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11 Counsel for Marcellay Defendants

12 **IN THE UNITED STATES DISTRICT COURT FOR THE  
13 EASTERN DISTRICT OF WASHINGTON**

14 PAUL GRONDAL, a Washington  
15 resident; and THE MILL BAY  
16 MEMBERS ASSOCIATION, INC., a  
17 Washington Non-Profit Corporation,

18 Plaintiffs,

19 v.

20 UNITED STATES OF AMERICA;  
21 UNITED STATES DEPARTMENT  
22 OF THE INTERIOR; THE BUREAU  
23 OF INDIAN AFFAIRS, et al.,

Case No.: 09-CV-00018-RMP

DECLARATION OF TIMOTHY M.  
LAWLOR IN SUPPORT OF MOTION  
FOR ORDER GRANTING LEAVE  
FOR WITHDRAWAL OF  
ATTORNEYS

11/04/19  
Without Oral Argument

24 I, Timothy M. Lawlor, state and declare under penalty of perjury under the  
25 laws of the State of Washington that the following is true and correct as follows:  
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3 1. I am over eighteen years old, competent to testify, and make this  
4 declaration on personal knowledge and upon a review of the records and files in  
5 this matter.

6  
7 2. I am one of the attorneys of record for Defendants, Cross-  
8 Defendants Darlene Marcellay-Hyland, Maureen M. Marcellay, Marlene M.  
9 Marcellay, Mike Marcellay, Lynn K. Benson, James Abraham (Marcellay),  
10 Randy Marcellay and Gabe Marcellay.

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12 3. The relationship between counsel and the clients is broken. There is  
13 currently no trial date set and there are no other currently pending matters on the  
14 docket that affect these Defendants. Defendants will have ample time to find  
15 replacement counsel and withdrawal will not prejudice Defendants.

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18 4. Good cause exists to grant Timothy M. Lawlor and Matthew A.  
19 Mensik's Motion for Order Granting Leave to Withdrawal of Attorneys as  
20 counsel for Defendants, Cross-Defendants Darlene Marcellay-Hyland, Maureen  
21 M. Marcellay, Marlene M. Marcellay, Mike Marcellay, Lynn K. Benson, James  
22 Abraham (Marcellay), Randy Marcellay and Gabe Marcellay.

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DATED in Spokane, Washington this 3rd day of October, 2019.

WITHERSPOON KELLEY, PS

By: s/ Timothy M. Lawlor  
Timothy M. Lawlor, WSBA # 16352  
Matthew A. Mensik, WSBA # 44260  
*Attorneys for Marcellay Defendants*

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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on October 3, 2019, I electronically filed the foregoing  
4 with the Clerk of the Court using the CM/ECF system. The CM/ECF system will  
5 send notification of such filing to all current CM/ECF participants.  
6

7 I hereby certify that on October 3, 2019, I mailed the foregoing document by  
8 United States Postal Service to the following non-CM/ECF participants:  
9

10 11 12 13	Darlene Marcellay-Hyland 16713 SE Fisher Drive Vancouver, WA 98683	Maureen M. Marcellay 501 SE 123rd Ave., Apt U150 Vancouver, WA 98683-4008
14 15 16	Marlene M. Marcellay 1300 SE 116th Ct Vancouver, WA 98683-5290	Mike Marcellay PO Box 594 Brewster, WA 98812-0594
17 18 19	Lynn K. Benson PO Box 746 Omak, WA 98841-0746	James Abraham 2727 Virginia Ave Everett, WA 98201-3743
20 21 22	Randy Marcellay PO Box 3287 Omak, WA 98841-3287	Gabe Marcellay PO Box 76 Wellpinit, WA 99040-0076
23 24 25	Catherine Garrison 3434 S 114 <sup>th</sup> Street, Apt 124 Tukwila, WA 98168-4061	Deborah A. Backwell 24375 SE Keegan RD Eagle Creek, OR 97022
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10 11 12 13	Pamela Jean DeRusha US Attorney's Office – SPO 920 W. Riverside, Suite 300 PO Box 1494 Spokane, WA 99210-1494	Paul Wapato, Jr. 2312 Forest Estates Drive Spokane, WA 99223
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