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*Attorneys for Defendants Power
Ventures, Inc. and Steve Vachani*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC.,

Plaintiff,

v.

POWER VENTURES, INC. d/b/a POWER.COM, a
California corporation; POWER VENTURES, INC.
a Cayman Island Corporation, STEVE VACHANI,
an individual; DOE 1, d/b/a POWER.COM, an
individual and/or business entity of unknown nature;
DOES 2 through 25, inclusive, individuals and/or
business entities of unknown nature,

Defendants.

Case No. 5:08-CV-05780 JW

**DECLARATION OF L. TIMOTHY
FISHER IN SUPPORT OF MOTION
TO WITHDRAW AS COUNSEL
FOR DEFENDANTS POWER
VENTURES, INC. AND STEVE
VACHANI**

Honorable Chief Judge James Ware

Date: July 9, 2012

Time: 9:00 a.m.

Dept.: Courtroom 9, 19th Floor

1 I, L. Timothy Fisher, declare:

2 1. I am an attorney with the law firm of Bursor & Fisher, P.A. and counsel for
3 Defendants Power Ventures, Inc. ("Power") and Steve Vachani (collectively "Defendants"). I
4 make this declaration in support of Bursor & Fisher, P.A.'s Motion to Withdraw as Counsel for
5 Defendants. I have personal knowledge of the facts set forth in this declaration and, if called as a
6 witness, I could and would testify competently thereto.

7 2. On May 31, 2012, I contacted Steve Vachani by email and to inform him that
8 Bursor & Fisher, P.A. intended to move to withdraw as counsel for Defendants because our bills
9 have been unpaid for many months. Mr. Vachani and I also discussed the motion to withdraw on
10 June 1, 2012.

11 3. Mr. Vachani has informed me that he has no ability to pay for Defendants' accrued
12 attorneys' fees or any future fees.

13 4. On May 31, 2012, I contacted Monte Cooper, counsel for Plaintiff Facebook, Inc.
14 ("Facebook"), by email and advised him of my intent to move to withdraw as counsel for
15 Defendants. Mr. Cooper informed me that Facebook would not oppose the request to withdraw.

16 5. Bursor & Fisher, P.A. filed this Motion to Withdraw as Counsel for Defendants as
17 soon as practicable upon learning the facts giving rise to it.

18 6. Bursor & Fisher, P.A. has complied with this District's Local Rules applicable to
19 motions to withdraw as well as all applicable rules of California's Code of Professional Conduct.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct to the best of my knowledge. Executed this 4th day of June 2012, at
22 Walnut Creek, California.

23
24 Dated: June 4, 2012

/s/ L. Timothy Fisher
L. Timothy Fisher