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6 *Admitted Pro Hac Vice*

7 Attorneys for Plaintiff DENNIS MONTGOMERY, THE MONTGOMERY FAMILY TRUST, AND
THE TRUSTEES OF THE MONTGOMERY FAMILY TRUST.

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 DENNIS MONTGOMERY, and the)	
11 MONTGOMERY FAMILY TRUST,)	3:06-CV-00056-PMP-VPC
)	BASE FILE
12 Plaintiffs,)	
)	3:06-CV-00145-PMP-VPC
13 v.)	
14 ETREPPID TECHNOLOGIES, LLC,)	<u>EX PARTE MOTION FOR AN ORDER</u>
15 WARREN TREPP, and the UNITED)	<u>TO SHORTEN TIME TO FILE AN EX</u>
STATES DEPARTMENT OF DEFENSE,)	<u>PARTE MOTION TO WITHDRAW AS</u>
)	<u>COUNSEL FOR MONTGOMERY.</u>
16 Defendants.)	
17 _____)	
18 AND ALL RELATED MATTERS.)	

19 TO ALL PARTIES AND ATTORNEY OF RECORD: Attorney Michael Flynn and Attorney
20 Carla DiMare, (and the Law Firm of Carla DiMare), (hereinafter “counsel”), who are admitted pro hac
21 vice in the above captioned cases, move this Court ex parte for an Order to Shorten Time for ruling
22 or Order on their Ex Parte Motion to Withdraw as Counsel for their clients Dennis Montgomery,
23 individually and as Trustee of the Montgomery Family Trust, Brenda Montgomery as Trustee of the
24 Montgomery Family Trust, and the Montgomery Family Trust (hereinafter collectively
25 “Montgomery”), in the above captioned cases and related search warrant matter, U.S. Dist., Reno, cv:
26 06-0263. Montgomery would not consent to withdrawal, and no new Montgomery attorney has
27 contacted counsel, necessitating this Ex Parte Motion for an Order to Shorten Time and Ex Parte
28 Motion to Withdraw.

The grounds and good cause for this motion are set forth in counsel’s Ex Parte Motion to

1 Withdraw and supporting attorney declarations, filed herewith. There will be no prejudice to any party
2 if this motion to shorten time is granted. If the Court finds that good cause exists for withdrawal, then
3 the best interests of justice and these cases would be served by promptly obtaining Court approval for
4 withdrawal and resolving this issue; and accordingly, this motion for an order to shorten time to obtain
5 an expedited Order should be granted.

6 A copy of this Ex Parte Motion to Shorten Time has been served on Mr. Montgomery and his
7 Family Trust via e-mail and U.S. mail. (See Certificate of Service). Additionally, Mr. Montgomery
8 is still represented by and in communication with local counsel, Logar & Pulver, which has been
9 served with these papers along with all other parties who have appeared in these cases. (Id.)

10 For the above reasons, attorney Michael Flynn and attorney Carla DiMare respectfully request
11 that this Motion for An Order to Shorten Time be allowed, and the Court rule their Ex Parte Motion
12 to Withdraw as soon as possible in conformity with the Court’s calendar. Counsel also requests
13 permission to appear telephonically, if a hearing is necessary. A proposed Order is set forth below.

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Respectfully submitted,

Dated: July ____, 2007

Michael J. Flynn, Esq.
Carla DiMare, Esq.

The aforesaid Ex Parte Motion for an Order to Shorten Time is GRANTED.

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE
DATED: July ____, 2007

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CERTIFICATE OF SERVICE

I, Carla A. DiMare, declare: I am an attorney admitted pro hac vice in the United States District Court of Reno in the related civil cases, U.S.D. Reno, No. 3:06-CV-00056 and 3:06-CV-000145. I am over the age of 18 years and not a party to this action.

I am familiar with the practice for the collection of mail, delivery of hand-deliveries, process of facsimile, and the practice of mailing.

On July ____, 2007, I caused the foregoing document (Ex Parte Motion for an Order to Shorten Time to File an Ex Parte Motion to Withdraw and Certificate of Service), to be mailed to the following persons and/or entities:

Attorneys Stephen Peek and Jerry Snyder
HALE LANE
5441 Kietzke Lane, 2nd Fl.
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Attorney Carlotta P. Wells,
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/S/

Attorney Carla DiMare