

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Aegis Therapies, Inc. v. Dycora Transitional Health – Clovis LLC, et
al.**

No. 1:21-cv-00605-KES-EPG, United States District Court for the Eastern District of California (September 16,
2025)

SUMMARY

The United States District Court for the Eastern District of California addresses Sheppard, Mullin, Richter & Hampton LLP’s motion to withdraw as counsel for several Sweetwater third-party claimants. The court resets the hearing, requires a supplemental affidavit providing the claimants’ current or last known addresses and other contact information, and requires proof of service. The court also directs representatives of the claimants to appear and notes that the entities must retain counsel if withdrawal is granted.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Erica P. Grosjean
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 16, 2025
DOCKET	1:21-cv-00605-KES-EPG
DISPOSITION	other
PROCEDURAL POSTURE	The court considered a motion by Sheppard, Mullin, Richter & Hampton LLP to withdraw as counsel for five third-party claimants. Rather than deciding the withdrawal motion immediately, the court reset the hearing and ordered supplemental filings and service.
PRECEDENTIAL VALUE	unknown

TOPICS

- civil procedure
- commercial litigation
- third party practice

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the motion to withdraw as counsel should be handled by the assigned magistrate judge as a non-dispositive motion under E.D. Cal. Local Rule 302(a).
2. Whether counsel's motion to withdraw complied with E.D. Cal. Local Rule 182(d), including the requirement to provide the clients' current or last known addresses and efforts made to notify them.
3. What additional notice and service measures were required before the court could decide the withdrawal motion.
4. Whether the corporate and unincorporated-entity third-party claimants would be required to retain new counsel if withdrawal were granted.

HOLDINGS

1. A motion to withdraw as counsel is a non-dispositive motion subject to handling by the magistrate judge under E.D. Cal. Local Rule 302(a).
2. Before the court may grant leave to withdraw, counsel must comply with E.D. Cal. Local Rule 182(d), including providing an affidavit stating the client's current or last known address and the efforts made to notify the client of the withdrawal motion.
3. If withdrawal is permitted, each corporate or unincorporated-entity third-party claimant must retain new counsel to litigate matters in the case.

KEY QUOTATIONS

“Unless otherwise provided herein, an attorney who has appeared may not withdraw leaving the client in propria persona without leave of court upon noticed motion and notice to the client and all other parties who have appeared.” (at 1)

“corporations and other unincorporated associations must appear in court through an attorney.” (at 2)

FACTUAL BACKGROUND

Sheppard, Mullin, Richter & Hampton LLP represented Sweetwater Care Resource, LLC, The Vineyards at Fowler, LLC, Rancho Seco Care Center, LLC, Brookside Care Center, LLC, and Noble Care Center, LLC, collectively referred to as the Sweetwater Third Party Claimants. Counsel sought withdrawal because the claimants had failed to maintain communication through their in-house counsel. Counsel's supporting declaration described correspondence and emails notifying the claimants of the intended withdrawal, but did not provide their current or last known addresses.

PROCEDURAL HISTORY

The motion to withdraw was set for hearing before the assigned district judge. The court determined under Eastern District of California Local Rule 302(a) that the non-dispositive motion should be handled by the magistrate judge, reset the hearing, and required counsel to supplement its affidavit with the claimants' current or last known addresses and to serve the order and supplemental filings on the claimants.

DISPOSITION

other

CASES CITED

- In re Am. W. Airlines, 40 F.3d 1058, 1059 (9th Cir. 1994)

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