

1
2
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

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Russell B. Toomey,)	
)	CV 19-0035-TUC-RM (LAB)
Plaintiff,)	
v.)	ORDER
State of Arizona; Arizona Board of Regents,)	
d/b/a University of Arizona, a governmental)	
body of the State of Arizona; et al.,)	
Defendants.)	

Pending before the court is a motion to withdraw filed by the plaintiff’s counsel, James Burr Shields, on February 20, 2020. (Doc. 83)

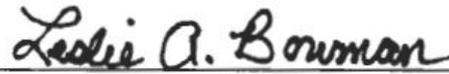
The filing is designated as a “notice” in the caption, but it was recharacterized as a “motion” by the Clerk because the filing contains a proposed order and, in the body of the filing, the author states that he “moves this Court for its order” (Doc. 83)

The plaintiff’s counsel, James Burr Shields, moves for an order authorizing his withdrawal. He further asserts that “Heather A. Macre is no longer with the firm Aiken Shenk Ricciardi P.C. and should be withdrawn as well.” (Doc. 83, p. 3)

Pursuant to Local Rule 83.3(b), “[w]here there has been a change of counsel in the same law firm . . . an order of substitution or association is not required” In this case, the docket indicates that Toomey is represented by three attorneys at the firm Aiken, Schenk, Hawkins & Ricciardi, P.C. – James Burr Shields, Heather Ann Macre, and Natalie Brooke Virden. A withdrawal of two of them, does not require an order from the court. Nevertheless, it appears that counsel would prefer that this court issue an order of withdrawal. Accordingly,

1 IT IS ORDERED that the motion to withdraw filed by the plaintiff's counsel, James Burr
2 Shields, on February 20, 2020, is GRANTED in PART. (Doc. 83) James Burr Shields and
3 Heather A. Macre are withdrawn as attorneys for the plaintiff, Russell B. Toomey.

4
5 DATED this 27th day of February, 2020.

6
7 

8 _____
9 Leslie A. Bowman
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28