

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Carl Ackerman v. United States of America

No. 2:24-cv-01992-TLN-DMC, United States District Court for the Eastern District of California (October 1,
2025)

OPINION

Carl Ackerman v. United States of America

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 CARL ACKERMAN, No. 2:24-cv-01992-TLN-DMC

12 Plaintiff, 13 v. ORDER

14 UNITED STATES OF AMERICA,

15 Defendant. 16

17 18 This matter is before the Court on a Motion to Withdraw filed by Alex Farzan and The 19
Law Office of Alex Farzan, counsel for Plaintiff Carl Ackerman (“Plaintiff”). (ECF No. 15.) 20
Defendants filed a statement of non-opposition. For the reasons set forth below, the Court 21
GRANTS the motion. 22 The Local Rules of this district require an attorney who would withdraw
and leave his or 23 her client without representation to obtain leave of court upon a noticed
motion. E.D. Cal. L.R. 24 182(d). Local Rule 182(d) also requires an attorney to provide notice to
the client and all other 25 parties who have appeared, and an affidavit stating the current or last
known address of the client. 26 Id. Finally, to comply with Local Rule 182(d), the attorney must
conform to the requirements of 27 the California Rules of Professional Conduct. Id. 28 The
decision to grant or deny a motion to withdraw is within a court’s discretion. 1 McNally v. Eye
Dog Found. for the Blind, Inc., No. 09-cv-AWI-SKO-01174, 2011 WL 1087117, 2 at *1 (E.D. Cal.
Mar. 24, 2011). District courts within this circuit have considered several factors 3 when
evaluating a motion to withdraw, including the reason for withdrawal, prejudice to the 4 client,
prejudice to the other litigants, harm to the administration of justice, and possible delay. 5 See,
e.g., Deal v. Countrywide Home Loans, No. 09-cv-01643-SBA, 2010 WL 3702459, at *2 6 (N.D.
Cal. Sept. 15, 2010); CE Res., Inc. v. Magellan Group, LLC, No. 08-cv-02999-MCE-KJM, 7 2009
WL 3367489, at *2 (E.D. Cal. Oct. 14, 2009); Beard v. Shuttermart of Cal., Inc., No. 07-cv- 8
00594-WQH-NLS, 2008 WL 410694, at *2 (S.D. Cal. Feb. 13, 2008). 9 In the instant case,
Plaintiff’s counsel satisfied Local Rule 182(d) by filing a declaration 10 that it informed Plaintiff
of its intent to withdraw and by providing the Court with Plaintiff’s last 11 known address. (ECF

No. 15 at 7.) Plaintiff's counsel also established withdrawal is proper 12 under the California Rules of Professional Conduct. More specifically, California Rule of 13 Professional Conduct 1.16(b)(4) states an attorney may withdraw from representing a client if the 14 client renders it unreasonably difficult for the lawyers to carry out the representation effectively. 15 Plaintiff's counsel represents that an irreconcilable break in the attorney-client relationship, 16 rendering it unreasonably difficult for Plaintiff's counsel to effectively represent Plaintiff. (ECF 17 No. 15 at 5.) Accordingly, there is good cause to allow Plaintiff's counsel to withdraw. 18 The Court also finds there is a low risk of prejudice to Plaintiff and the other litigants if 19 this motion is granted as there are no pending hearings scheduled and this case is in the early 20 stages of litigation. Lastly, the Court cannot identify any harm to the administration of justice or 21 possible delay that would result from granting the motion to withdraw. 22 For the foregoing reasons, the Court hereby GRANTS the Motion to Withdraw (ECF No. 23 15), leaving Plaintiff in Pro Per. This case is REFERRED to the assigned magistrate judge for all 24 purposes, exclusive of the pretrial conference and trial. See Local Rule 302(c)(21). The Clerk of 25 Court is directed to serve this Order on Plaintiff at 5522 California Street, Chico, California 26 95973. 27 // 28 // 1 IT IS SO ORDERED. 2 DATE: September 30, 2025 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28