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8 Attorney for Defendant, Demetrious Polychron

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION**

12 THE TOLKIEN TRUST and THE TOLKIEN
13 ESTATE LTD,

14 Plaintiffs,

15 vs.

16 DEMETRIOUS POLYCHRON,

17 Defendant.

18 Case No.: 2:23-cv-04300-SVW(Ex)

19 **KATIE CHARLESTON'S**
20 **MOTION TO WITHDRAW**
21 **APPEARANCE**

22 Date: October 2, 2023
23 Time: 1:30 p.m.
24 Dept.: 10A

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TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 2, 2023, at 1:30 p.m. or as soon as may be heard in Courtroom 10A of the United States District Court for the District of California, First Street Courthouse, 350 West First Street, Los Angeles, California 90012, Katie Charleston of Katie Charleston Law, PC, will and hereby does move this Court for an order granting her withdrawal of appearance on behalf of Defendant, Demetrious Polychron.

This motion is based on this notice of motion, the declaration of Katie Charleston, and all other matters of which this Court may take judicial notice, the pleadings, files, and records in this action, and on any argument heard by this Court.

This notice is made following the undersigned’s notice of intent to withdraw sent to Defendant on August 23, 2023 and again on August 28, 2023.

Dated: August 31, 2023

Respectfully submitted,

Katie Charleston Law, PC

By: /s/ Katie Charleston
Katie Charleston, Esq.

1 Katie Charleston, of Katie Charleston Law, PC, respectfully requests the Court
2 withdraw her appearance as counsel of record for Defendant, Demetrious Polychron, and
3 in support thereof states:

4 1. There has been a significant breakdown in the attorney-client relationship in
5 that Defendant has been habitually unresponsive, and with looming deadlines, has become
6 even more unresponsive to the undersigned's multiple attempts at contact. (Katie
7 Charleston Decl. at ¶ 2, filed contemporaneously herewith).

8 2. On August 21, 2023, the undersigned attempted to reach Defendant via
9 telephone and email, and no response was received. (Charleston Decl. at ¶ 3).

10 3. On August 28, 2023, the undersigned attempted to reach Defendant via phone
11 and email, and no response was received. (Charleston Decl. at ¶ 4).

12 4. On August 29, 2023, the undersigned attempted again to reach Defendant via
13 his client portal to approve a pleading, and no response was received. (Charleston Decl.
14 at ¶ 5).

15 5. On August 30, 2023, the undersigned's staff again attempted to contact
16 Defendant via telephone regarding upcoming deadlines and the upcoming hearing date.
17 (Charleston Decl. at ¶ 6).

18 6. The undersigned has continued to secure Defendant's interests by conferring
19 with opposing counsel, drafting pleadings, notifying Defendant as needed, and timely
20 filing pleadings despite Defendant's continued failure to respond and lack of cooperation.
21 (Charleston Decl. at ¶ 7).

22 7. Further, Defendant has failed to provide payment for services rendered to the
23 undersigned in this and a related case for over two months. (Charleston Decl. at ¶ 8).

24 8. The undersigned can no longer represent Defendant due to the foregoing
25 reasons and his breakdown of the attorney-client relationship.

26 9. Defendant has been notified and is aware that his Motion to Dismiss is set
27 for hearing on September 11, 2023, at 1:30 p.m. Defendant is also aware that counsel has
28 withdrawn the motion and filed an answer on his behalf. (Charleston Decl. at ¶ 9).

1 WHEREFORE, Katie Charleston respectfully requests the Court enter an order
2 withdrawing her appearance as counsel of record for Defendant, Demetrious Polychron,
3 and for all other proper relief.

4 Dated: August 31, 2023

Respectfully submitted,
Katie Charleston Law, PC

7 By: /s/ Katie Charleston
8 Katie Charleston, Esq.

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