

U.S. DISTRICT COURT
 EASTERN DISTRICT OF LOUISIANA
 FILED FEB - 8 1999
 LORETTA G. WHYTE
 CLERK

UNITED STATES DISTRICT COURT FOR
 THE EASTERN DISTRICT OF LOUISIANA

DR. CARL BERNOFSKY
 Plaintiff

versus

ADMINISTRATORS OF THE TULANE
 EDUCATIONAL FUND
 Defendant

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 * CIVIL ACTION
 *
 * NO. 98:-1792
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 *
 * SECTION "C"
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 * JUDGE BERRIGAN
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 *
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 * MAGISTRATE CHASEZ

* * * * *

MOTION TO WITHDRAW AS COUNSEL OF RECORD
 WITH INCORPORATED MEMORANDUM

On Motion of Roger D. Phipps, who respectfully represents:

I.

That he is counsel for plaintiff, Dr. Carl Bernofsky, in the above-entitled and numbered action.

II.

That plaintiff and counsel have irreconcilable differences over issues arising out of this litigation as well as over the management and direction of the litigation. Counsel suggests that under these circumstances he is unable to represent plaintiff and therefore he moves to withdraw as counsel of record in the above-entitled and numbered action and no longer be sent further notices of the Court.

Fee _____
 Process _____
 X / Dkt _____
 CtRmDep _____
 Doc.No. _____

III.

That plaintiff has been notified of all deadlines pursuant to the Local Rules by having been given by hand delivery the preliminary conference minute entry dated October 7, 1998 which set forth the applicable deadlines for this litigation.

V.

Plaintiff's mailing address is: 6478 General Diaz Street, New Orleans, Louisiana 70124.

VI.

Plaintiff's telephone number is: 486-4639.

Respectfully submitted,



Roger D. Phipps #20326
210 Baronne Street, Suite 1410
New Orleans, Louisiana 70112
(504) 524-2298

CERTIFICATE OF SERVICE

I hereby certify that this February 8, 1999, a copy of the foregoing MOTION TO WITHDRAW AS COUNSEL OF RECORD has been served on opposing counsel of record, by U.S. Mail, postage prepaid, properly addressed.

R. Phlips