

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**GALAXY POWERSPORTS, LLC
d/b/a JCL INTERNATIONAL, LLC,**

Plaintiff,

v.

**BENZHOU VEHICLE INDUSTRY
GROUP CO., LTD.,**

Defendant.

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Civil Action No. 3-10-CV-0360-P

**UFOT UMANA AND STANLEY KUAN’S MOTION TO WITHDRAW AS COUNSEL
AND SUPPORTING BRIEF**

COME NOW Ufot Umana Jr. of the law firm of Munsch Hardt Kopf & Harr, P.C., and Stanley Kuan admitted as counsel *pro hac vice* (“Movants”), counsel for Defendant Benzhou Vehicle Industry Group Co., Ltd. (“Defendant”) in the above-styled case, and file this Motion to Withdraw as Counsel (“Motion”), requesting permission to withdraw its representation of Defendant. The reasons for the withdrawal are as follows:

1. Movants were given notice of termination and effectively discharged by Benzhou on March 30, 2012 by electronic mail through Benzhou’s Chinese representative, Mr. Jun Wu.
2. The situation is such that Benzhou and Movants cannot effectively communicate nor agree on case strategy to the extent that Movants are unable to provide competent representation.
3. No attorney is to be substituted for Movants at this time. A copy of this Motion has been delivered to Benzhou, who have been notified in writing via electronic mail, and a copy of the motion has also been delivered via electronic mail to Benzhou’s Chinese representative, Mr. Jun Wu of the Beijing Jay and Shaw Law Firm.

4. Movants have attempted to obtain Benzhou's signature via electronic mail directly from Benzhou and through Benzhou's Chinese representative, Mr. Jun Wu, for this motion to withdraw but neither party has responded to multiple requests.

5. Benzhou has had reasonable time to contact and obtain a succeeding attorney. Movants have advised Benzhou of the scheduling order and pending deadlines in this case and assisted Benzhou in engaging and communicating with a prospective succeeding attorney, however, Benzhou has yet to retain a succeeding attorney at this time.

6. The last known address and contact information of the Defendants is:

Xinqian Industry Zone
Huangyan District
Taizhou City, Zhejiang, CHINA
sales2@benzhougroupp.com, scooter@benzhougroupp.com
+86-137-5767-7491
+86-0576-84358041 (fax)

7. The pending settings and deadlines in this case are:

- a) This case is set for trial on October 15, 2012.
- b) The discovery deadline is June 15, 2012.
- c) A Pretrial Conference is scheduled for September 28, 2012.
- d) All dispositive motions, including motions for summary judgment, Daubert motions and motions to exclude or objections to expert witnesses shall be filed by July 12, 2012.
- e) A Joint Pretrial Order shall be filed by September 21, 2012.
- f) Exchanging Exhibits, Exhibit Lists, and Witness Lists; Designating Deposition Experts per Local Rule 26.2 shall be accomplished by October 3, 2012.

g) Counsel shall confer and file a joint report setting forth the status of settlement negotiations by June 26, 2012.

h) Counsel shall make initial disclosures per Fed. R. Civ. P. 26(a)(1) by August 12, 2012.

8. This motion is not sought for the purpose of delay and will not result in a delay in the case.

WHEREFORE, Movants respectfully request that the Court enter an Order allowing Movants to withdraw from the above-styled cause, and for such other and further relief to which Movants may be justly entitled.

Respectfully submitted,

MUNSCH HARDT KOPF & HARR, P.C.

/s/ Utot Umana Jr.

Ufot Umana Jr.
State Bar No. 24075196
3800 Lincoln Plaza
500 N. Akard Street
Dallas, Texas 75201-6659
Tel: (214) 855-7500
Fax: (214) 855-7584

/s/ Stanley Y. Kuan

Stanley Y. Kuan (Counsel Pro Hac Vice)
CA State Bar No. 276534

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I, Stanley Kuan, certify that on 6/11/12 I conferred with counsel for Plaintiff, Krista Potter, regarding the issues contained in the motion, and counsel has indicated that they oppose this motion.

/s/ Stanley Y. Kuan
Stanley Y. Kuan

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June 2012, I electronically filed the foregoing document with the Clerk of the United States District Court for the Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented to accept this Notice as service of this document by electronic means:

Lu Pham
CANTEY HANGER LLP
600 West 6th Street, Suite 300
Fort Worth, Texas 76102
DIRECT 817-877-2860
FAX 817-877-2807
LPham@canteyhanger.com

Krista Leigh Potter
CANTEY HANGER LLP
600 West 6th Street, Suite 300
Fort Worth, Texas 76102
kpotter@canteyhanger.com

/s/ Ufot Umana Jr.
Ufot Umana Jr.