

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

KATHERINE REYNOLDS,

Plaintiff,

v.

Case No. 3:09cv238

RELIABLE TRANSMISSIONS, INC.

And

GE CAPITAL FINANCE, INC.

Defendants.

MEMORANDUM IN SUPPORT OF MOTION TO WITHDRAW

John A. Gibney, Robert R. Musick, and the law firm of ThompsonMcMullan, P.C. (hereinafter "ThompsonMcMullan"), counsel for Defendant Reliable Transmissions, Inc., submit this memorandum in support of their motion for leave to withdraw as counsel for Reliable Transmissions, Inc. pursuant to Local Rules of Civil Procedure 7 and 83.1(G).

ThompsonMcMullan is seeking leave to withdraw as counsel because of Reliable Transmissions' failure to provide the agreed upon fee deposit, to pay its bill as agreed, and because of communication problems that prevent ThompsonMcMullan from fulfilling its role as counsel to Reliable Transmissions.

This Court has permitted counsel to withdraw its representation where the client does not comply with its fee arrangement and where communications are strained. *See NGM Ins. Co. v. Secured Title & Abstract, Inc.*, 2008 U.S. Dist. LEXIS 33478 (E.D. Va. 2008).

No prejudice will befall Reliable Transmissions if this Court grants the motion because a trial date has not been set and discovery has not commenced.

WHEREFORE, John A. Gibney, Robert R. Musick, and the law firm of ThompsonMcMullan, P.C. respectfully request that this Court permit them to withdraw as counsel for Reliable Transmissions, Inc.

 /s/ Robert R. Musick

John A. Gibney, VSB No. 15754

Robert R. Musick, VSB No. 48601

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Counsel for Reliable Transmissions, Inc.

CERTIFICATE OF SERVICE

I certify that on this 26th day of August 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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Attorneys for GE Capital Financial, Inc.

I further certify that a copy of the foregoing motion was mailed by first class mail, postage prepaid, to:

Reliable Transmissions, Inc.
13669 Warwick Boulevard
Newport News, Virginia 23602

_____/s/ Robert R. Musick
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