

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 09-1072 DOC (Ex)

Date: March 7, 2012

Title: CHARLES EDWARD LINCOLN, III, et al v. THE STATE OF CALIFORNIA, et al.

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Julie Barrera  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

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PROCEEDING (IN CHAMBERS): TAKING MATTER UNDER SUBMISSION

Before the Court are a Motion to Dismiss filed by Defendant DNE Associates LLP (Docket 99) and a Motion to Strike Third Amended Complaint Based on Anti-SLAPP filed by Defendant DNE Associates LLP (Docket 100). The Court finds these matters appropriate for decision without oral argument. Fed.R.Civ. P. 78; Local Rule 7-15.

Accordingly, the hearing set for March 12, 2012 at 8:30 a.m. is removed from the calendar. Parties will be served with the Court's ruling.

Also before the Court is a filing by pro se Plaintiffs Daniel Christian Mack ("Mack") and Renada Nadine March ("March") (Docket 111). To the extent this Motion seeks a continuance on the March 12th hearings and requests oral argument, it is DENIED. To the extent it is a Counter-Motion to Strike, it will also be taken under submission and the parties will be served with the Court's ruling.

Finally, the Court is also recently aware of an Ex Parte application by attorney Diane Beall to withdraw as attorney of record for Charles Edward Lincoln ("Lincoln") (Dockets 106 and 119). Ms. Beall is advised that if she does not file courtesy copies of her ex parte applications, they will typically not come to the Court's attention in a timely manner. There has been no opposition filed to Ms. Beall's motion by any of her clients, although Plaintiffs Mack and March curiously appear to oppose her motion to withdraw on behalf of Lincoln. Ms. Beall has indicated in her motion that Lincoln opposes her motion to withdraw but that he has never paid her and that she cannot afford to represent

MINUTES FORM 11 DOC  
CIVIL - GEN

Initials of Deputy Clerk: jcb  
Page 1 of 2

him pro bono. Ms. Beall also indicates that their communication with Lincoln has completely broken down and that her withdrawal should not prejudice the case in any way. Taken together, this is sufficient justification for withdrawal. Ms. Beall's Motion to Withdraw is GRANTED.

The Clerk shall serve a copy of this minute order on counsel for all parties in this action.