

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Thomas Robert Ferguson, III v. Jagjit Singh Rai, et al.

Ferguson v. Rai · No. 2:23-cv-00737-CDS-MDC · Decided January 21, 2026

SUMMARY

The United States District Court for the District of Nevada granted the plaintiff’s unopposed motion to remove Amber N. King and Ryan Kerbow as counsel of record. The court directed the remaining attorneys, Scott L. Poisson and Daniel J. Tafoya, Jr., to update their CM/ECF contact information by February 4, 2026.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 21, 2026
DOCKET	2:23-cv-00737-CDS-MDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to remove two attorneys as counsel of record because they were no longer employed by the law office representing plaintiff. The motion was unopposed.
PRECEDENTIAL VALUE	unpublished

TOPICS

civil procedure

PRACTICE AREAS

civil procedure legal representation

QUESTIONS PRESENTED

- Whether the court should grant plaintiff’s unopposed motion to remove Amber N. King and Ryan Kerbow as counsel of record.
- Whether the remaining counsel should be directed to update their CM/ECF contact information.

HOLDINGS

1. The court granted plaintiff's unopposed motion and ordered that Amber N. King and Ryan Kerbow be removed as counsel of record and from CM/ECF service in the matter.
2. The court directed Scott L. Poisson and Daniel J. Tafoya, Jr. to update their CM/ECF service contact information by February 4, 2026.

KEY QUOTATIONS

“For good cause shown and because the Motion is not opposed, the Court GRANTS the Motion.” (at 1)

“Scott L. Poisson, Esq. and Daniel J. Tafoya, Jr., Esq. shall update their CM/ECF Service contact information by February 4, 2026.” (at 2)

FACTUAL BACKGROUND

Amber N. King and Ryan Kerbow were listed as counsel of record for plaintiff but were no longer employed by the law office representing plaintiff. Plaintiff indicated that Scott L. Poisson and Daniel J. Tafoya, Jr. would continue representing him. The motion was unopposed, and the court noted that the remaining counsel's CM/ECF records reflected an outdated firm affiliation.

PROCEDURAL HISTORY

In this pending diversity action, plaintiff filed a motion to remove Amber N. King and Ryan Kerbow as counsel of record. The district court granted the motion and directed the remaining attorneys to update their CM/ECF contact information.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 142 (1985)
- Martinez v. Ylst, 951 F.2d 1153, 1157 (9th Cir. 1991)
- Britt v. Simi Valley United School District, 708 F.2d 452, 454 (9th Cir. 1983)

OPINION

Rai

PER CURIAM.

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 Thomas Robert Ferguson, III, Case No. 2:23-cv-00737-CDS-MDC 4 Plaintiff,

ORDER GRANTING MOTION TO

5 vs. REMOVE ATTORNEY (ECF NO. 57) AND

DIRECTING REMAINING COUNSEL TO

6 Jagjit Singh Rai, et al.,

UPDATE RECORDS

7 Defendants. 8 Plaintiff filed a Motion to Remove Attorney (ECF No. 57) (“Motion”). Plaintiff through his

9 counsel requests to remove Amber N. King, Esq. and Ryan Kerbow, Esq as counsel of record in this 10 matter. ECF No. 57. Plaintiff states that Ms. King and Mr. Kerbow are no longer employed by the law 11 office representing plaintiff and that Scott L. Poisson, Esq. and Daniel J. Tafoya, Jr., Esq. will continue 12 to represent plaintiff. See ECF Nos. 55, 57. For good cause shown and because the Motion is not 13 opposed, the Court GRANTS the Motion. 14 The Court further instructs plaintiff’s counsel to update their contact information on CM/ECF. 15 The current contact information for both Mr. Poisson and Mr. Tafoya lists that they are affiliated with 16 Bernstein & Poisson. However, the Motion states both counsel are now affiliated with High Stakes 17 Injury Law. ECF No. 57. 18 // 19 // 20 // 21 // 22 // 23 // 24 // 25 1

1 ACCORDINGLY,

2 IT IS ORDERED that: 3 1. The Motion to Remove Attorney (ECF No. 57) is GRANTED. 4 2. Amber N. King, Esq. and Ryan Kerbow, Esq. are to be removed as counsel of record for 5 plaintiff in this matter. 6 3. The Clerk of Court is kindly instructed to please remove Amber N. King, Esq. and Ryan 7 Kerbow, Esq. from CM/ECF Service in this matter 8 4. Scott L. Poisson, Esq. and Daniel J. Tafoya, Jr., Esq. shall update their CM/ECF Service 9 contact information by February 4, 2026. 10 DATED: January 21, 2026.

M IT IS SO ORDERED. L7 a

uf gMagiptrate Judge 14 [/

15 NOTICE

16 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and 17 || recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk 1g || of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal 19 || may determine that an appeal has been waived due to the failure to file objections within the specified 29 || time. *Thomas vy. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) 27 || failure to properly address and brief the objectionable issues waives the right to appeal the District 23 || Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Yist*, 951 F.2d 24] 1153, 1157 (Oth Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). 25 || Pursuant to LR JA 3-1, the plaintiff must immediately file written notification with the court of any 1 change of address. The notification must include proof of service upon each opposing party’s attorney, 2 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may 3 result in dismissal of the action. 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 3

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