

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

MALIBU MEDIA, LLC Plaintiff, v. KELLEY TASHIRO and N. CHARLES TASHIRO Defendants	Case No. 1:13-cv-00205-WTL-MJD Hon. Mark J. Dinsmore
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**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR
N. CHARLES TASHIRO**

The undersigned counsel, Jonathan LA Phillips, of the firm Shay Phillips, Ltd., hereby seeks leave to withdraw his appearance and that of the firm on behalf of the Defendant N. Charles Tashiro. In support of his Motion, counsel states:

1. As indicated in this Court’s Minute Order (ECF Doc. 206), Defendant N. Charles Tashiro indicated his intent to invoke his rights under the Fifth Amendment to the United States Constitution during proceedings relating to alleged spoliation and perjury.
2. Undersigned has undertaken a thorough analysis of issues with representation arising from Mr. Tashiro’s decision. Undersigned has concluded that a conflict exists, and that he cannot continue to represent Mr. Tashiro.
3. As such, it is just and proper to allow undersigned to comply with his ethical duties as an attorney, and officer of this Court.
4. Pursuant to Local Rule 83-7,¹ undersigned wishes to have the date of his withdrawal fixed to be the date of entry of the Court’s Order.

¹ Undersigned appreciates the Court’s indulgence in allowing him to re-file in compliance with Local Rule and apologizes for his oversight in failing to comply with the originally filed Motion.

5. Pursuant to Local Rule 83-7, Mr. Charles Tashiro was informed, in writing, that undersigned would be seeking to withdraw from his representation on January 29, 2015. This written notice of intent to withdraw was coupled with extensive discussion both before and after attendance at the hearing scheduled for January 29, 2015. Further written notice of intent to withdraw was provided to Mr. Tashiro through undersigned's filing of his original Motion to withdraw, one week ago.

6. Mr. Tashiro will be left without counsel after undersigned's withdrawal. As such, pursuant to Local Rule, Mr. Tashiro's contact information is as follows:

Mr. N. Charles Tashiro
3690 Chancellor Drive
Greenwood, Indiana 46163
317.889.6564

THEREFORE, the undersigned counsel and Shay Phillips, Ltd. request that the Court enter an Order permitting counsel to withdraw his and the law firm's appearance.

Respectfully submitted,

/s/ Jonathan LA Phillips
Shay Phillips, Ltd.
456 Fulton St. | Ste. 255
Peoria, IL 61602
309.494.6155 | jphillips@skplaywers.com

CERTIFICATE OF SERVICE

I certify that on February 12, 2015, a copy of the foregoing has been filed with the Clerk of the Court via the Court's ECF filing system, thereby serving it upon all counsel of record. I further certify that Mr. N. Charles Tashiro was served with a copy of the foregoing by placement of the same in the US Mail, First Class, postage pre-paid to his home address, as well as by electronic mail.

/s/ Jonathan LA Phillips