UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brenda Abernathy

Plaintiff(s)

v.

Guidant Corp., et al.

Defendant(s)

APPLICATION TO WITHDRAW AS COUNSEL OF RECORD

Case No: 07-cv-04048(DWF/AJB)

Pursuant to Rule 83.7(b) of the Local Rules of the United States District Court for the District of Minnesota, the undersigned attorney hereby requests the Court and counsel that The Mulligan Law Firm, currently listed as counsel of record for John Scarpinato. The Mulligan Law Firm wishes to withdraw as counsel for John Scarpinato in this case for the following reason(s):

Despite multiple attempts and diligent efforts by counsel to obtain Plaintiff's signed release of the defendant in this matter, Plaintiff has not signed the required release. Plaintiff's failure to sign has created irreconcilable differences with counsel.

A copy of this motion will be served upon Plaintiff at his home address.

Dated: 5-19-08

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