

**Marquis Aurbach Coffing**

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Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

SUPERPUMPER, INC., an Arizona corporation; EDWARD BAYUK, individually and as Trustee of the EDWARD BAYUK LIVING TRUST; SALVATORE MORABITO, an individual; and SNOWSHOE PETROLEUM, INC., a New York corporation,

Appellants,

vs.

WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito,

Respondent.

Case No.: 79355

**MOTION TO WITHDRAW  
AS COUNSEL OF RECORD**

Appeal from the Eighth Judicial District Court, the Honorable Connie J. Steinheimer Presiding

MAC:15765-001 3963846\_1

## **MOTION TO WITHDRAW AS COUNSEL OF RECORD**

The law firm of Marquis Aurbach Coffing hereby moves this Court for an order allowing it to withdraw as counsel of record for Appellants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc. (“Appellants”) in this matter pursuant to NRAP 46, SCR 46, and NRPC 1.16.

NRAP 46(e)(3) allows an attorney to withdraw from representation if withdrawal is consistent with SCR 46 and NRPC 1.16. SCR 46(1) states that “[t]he attorney in an action . . . may be changed at any time before . . . final determination . . . [u]pon consent of the attorney, approved by the client.” NRPC 1.16(b) provides that “a lawyer may withdraw from representing a client if . . . [w]ithdrawal can be accomplished without material adverse effect on the interests of the client provides that” and when “[o]ther good cause for withdrawal exists.”

Here, Appellants have elected to be represented by Micah Echols, Esq., who no longer works at the law firm of Marquis Aurbach Coffing and has appeared as counsel of record in this matter at his new law firm. *See Superpumper, Inc., et al. vs. Leonard*, Docket No. 79355 (Motion to Stay Briefing, or, Alternatively, Motion for Extension of Time to File Opening Brief and Appendix, Jan. 29, 2020).

Further, Kathleen A. Wilde, Esq., and Tom W. Stewart, Esq., of Marquis Aurbach Coffing, have consented to withdrawal as counsel in this matter. SCR 46(1). This withdrawal can be accomplished without material adverse effect on Appellants' interest. NRPC 1.16(b)(1). As a result, good cause exists for the withdrawal of the law firm of Marquis Aurbach Coffing. NRPC 1.16(b)(7).

Appellants Superpumper, Inc.; Salvatore Morabito; and Snowshoe Petroleum, Inc. will continue to be represented by Micah S. Echols, Esq., now at the law firm of Claggett & Sykes, along with Frank Gilmore, Esq., at the law firm of Robison, Sharp, Sullivan & Brust. Appellant Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust, will continue to be represented by Micah S. Echols, Esq., now at the law firm of Claggett & Sykes, along with Jeffrey Hartman, Esq., at the law firm of Hartman & Hartman.

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For the foregoing reasons, Kathleen A. Wilde, Esq., and Tom W. Stewart, Esq., of the law firm of Marquis Aurbach Coffing respectfully request leave to withdraw as Appellant's attorney of record in this case.

Dated this 6th day of February, 2020.

MARQUIS AURBACH COFFING

By /s/ Kathleen A. Wilde

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*Attorneys for Appellants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **MOTION TO WITHDRAW AS COUNSEL OF RECORD** was filed electronically with the Nevada Supreme Court on the 6th day of February, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Gabrielle Hamm, Esq.  
Michael Lehnert, Esq.  
Frank Gilmore, Esq.  
Jeffrey Hartman, Esq.  
Erika Pike Turner, Esq.  
Stephen A. Davis, Esq.  
Micah S. Echols, Esq.

I further certify that I served a copy of this document by mailing a true and correct copy thereof, addressed to:

Gerald M. Gordon, Esq.  
Teresa M. Pilatowicz, Esq.  
Garman Turner Gordon LLP  
650 White Drive, Ste. 100  
Las Vegas, Nevada 89119  
*Attorneys for Respondent, William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito*

Superpumper Inc.  
10645 N. Tatum  
Phoenix, AZ 85028

Snowshoe Petroleum Inc.  
1209 N. Orange St  
Wilmington, DE 19801

I further certify that I served a copy of this document by emailing a true and correct copy thereof, addressed to:

Salvatore Morabito  
Edward Bayuk  
Edward Bayuk, as Trustee of the Edward Bayuk Living Trust

/s/ Leah Dell  
Leah Dell, an employee of  
Marquis Aurbach Coffing