

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

DARELL L. MOORE; AND CHARLENE  
A. MOORE, INDIVIDUALLY AND AS  
HUSBAND AND WIFE,

Appellants,

vs.

JASON LARSY, MD, INDIVIDUAL; AND  
TERRY BARTMUS, RN, APRN,  
INDIVIDUAL,

Respondents.

Electronically Filed  
May 18 2021 01:26 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No. 81659

**APPEAL**

From the Eighth Judicial District Court, Clark County  
The Honorable Kathleen E. Delaney, District Judge  
District Court Case No.: A-17-766426-C

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**MOTION TO WITHDRAW AS COUNSEL**

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BRIAN A. MORRIS, ESQ.  
Nevada Bar No. 11217  
brian@morrislawcenter.com  
TIMOTHY A. WISEMAN, ESQ.  
Nevada Bar No. 13786  
tim@morrislawcenter.com  
MORRIS LAW CENTER  
5450 W. Sahara Ave. Suite 330  
Las Vegas, Nevada 89146  
Telephone: (702) 850-7798  
*Attorneys for Appellants*

Attorneys Timothy A. Wiseman and Brian A. Morris of respectfully request permission to withdraw as counsel from this matter pursuant to NRAP 46(e). Appellants will remain represented by Mr. E. Breen Arntz, Esq.

**I. Withdrawal is appropriate due to release of counsel by client due to respectful disagreements over strategy and compensation.**

Retained Counsel from Morris Law Center and Mr. Arntz have a respectful, professional disagreement over the proper approach to handling the appeal. Appellants have decided that they prefer the strategy put forward by Mr. Arntz. The selected approach can be fully handled by Mr. Arntz without the involvement of Morris Law Center and thus it is inefficient for Morris Law Center to remain as counsel as in this matter. Furthermore, there was a respectful disagreement over the appropriate fees going forward. A resolution has been reached to this disagreement. The resolution involves Morris Law Center withdrawing as counsel.

This withdrawal is consistent with SCR 46 since the client approves the withdrawal and Morris Law Center respectfully seeks permission to withdraw.

This withdrawal is consistent with Nevada Rules of Professional Conduct (NRPC) 1.16(b). Pursuant to NRPC 1.16(b)(1), the withdrawal may be accomplished without prejudice to the client since Mr. Arntz will continue to represent the client. Pursuant to NRPC 1.16(b)(6) withdrawal is appropriate since the clients do not intend to continue paying fees to Morris Law Center.

To ensure that the withdrawal does not prejudice the client, the attorneys from Morris Law Center have coordinated with Mr. Arntz to ensure he has access to all relevant documents in the possession of Morris Law Center and that Mr. Arntz is aware of all upcoming deadlines of which Morris Law Center is aware. In particular, Morris Law Center has informed Mr. Arntz that the Opening Brief and Appendix are due on or before 6/21/2012.

## **II. Conclusion**

The attorneys of Morris Law Center respectfully request permission to withdraw. Since the Appellants have other counsel already retained, this withdrawal will not prejudice appellants.

Dated this 18<sup>th</sup> day of May, 2021.

MORRIS LAW CENTER

By: *Timothy A. Wiseman*  
BRIAN A. MORRIS, ESQ.  
Nevada Bar No. 11217  
TIMOTHY A. WISEMAN, ESQ.  
Nevada Bar No. 13786  
*Attorneys for Appellant*

## CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of Morris Law Center and that on this 18<sup>th</sup> day of May, 2021, I served a true and correct copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL** as follows:

- X     by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☐    to be sent via facsimile (as a courtesy only); and/or
- ☐    to be hand-delivered to the attorneys at the address listed below:
- X     to be submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

Robert McBride, Esq  
McBride Hall  
8329 W. Sunset Rd., Ste. 260  
Las Vegas, NV 89113

Keith A. Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith, LLP  
6385 S. Rainbow Blvd., Ste. 6000  
Las Vegas, NV 89118

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E. Breen Arntz, Esq.  
Atkinson Watkins Hoffman  
10789 W Twain Ave., Ste. 100  
Las Vegas, NV 89135

Darrell and Charlene Moore  
11147 Gold Hitt Ct.  
Las Vegas, NV 89179

By: Anna M. Hepler  
An employee of Morris Law Center