

0004-01626 DC-000003392-128
IN RE: ANDREW FURER & ELOISA FURER
District Court 07/11/2008 01:48 PM
Washoe County 95376
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FILED

JUL 11 2008

HOWARD W. CONYERS, CLERK
By: *[Signature]*
DEPUTY CLERK

**IN THE FAMILY DIVISION
IN THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE**

ANDREW FURER,
Plaintiff,

Vs.

ELOISA FURER,
Defendant.

Case No. DV04-01626
Dept. No. 11

ORDER GRANTING MOTION TO STRIKE

On May 8, 2008 Attorney Erik A. Fitting filed a Motion to Associate as Counsel in this case, purportedly on behalf of the Defendant.

On May 16, 2008 Plaintiff filed a motion to strike the above described motion. The motion to strike argued, in part, that the motion to associate counsel was filed in violation of WDCR 23. WDCR 23 provides, "Counsel who has appeared for any party shall represent that party in the case and shall be recognized by the court and by all parties as having control of the client's case, until counsel withdraws, another attorney is substituted, or until counsel is discharged by the client in writing, filed with the filing office, in accordance with SCR 46 and this rule.....Counsel in any case may be changed: when a

1 new attorney is to be substituted in place of the attorney withdrawing, by the written
2 consent of both attorneys and the client."


3 Defendant's Opposition to the motion to strike does not confront Plaintiff's
4 argument.

5 It is undisputed that on May 8, 2008 counsels of record for Defendant were Robert
6 Lueck, Esq. and Jarlen Cho, Esq. The court finds that Attorney Erik A. Fitting's Motion to
7 Associate as Counsel was filed in violation of WDCR 23.

8 Accordingly, Plaintiff's Motion to Strike is granted. The Motion to Associate as
9 Counsel filed May 8, 2008 is stricken.

10 **IT IS SO ORDERED:**

11 Dated this 11 day of July, 2008


DISTRICT COURT JUDGE

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