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U.S. DISTRICT COURT
EASTERN DISTRICT OF LA
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LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF LOUISIANA

DR. CARL BERNOFSKY
Plaintiff

versus

ADMINISTRATORS OF THE TULANE
EDUCATIONAL FUND
Defendant

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* CIVIL ACTION
*
* NO. 98:-1792
*
*
* SECTION "C"
*
* JUDGE BERRIGAN
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* MAGISTRATE CHASEZ

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MOTION FOR EXPEDITED HEARING AND INCORPORATED
MEMORANDUM IN SUPPORT THEREOF

NOW INTO COURT, comes undersigned counsel, and moves this Court for an expedited hearing on his Motion to Withdraw because deadlines are imminent and there are differences concerning the management of this litigation.

For the reason set forth above, this Motion for Expedited Hearing should be granted.

Respectfully submitted,

R. Phipps

Roger D. Phipps #20326
PHIPPS & PHIPPS
210 Baronne Street, Suite 1410
New Orleans, Louisiana 70112
(504) 524-2298

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44-381
MAY 19 1998

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MOTION TO WITHDRAW AS COUNSEL OF RECORD
WITH INCORPORATED MEMORANDUM

On Motion of Roger D. Phipps, who respectfully represents:

I.

That he is counsel for plaintiff, Dr. Carl Bernofsky, in the
above-entitled and numbered action.

II.

That plaintiff and counsel have irreconcilable differences
over issues arising out of this litigation as well as over the
management and direction of the litigation. Counsel suggests
that under these circumstances he is unable to represent
plaintiff and therefore he moves to withdraw as counsel of record
in the above-entitled and numbered action and no longer be sent
further notices of the Court.

Fee _____
Process _____
X Filed _____
V Clk/Dep _____
Doc.No. _____


III.

That plaintiff has been notified of all deadlines pursuant to the Local Rules by having been given by hand delivery the preliminary conference minute entry dated October 7, 1998 which set forth the applicable deadlines for this litigation.

V.

Plaintiff's mailing address is: 6478 General Diaz Street,
New Orleans, Louisiana 70124.

Respectfully submitted,



Roger D. Phipps #20326
210 Baronne Street, Suite 1410
New Orleans, Louisiana 70112
(504) 524-2298

CERTIFICATE OF SERVICE

I hereby certify that this January 28, 1999, a copy of the foregoing MOTION TO WITHDRAW AS COUNSEL OF RECORD has been served on opposing counsel of record, by hand delivery.

R. Diggins