

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE
OF DENNIS JOHN CARVER,
DECEASED,

COLONIAL REAL ESTATE
PARTNERSHIP, LTD.; AND JOHN
HOULIHAN,

Appellants,

vs.

RHONDA MORGAN, PERSONAL
REPRESENTATIVE OF THE
ESTATE OF DENNIS JOHN
CARVER,

Respondent.

Supreme Court No. 81447

Electronically Filed
Feb 24 2022 07:43 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**Clear Counsel Law Group's Motion to
Withdraw as Counsel of Record**

NRAP 46 provides that an attorney seeking to withdraw must state reasons for withdrawal consistent with SCR 46 and RPC 1.16. SCR 46 provides that an attorney may withdraw with “consent of the attorney, approved by the client” or upon order of the court. RPC 1.16 provides that an attorney may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client or for other good cause. See RPC 1.16(b).

As demonstrated in the Declaration of Jonathan W. Barlow, attorney David T. Blake was the responsible attorney for the firm in regard to this appeal and was the only attorney at the firm with substantive knowledge related to this matter. Mr. Blake has

transferred to a new law firm and no longer works at Clear Counsel Law Group (“Clear Counsel”). Mr. Blake was the only attorney at Clear Counsel that handles general civil litigation matters such as the issues presented in this matter, and there are no attorneys at the firm that can take on this case. Rhonda Morgan, Personal Representative of the Estate of Dennis John Carver, has been advised of this and of her need to hire new counsel. All briefing for Respondent in this appellate matter has been submitted and no oral argument has been scheduled at this time. As such, permitting the withdrawal of Clear Counsel as the attorneys of record for Respondent will not have any material adverse effect on Respondent. As a result of Mr. Blake’s departure, Clear Counsel requests to withdraw as counsel of Record for Rhonda Morgan, Personal Representative of the Estate of Dennis John Carver.

Dated: February 24, 2022.

CLEAR COUNSEL LAW GROUP

/s/Jonathan W. Barlow

Jonathan W. Barlow (#9964)

Declaration of Jonathan W. Barlow, Esq.

1. I am an attorney licensed to practice in the State of Nevada.
2. I am over the age of 18 and am competent to testify regarding the matters stated herein.
3. I am the Managing Partner at Clear Counsel Law Group.
4. I make this Declaration in support of the Motion to Withdraw as Counsel of Record of Clear Counsel Law Group (“Clear Counsel”) for Rhonda Morgan, Personal Representative of the Estate of Dennis John Carver.
5. David T. Blake was the attorney responsible for this case at Clear Counsel and was the only attorney at the firm with substantive knowledge related to this matter. Mr. Blake recently transferred to work for a different law firm in Las Vegas.
6. Mr. Blake informed Rhonda Morgan that he would be leaving Clear Counsel, that Clear Counsel could not represent her any longer in this case, and that she would have to retain new counsel. She understood the conversation and the need to hire new counsel.
7. Mr. Blake’s last day working for Clear Counsel Law Group was December 31, 2021.
8. Clear Counsel does not have any other attorneys who practice in the area of general civil litigation. The litigation attorneys at Clear Counsel practice primarily in either personal injury litigation or probate, estate, and trust litigation. There are also non-litigation probate attorneys at the firm.

9. It is my understanding that all briefing for Respondent has been submitted in this matter and that no oral argument has been scheduled at this time.

10. Clear Counsel cannot effectively continue to represent Rhonda Morgan in this matter because none of the remaining attorneys at Clear Counsel have substantive knowledge of this matter or practical experience in the issues presented in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 24, 2022.

/s/ Jonathan W. Barlow
Jonathan W. Barlow (#9964)

CERTIFICATE OF SERVICE

I hereby certify pursuant to NRAP 25(c) that on the 24th day of February 2022, I served a copy of **Clear Counsel Law Group's Motion to Withdraw as Counsel of Record** upon all counsel of record as follows:

- ☐ By personally serving it upon him/her;
- ☒ Electronic service to all registered parties;
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es):

Rhonda Morgan
19800 MacArthur Blvd. Suite 300
Irvine, California 92612

/s/ K.A. Gentile
An Employee of Clear Counsel Law Group