snider

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SERVICE LIST

Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

Costy Von Mossenbach- Land Projects Mutual Water Co. 8810 W. Avenue E8 Lancaster, CA 93536	
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Re: *ANTELOPE VALLEY GROUNDWATER CASES*
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On July 16, 2018, I served the foregoing document(s) described **NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL** on the interested parties in this action in the following manner:

(X) **BY ELECTRONIC SERVICE** – I posted the document(s) listed above to the Santa Clara County Superior Court website, <http://www.scefiling.org>, in the action of the Antelope Valley Groundwater Cases,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 16, 2018, at San Bernardino, California.

Dear Brother

DINA M. SNIDER