

WITMAN, STADTMAUER & MICHAELS, P.A.
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Attorneys for Defendants Equity Financial Group LLC,
Vincent J. Firth and Robert W. Shimer

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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COMMODITY FUTURES TRADING :
COMMISSION, : Civil Action No. 04-1512
:
Plaintiff, : **NOTICE OF MOTION FOR**
:
vs. : **LEAVE TO WITHDRAW AS**
:
EQUITY FINANCIAL GROUP LLC, *et al.*, : **COUNSEL PURSUANT TO**
:
Defendants. : **L.CIV.R.102.1**
:
:
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PLEASE TAKE NOTICE that Mennaker & Herrmann, LLP (“Menaker & Herrmann”) admitted pro hac vice and Witman, Stadtmauer & Michaels, P.A. (“Witman Stadtmauer”), New Jersey counsel for defendants Equity Financial Group, LLC, Robert W. Shimer and Vincent J. Firth (collectively, “Equity Defendants”) shall move before the United States District Court for the District of New Jersey at the Mitchell H. Cohen Federal Court House, 1 John F. Gerry Plaza, Camden, New Jersey on Friday the 1st day of April, 2005 at 10:00 a.m. or as soon thereafter as counsel may be heard for an order granting leave to Menaker & Herrmann and Witman

Stadtmauer to withdraw as counsel for the Equity Defendants pursuant to L.Civ.R.102.1.

In support of this motion, Menaker & Herrmann and Witman Stadtmauer shall rely upon the accompanying declaration of Samuel Abernethy, Esq., the pleadings and papers already on file in the action and the arguments of counsel in open Court. Pursuant to L.Civ.R. 7.1(d)(1), Menaker & Herrmann and Witman Stadtmauer state that no brief is necessary on the within motion since standards for, and grounds upon, which leave may be granted are matters of well-settled law which movants acknowledge and do not dispute.

WITMAN, STADTMAUER & MICHAELS, P.A.

Dated: March 7, 2005

By: _____s/Lewis Cohn

Lewis Cohn (LC-0979)
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