

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Ronald A. Zumbun, SBN 32684 Angela C. Thompson, SBN 238708 Timothy V. Kassouni, SBN 142907, The Zumbun Law Firm 3800 Watt Avenue, Sacramento, CA 95821 TELEPHONE NO.: 916-486-5900 FAX NO.: 916-486-5959 ATTORNEY FOR (Name): Plaintiff Meadow Vista Protection	FOR COURT USE ONLY
NAME OF COURT: Superior Court of California, County of Placer STREET ADDRESS: 101 Maple Street MAILING ADDRESS: CITY AND ZIP CODE: Auburn, CA 95603 BRANCH NAME:	CASE NUMBER: SCV 19614
CASE NAME: Meadow Vista Protection v. Chevreux Aggregates	HEARING DATE: August 28, 2007 DEPT.: 4 TIME: 8:30 a.m. BEFORE HON.: Charles Wachob DATE ACTION FILED: July 12, 2006 TRIAL DATE: November 13, 2007
NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL—CIVIL	

TO (name and address of client): Meadow Vista Protection, P.O. Box 1165, Meadow Vista, CA 95722

1. PLEASE TAKE NOTICE that (name of withdrawing attorney): The Zumbun Law Firm moves under California Code of Civil Procedure section 284(2) and California Rules of Court, rule 3.1362, for an order permitting the attorney to be relieved as attorney of record in this action or proceeding.
2. A hearing on this motion to be relieved as counsel will be held as follows:

a. Date: August 28, 2007	Time: 8:30 a.m.	Dept.: 4	Room:
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- b. The address of the court: ☒ same as noted above ☐ other (specify):

3. This motion is supported by the accompanying declaration, the papers and records filed in this action or proceeding, and the following additional documents or evidence (specify):

(This motion does not need to be accompanied by a memorandum of points and authorities. Cal. Rules of Court, rule 3.1362.)

4. The client presently represented by the attorney is

- | | |
|--|--|
| a. ☐ an individual. | g. ☐ a trustee. |
| b. ☒ a corporation. | h. ☐ a personal representative. |
| c. ☐ a partnership. | i. ☐ a probate fiduciary. |
| d. ☐ an unincorporated association. | j. ☐ a guardian ad litem. |
| e. ☐ a guardian. | k. ☐ other (specify): |
| f. ☐ a conservator. | |

(Continued on reverse)

CASE NAME:

Meadow Vista Protection v. Chevreux Aggregates

CASE NUMBER:

SCV 19614

NOTICE TO CLIENT

If this motion to be relieved as counsel is granted, your present attorney will no longer be representing you. You may not in most cases represent yourself if you are one of the parties on the following list:

- A guardian
- A conservator
- A trustee
- A personal representative
- A probate fiduciary
- A corporation
- A guardian ad litem
- An unincorporated association

If you are one of these parties, **YOU SHOULD IMMEDIATELY SEEK LEGAL ADVICE REGARDING LEGAL REPRESENTATION.** Failure to retain an attorney may lead to an order striking the pleadings or to the entry of a default judgment.

5. If this motion is granted and a client is representing himself or herself, the client will be solely responsible for the case.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

If this motion to be relieved as counsel is granted, you will not have an attorney representing you. You may wish to seek legal assistance. If you do not have a new attorney to represent you in this action or proceeding, and you are legally permitted to do so, you will be representing yourself. It will be your responsibility to comply with all court rules and applicable laws. If you fail to do so, or fail to appear at hearings, action may be taken against you. You may lose your case.

6. If this motion is granted, the client must keep the court informed of the client's current address.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

If this motion to be relieved as counsel is granted, the court needs to know how to contact you. If you do not keep the court and other parties informed of your current address and telephone number, they will not be able to send you notices of actions that may affect you, including actions that may adversely affect your interests or result in your losing the case.

Date: August 1, 2007.

RONALD A. ZUMBRUN

(TYPE OR PRINT NAME)



Ronald A. Zumbun

(SIGNATURE OF ATTORNEY)

Attorney for (name): Meadow Vista Protection

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Ronald A. Zumbun, SBN 032684 Angela C. Thompson, SBN 238708 Timothy V. Kassouni, SBN 142907, The Zumbun Law Firm 3800 Watt Avenue, Suite 101, Sacramento, CA 95821 TELEPHONE NO.: 916-486-5900 FAX NO.: 916-486-5959 ATTORNEY FOR (Name): Plaintiff Meadow Vista Protection	FOR COURT USE ONLY
NAME OF COURT: Superior Court of California, County of Placer STREET ADDRESS: 101 Maple Street MAILING ADDRESS: CITY AND ZIP CODE: Auburn, CA 95603 BRANCH NAME:	
CASE NAME: Meadow Vista Protection v. Chevreux Aggregates, Inc.	CASE NUMBER: SCV 19614
DECLARATION IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL—CIVIL	HEARING DATE: August 28, 2007 DEPT.: 4 TIME: 8:30 a.m. BEFORE HON.: Charles Wachob DATE ACTION FILED: July 12, 2006 TRIAL DATE: November 13, 2007

1. **Attorney and Represented Party.** Attorney (name): Ronald A. Zumbun of The Zumbun Law Firm is presently counsel of record for (name of party): Meadow Vista Protection in the above-captioned action or proceeding.
2. **Reasons for Motion.** Attorney makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing a consent under section 284(1) for the following reasons (describe):
 - (1) Nonpayment of fees pursuant to Legal Services Agreement executed by client on May 24, 2006. Client has not paid its legal bills for December 2006 through the present.
 - (2) For deterioration of the attorney-client relationship and increasing failure of communication. Client routinely questions or refuses to heed legal advice of its counsel. Client's President has been hostile to its counsel, threatening to initiate press releases and other media contact in order to disparage its counsel.

☐ Continued on Attachment 2.

3. Service

a. Attorney has

- (1) ☐ personally served the client with copies of the motion papers filed with this declaration. A copy of the proof of service will be filed with the court at least 5 days before the hearing.
- (2) ☒ served the client by mail at the client's last known address with copies of the motion papers served with this declaration.

b. If the client has been served by mail at the client's last known address, attorney has

- (1) ☒ confirmed within the past 30 days that the address is current
 - (a) ☐ by mail, return receipt requested.
 - (b) ☐ by telephone.
 - (c) ☐ by conversation.
 - (d) ☒ by other means (specify):

By e-mail correspondence

(Continued on reverse)

CASE NAME:

Meadow Vista Protection v. Chevreaux Aggregates, Inc.

CASE NUMBER:

SCV 19614

3. b. (2) ☐ been unable to confirm that the address is current or to locate a more current address for the client after making the following efforts:
- (a) ☐ mailing the motion papers to the client's last known address, return receipt requested.
 - (b) ☐ calling the client's last known telephone number or numbers.
 - (c) ☐ contacting persons familiar with the client (*specify*):
 - (d) ☐ conducting a search (*describe*):
 - (e) ☐ other (*specify*):
- c. Even if attorney has been unable to serve the client with the moving papers, the court should grant attorney's motion to be relieved as counsel of record (*explain*):
4. The next hearing scheduled in this action or proceeding
- a. ☒ is not yet set.
 - b. ☐ is set as follows (*specify the date, time, and place*):
 - c. ☐ concerns (*describe the subject matter of the hearing*):
- ☐ Continued on Attachment 4.
5. The following additional hearings and other proceedings (including discovery matters) are presently scheduled in this case (*for each, describe the date, time, place, and subject matter*):
- ☐ Continued on Attachment 5.
6. Trial in this action or proceeding
- a. ☐ is not yet set.
 - b. ☒ is set as follows (*specify the date, time, and place*):
November 13, 2007, Placer County Superior Court, Auburn, CA
7. **Other.** Other matters that the court should consider in determining whether to grant this motion are the following (*explain*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 1, 2007.

RONALD A. ZUMBRUN

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

8. Number of pages attached: 0

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Ronald A. Zumbun, SBN 32684 Angela C. Thompson, SBN 238708 Timothy V. Kassouni, SBN 142907 The Zumbun Law Firm 3800 Watt Avenue, Suite 101, Sacramento, CA 95821 TELEPHONE NO.: 916-486-5900 FAX NO. (Optional): 916-486-5959 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff Meadow Vista Protection	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Placer STREET ADDRESS: 101 Maple Street MAILING ADDRESS: CITY AND ZIP CODE: Auburn, CA 95603 BRANCH NAME:	
CASE NAME: Meadow Vista Protection v. Chevreux Aggregates, Inc.	CASE NUMBER: SCV 19614
ORDER GRANTING ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL—CIVIL	HEARING DATE: August 28, 2007 DEPT.: 4 TIME: 8:30 a.m. BEFORE HON.: Charles Wachob DATE ACTION FILED: July 12, 2006 TRIAL DATE: November 13, 2007

- The motion of (name of attorney): Ronald A. Zumbun
to be relieved as counsel of record for (name of client): Meadow Vista Protection
a party to this action or proceeding, came on regularly for hearing at the date, time, and place indicated above.
- The following persons were present at the hearing:

FINDINGS

- Attorney has
 - ☐ personally served the client with papers in support of this motion.
 - ☐ served client by mail and submitted a declaration establishing that the service requirements of California Rules of Court, rule 3.1362, have been satisfied.
- Attorney has shown sufficient reasons why the motion to be relieved as counsel should be granted and why the attorney has brought a motion under Code of Civil Procedure section 284(2) instead of filing a consent under section 284(1).

ORDER

- Attorney is relieved as counsel of record for client
 - ☐ effective upon the filing of the proof of service of this signed order upon the client.
 - ☐ effective on (specify date):
- The client's ☐ current ☐ last known address and telephone number:

If the client's current address is known, service on the client must hereafter be made at that address unless otherwise ordered in item 13. If the current address is not known, service must be made according to Code of Civil Procedure section 1011 (b) and rule 3.252 of the California Rules of Court.

- The next scheduled hearing in this action or proceeding is set for (date, time, and place):
- The hearing will concern (subject matter):

NOTICE TO CLIENT

You or your new attorney, if any, must prepare for and attend this hearing.

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8. The following additional hearings and other proceedings (including discovery matters) are set in this action (*describe the date, time, place, and subject matter of each*):
9. The trial in this action or proceeding:
- a. ☐ is not yet set.
- b. ☒ is set for (*specify date, time, and place*):
November 13, 2007, Placer County Superior Court, Auburn, CA
10. Client is hereby notified of the following effects this order may have upon parties.

NOTICE TO CLIENT

Your present attorney will no longer be representing you. You may not in most cases represent yourself if you are one of the parties on the following list:

- | | | |
|-----------------|-----------------------------|---------------------------------|
| • A guardian | • A personal representative | • A guardian ad litem |
| • A conservator | • A probate fiduciary | • An unincorporated association |
| • A trustee | • A corporation | |

If you are one of these parties, YOU SHOULD IMMEDIATELY SEEK LEGAL ADVICE REGARDING LEGAL REPRESENTATION. Failure to retain an attorney may lead to an order striking the pleadings or to the entry of a default judgment.

11. Client is notified that, if the client will be representing himself or herself, the client shall be solely responsible for the case.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

You will not have an attorney representing you. You may wish to seek legal assistance. If you do not have a new attorney to represent you in this action or proceeding, and you are legally permitted to do so, you will be representing yourself. It will be your responsibility to comply with all court rules and applicable laws. If you fail to do so, or fail to appear at hearings, action may be taken against you. You may lose your case.

12. Client is notified that it is the client's duty to keep the court informed at all times of the client's current address.

NOTICE TO CLIENT WHO WILL BE UNREPRESENTED

The court needs to know how to contact you. If you do not keep the court and other parties informed of your current address and telephone number, they will not be able to send you notices of actions that may affect you, including actions that may adversely affect your interests or result in your losing the case.

13. The court further orders (*specify*):

Date:

JUDGE OR JUDICIAL OFFICER

THE ZUMBRUN LAW FIRM
A Professional Corporation
3800 Watt Avenue, Suite 101
Sacramento, CA 95821

1 RONALD A. ZUMBRUN, SBN 32684
2 TIMOTHY V. KASSOUNI, SBN 142907
3 ANGELA C. THOMPSON, SBN 238708
4 THE ZUMBRUN LAW FIRM
5 3800 Watt Avenue, Suite 101
6 Sacramento, California 95821
7 Telephone: (916) 486-5900
8 Facsimile: (916) 486-5959
9 Attorneys for Petitioner and Plaintiff

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF PLACER

MEADOW VISTA PROTECTION,
Petitioner and Plaintiff,

v.

CHEVREAU AGGREGATES, INC.;
COUNTY OF PLACER; COUNTY OF
PLACER PLANNING DEPARTMENT;
and DOES 1 through 50, inclusive,
Respondents and Defendants.

Case No.: SCV 19614

Complaint filed: 7/12/06

DECLARATION OF SERVICE

1 I, Concha Leon, declare:

2 I am a citizen of the United States, and am employed in the County of Sacramento, State
3 of California; that I am over the age of 18 years and not a party to the within-entitled action; that
4 my business address is The Zumbrun Law Firm, 3800 Watt Avenue, Suite 101, Sacramento,
5 California.

6 On August 1, 2007, a true copy of (1) Notice of Motion and Motion to be Relieved as
7 Counsel; (2) Declaration in Support of Attorney's Motion to Be Relieved as Counsel; and
8 (3) Order Granting Attorney's Motion to be Relieved as Counsel was placed in an envelope
9 addressed as follows:

10 Meadow Vista Protection
11 P.O. Box 1165
12 Meadow Vista, CA 95722

Plaintiff

13 Paul L. Warner
14 Jeffer Mangels Butler & Marmaro LLP
15 Two Embarcadero Center, 5th Floor
16 San Francisco, CA 94111-3824

Attorneys for Defendant Chevreux
Aggregates, Inc.

17 which envelopes, with postage thereon fully prepaid, were then sealed and deposited in the
18 United States Mail at Sacramento, California.

19 I declare under penalty of perjury, under the laws of the State of California, that the
20 foregoing is true and correct and that this declaration was executed on this 1st day of August,
21 2007, at Sacramento, California.

22
23
24 _____
CONCHA LEON