

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

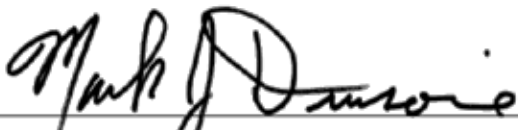
MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:13-cv-00205-WTL-MJD
)	
KELLEY TASHIRO,)	
<i>et al.</i>)	
Defendants.)	
_____)	

MINUTE ENTRY FOR SEPTEMBER 15, 2015
***EX PARTE* HEARING**
HON. MARK J. DINSMORE, MAGISTRATE JUDGE

This matter came before the Court for an *ex parte* hearing on counsel for Defendant Kelly Tashiro's motion to withdraw as her counsel pursuant to Rule 1.16(b) of the Indiana Rules of Professional Conduct. [Dkt. 256.] A withdrawal under Rule 1.16(b) may only be effected if such withdrawal "can be accomplished without material adverse effect on the interests of the client." IND. R. PROF'L CONDUCT r. 1.16(b)(1).

However, during the course of the hearing, Ms. Tashiro made clear her desire to terminate Mr. Phillips' representation in this matter. That representation transformed Mr. Phillips' motion from one under Rule 1.16(b) to a request for mandatory withdrawal pursuant to Rule 1.16(a)(3). IND. R. PROF'L CONDUCT r. 1.16(a)(3). The Requirements of Rule 1.16(b)(1) do not apply to a Rule 1.16(a) motion to withdraw. *Id.* Accordingly, the motion is **GRANTED** and Mr. Phillips' representation of Ms. Tashiro in this matter is hereby terminated.

Dated: 09/15/2015



Mark J. Dinsmore
United States Magistrate Judge
Southern District of Indiana

Distribution:

To all counsel by CM/ECF
and

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Via US Mail