

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PRIME ALLIANCE BANK, INC.,
a Utah banking corporation;
and SERTANT CAPITAL, LLC,
a Delaware limited liability company,

Case No. 1:23-cv-10564-LJM-PTM
Hon. Laurie J. Michelson

Plaintiffs

v

THE GREAT LAKES TISSUE COMPANY,
a Michigan corporation,

Defendant.

NOTICE OF MOTION AND MOTION TO WITHDRAW AS COUNSEL

PLEASE TAKE NOTICE that Attorney Christopher E. Nyenhuis respectfully moves to withdraw as counsel for Defendant The Great Lakes Tissue Company in the above matter, pursuant to Eastern District of Michigan Local Rule 83.25(b)(2).

LEGAL STANDARD

Eastern District of Michigan Local Rule 83.25(b)(2) provides that an “attorney may withdraw . . . only on order of the Court.” In the Sixth Circuit, “attorney withdrawal issues are committed to the court’s discretion.” *Brandon v. Blech*, 560 F.3d 536, 537 (6th Cir. 2009). A client’s failure to timely pay its legal bills and communicate with counsel is a proper basis to withdraw as counsel. *See id.*

MOTION

In support of this motion to withdraw, counsel states as follows:

1. Counsel was contacted by out-of-district counsel for The Great Lakes Tissue Company to assist in filing The Great Lakes Tissue Company's Opposition to Motion for Possession on an expedited, emergency basis.
2. Counsel assisted in filing the Opposition and, as required by local rule, attended hearings.
3. Out-of-District Counsel has moved to withdraw its representation in the above matter, and counsel has been unable to secure a formal engagement for local counsel or other services.
4. As a result, counsel is unable to effectively represent The Great Lakes Tissue Company and believes it would be in the best interest of both parties for counsel to withdraw.

WHEREFORE, for the reasons stated above, counsel respectfully requests that this Court enter an order permitting the withdrawal of Attorney Christopher E. Nyenhuis as counsel of record for The Great Lakes Tissue Company. Counsel further requests that all future pleadings, correspondence, and notices in this action be served directly upon The Great Lakes Tissue Company.

HILGER HAMMOND

Dated: October 11, 2023

/s/ Christopher E. Nyenhuis
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