

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Ewing v. Gitre

Ewing v. Gitre · No. 24-cv-1213-AGS-DDL · Decided May 16, 2025

SUMMARY

The United States District Court for the Southern District of California grants in part an attorney’s motion to withdraw from representing individual and corporate defendants. The court finds the withdrawal justified and allows counsel to terminate representation after 30 days so the corporate defendant can obtain substitute counsel.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Andrew G. Schopler
JURISDICTION	United States District Court for the Southern District of California
DECIDED	May 16, 2025
DOCKET	24-cv-1213-AGS-DDL
DISPOSITION	other
PROCEDURAL POSTURE	Attorney for defendants Christopher Gitre and Relief Consultants, LLC moved for leave to withdraw as counsel.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- motions to dismiss

PRACTICE AREAS

- civil procedure
- legal ethics and attorney withdrawal

QUESTIONS PRESENTED

- Whether the attorney's motion to withdraw as counsel should be granted under the applicable local rule and withdrawal factors.
- What period should be allowed for the corporate defendant to obtain substitute counsel before withdrawal becomes effective.

HOLDINGS

1. The court granted counsel leave to withdraw because the motion satisfied the service requirements and the reasons for withdrawal were reasonable, with minimal prejudice to other litigants, no net harm to the administration of justice, and no significant delay.
2. Relief Consultants, LLC may not defend itself without counsel, so counsel's withdrawal could not become effective until the defendants had 30 days to secure new representation.

KEY QUOTATIONS

“An attorney may not withdraw as counsel except by leave of court.” (1)

“So corporate defendant Relief Consultants cannot defend itself without counsel.” (2)

“Riznyk must instead give defendants 30 days to secure new representation.” (2)

FACTUAL BACKGROUND

Attorney Riznyk sought to withdraw from representing Christopher Gitre and Relief Consultants, LLC based on irreconcilable differences, hostility, and disagreements over legal strategy and advice. Riznyk served the withdrawal request on both defendants and the pro se adverse party and filed a declaration concerning service. Because Relief Consultants, LLC is a corporation that cannot appear in federal court without counsel, the court found that additional time was necessary to avoid prejudice.

PROCEDURAL HISTORY

The attorney representing individual defendant Christopher Gitre and corporate defendant Relief Consultants, LLC filed a motion to withdraw, supported by a declaration and proof of service. The district court granted the motion in part and required counsel to remain as counsel of record for 30 days so the defendants could obtain substitute counsel.

DISPOSITION

other

CASES CITED

- Indymac Fed. Bank, F.S.B. v. McComic, No. 08-CV-1871-IEG WVG, 2010 WL 2000013 (S.D. Cal. May 18, 2010)
- Consumer Fin. Prot. Bureau v. Global Fin. Support, Inc., No. 3:15-CV-2440-GPC-WVG, 2019 WL 3068232 (S.D. Cal. July 12, 2019)