

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

SCOTT ELLIS, in his official capacity as  
Brevard County Clerk of the Circuit Court,

Plaintiff,

Case No. 05-2013-CA033457

vs.

BLUEGEM, LLC, a Florida limited liability  
company,

Defendants.

\_\_\_\_\_ /

**MOTION TO WITHDRAW AS COUNSEL**

The law firm of Foley & Lardner LLP, ("Foley"), by and through the undersigned attorney, moves to withdraw as counsel of record for Defendant, BlueGEM, LLC. The grounds for this motion are as follows:

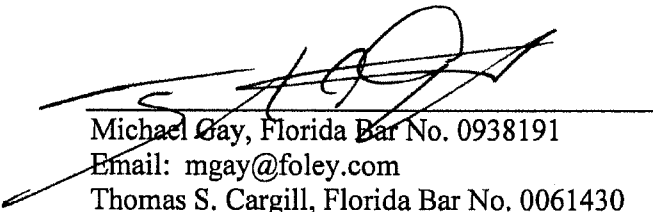
1. Irreconcilable differences have arisen between Foley and the Defendant that make it impossible for Foley to continue to represent their interests in this matter.
2. Foley, on behalf of the Defendant, requests that the Court:
  - (a) Grant Defendant thirty (30) days to obtain new counsel;
  - (b) Stay these proceedings during the thirty (30) day period; and
  - (c) Grant Defendant a reasonable extension of time to respond to Plaintiff's First Interrogatories, First Request For Production, and First Request for Admissions.<sup>1</sup>
3. Foley additionally requests that any and all documents be forwarded to the attention of Rose Harr, 202 West Drive, Melbourne, Florida 32904.
4. Foley certifies that this motion is not being filed for purposes of delay.

<sup>1</sup> Defendant has already granted Plaintiff a generous extension on discovery responses.

5. The undersigned certifies that he conferred with Plaintiff's counsel. Plaintiff's counsel stipulates to the withdrawal. However, Plaintiff's counsel stipulates to a stay of the proceedings only through October 16, 2013.

WHEREFORE, Foley & Lardner LLP requests that this Court enter an Order allowing it to withdraw as attorneys for the Defendant and granting the extensions of the deadlines described above.

Date: October 8, 2013



Michael Gay, Florida Bar No. 0938191  
Email: mgay@foley.com  
Thomas S. Cargill, Florida Bar No. 0061430  
Email: tcargill@foley.com  
Foley & Lardner LLP  
111 North Orange Avenue, Suite 1800  
Orlando, FL 32801-2386  
P. O. Box 2193  
Orlando, FL 32802-2193  
Telephone: 407.423.7656  
Facsimile: 407.648.1743

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail this 8 day of October, 2013 to: Curt Jacobus, Esq. at curt.jacobus@gray-robinson.com; and Alec Russell at alec.russell@gray-robinson.com.



Thomas S. Cargill, Florida Bar No. 0061430