

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Wayne K. Lemieux (SBN. 43501) Lemieux & O'Neill 4165 E. Thousand Oaks Blvd., Suite 350 Westlake Village, CA 91362 TELEPHONE NO.: (805) 495-4770 FAX NO.: (805) 495-2787 ATTORNEY FOR (Name): Cross-Defendant, Little Baldy Water Company		FOR COURT USE ONLY
NAME OF COURT: Los Angeles County Superior Court STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central		
CASE NAME: In Re Antelope Valley Groundwater Cases		
CASE NUMBER: JCCP 4408		HEARING DATE: 11/09/12 (In Camera) DEPT.: 1 TIME: 9:00 a.m. BEFORE HON.: Jack Komar DATE ACTION FILED: 11/29/04 TRIAL DATE: 02/11/13
NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL—CIVIL		

TO (name and address of client): **Little Baldy Mutual Water Company, 20745 Fort Tejon Road, Llano, CA 93544**
 (Mailing: P.O. Box 313, Llano, CA 93544)

- PLEASE TAKE NOTICE that (name of withdrawing attorney): **Wayne K. Lemieux / Lemieux & O'Neill** 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.
- A hearing on this motion to be relieved as counsel will be held as follows:

a.	Date: November 9, 2012	Time: 9:00 a.m.	Dept.: 1	Room:
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b. The address of the court: ☒ same as noted above ☐ other (specify):

- 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):

The specific facts which give rise to this motion are confidential and required to be kept confidential pursuant to Business and Professions Code §6068(e), rule 3-100(A), California Rules of Professional Conduct, and by the attorney-client privilege (Evid. C., §§950 et seq.). In the event that this court desires further information to ascertain the good faith basis for this motion and for withdrawal, it is respectfully requested that the court have an in camera hearing outside of the presence of all other parties so that the specific facts demonstrating good cause for this withdrawal may be demonstrated to the court. (Manfredi & Levine v. Superior Court (1998) 66 Cal.App.4th 1128, 1136-1137; 3-700(B) or (C).)

(This motion does not need to be accompanied by a memorandum of points and authorities. Cal. Rules of Court, rule 3.1362.)

- The client presently represented by the attorney is

- | | |
|--|---|
| a. <input type="checkbox"/> an individual. | g. <input type="checkbox"/> a trustee. |
| b. <input type="checkbox"/> a corporation. | h. <input type="checkbox"/> a personal representative. |
| c. <input type="checkbox"/> a partnership. | i. <input type="checkbox"/> a probate fiduciary. |
| d. <input type="checkbox"/> an unincorporated association. | j. <input type="checkbox"/> a guardian ad litem. |
| e. <input type="checkbox"/> a guardian. | k. <input checked="" type="checkbox"/> other (specify): |
| f. <input type="checkbox"/> a conservator. | |

Water Company

(Continued on reverse)

CASE NAME:

In Re Antelope Valley Groundwater Cases

CASE NUMBER:

JCCP 4408

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: October 17, 2012

Wayne K. Lemieux, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF ATTORNEY)

Attorney for (name):

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA,)
3) ss.
4 COUNTY OF VENTURA)

5 I am employed in the County of Ventura, State of California. I am over the age of 18 and not a
6 party to the within action. My business address is 4165 E. Thousand Oaks Blvd., Suite 350, Westlake
Village, California 91362.

7 On **October 17, 2012**, I posted the following document(s) to the website <http://www.scefiling.org>,
8 a dedicated link to the Antelope Valley Groundwater Cases, and upon which the parties have agreed this
posting constitutes service.

9 **NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL**

10 By electronically serving through <http://www.scefiling.org>, and addressed to all parties appearing
11 on the <http://www.scefiling.org> electronic service list, the file transmission was reported as complete and
12 a copy of the <http://www.scefiling.org> Filing/Service Receipt will be maintained with a copy of the
document in our office.

13 I am readily familiar with the business practice for collection and processing of pleadings and
14 discovery for electronic service with <http://www.scefiling.org>, and that the pleadings and discovery shall
be electronically served this same day in the ordinary course of business.

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

17 Executed on October 17, 2012, in Westlake Village, California.

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Kathi Miers

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA,)
3) ss.
4 COUNTY OF VENTURA)

5 I am employed in the County of Ventura, State of California. I am over the age of 18
6 and not a party to the within action. My business address is 4165 E. Thousand Oaks
7 Boulevard, Suite 350, Westlake Village, California 91362

8 On **October 17, 2012**, I served the foregoing document described as **NOTICE OF**
9 **MOTION AND MOTION TO BE RELIEVED AS COUNSEL** on interested parties in this
10 action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

11 Jim McDonald, President
12 Little Baldy Water Co.
13 20745 Fort Tejon Road
14 Llano, CA 93544

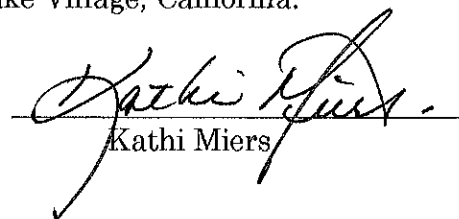
15 [] (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing
16 correspondence for mailing. Under that practice it would be deposited with U.S.
17 postal service on that same day with postage thereon fully prepaid at Westlake
18 Village, California in the ordinary course of business.

19 [] (BY FACSIMILE) from (805) 495-2787 to above-referenced fax number(s).

20 [X] (BY OVERNIGHT MAIL\FEDERAL EXPRESS) I am "readily familiar" with
21 the firm's practice of collection and processing correspondence for mailing.
22 Under that practice the sealed document has been deposited in the
23 designated Federal Express Drop Box for overnight, next business day
24 delivery.

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

27 Executed on **October 17, 2012**, in Westlake Village, California.

28 
Kathi Miers