

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Richard Giller SBN 117823 Greenspoon Marder LLP 1875 Century Park E, Ste 1900, Los Angeles, CA 90067-2519 TELEPHONE NO.: 323-880-4250 FAX NO.: N/A ATTORNEY FOR (Name): Polymer80, Inc.	FOR COURT USE ONLY <div style="border: 2px solid black; padding: 10px; text-align: center;"> FILED/ENDORSED JUL 25 2023 By: <u>K. Fay</u> Deputy Clerk </div>
NAME OF COURT: Sacramento County Superior Court STREET ADDRESS: 720 9th Street MAILING ADDRESS: 720 9th Street CITY AND ZIP CODE: Sacramento, CA 95814 BRANCH NAME: Gordan D. Schaber Sacramento County Courthouse	
CASE NAME: O'Sullivan v. Ghost Gunner Inc.	CASE NUMBER: 34-2021-00302934-CU-PO-GD
DECLARATION IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL—CIVIL	HEARING DATE: October 6, 2023 DEPT.: 27 TIME: 9:00 a.m. BEFORE HON.: Jill H. Talley DATE ACTION FILED: June 17, 2021 TRIAL DATE: No Trial Date Set

1. **Attorney and Represented Party.** Attorney (name): **Richard Giller** is presently counsel of record for (name of party): **Polymer80, Inc.** in the above-captioned action or proceeding. Reservation #A-302934-0001
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):
- Pursuant to California Rules of Professional Conduct Rule 3-700(C)(1)(d), attorneys for Polymer80, Inc. are seeking to withdraw as counsel due to irreconcilable differences that have arisen between Polymer80, Inc. and its attorneys, making it unreasonably difficult for the attorneys to carry out the employment effectively and continuing representation would no longer be in the best interest of the client. Polymer80, Inc., consents to Greenspoon Marder withdrawing as counsel of record in this case. We respectfully request that the Court stay or extend all current deadlines, including the 12/14/2023 Case Management Conference until such time as Polymer80, Inc. has substituted in new counsel and such new counsel has appeared before this Court.
- ☐ 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 email dated 07/13/2023, the client provided Greenspoon Marder with their current company letterhead, which lists the current business address for Polymer80, Inc., as 134 Lakes Blvd., Dayton, NV 89403. This is the same business address that Greenspoon Marder has had for Polymer80, Inc. since inception of this case.

(Continued on reverse)

BY FAX

CASE NAME:

O'Sullivan v. Ghost Gunner Inc.

CASE NUMBER:

34-2021-00302934-CU-PO-GD

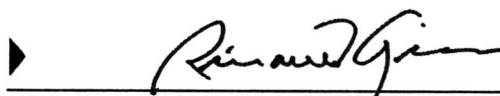
3. b. (2) ☐ been unable to confirm that the address is current or to locate a more current address for the client after making the following efforts:
- (a) ☐ mailing the motion papers to the client's last known address, return receipt requested.
 - (b) ☐ calling the client's last known telephone number 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*):
12/14/2023 at 1:30 p.m. in Dept. 27, Gordon D. Schaber Sacramento County Courthouse
 - c. ☒ concerns (*describe the subject matter of the hearing*):
Case Management Conference - Complex
- ☐ 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*):
7. **Other.** Other matters that the court should consider in determining whether to grant this motion are the following (*explain*):
Should this motion to be relieved as counsel be granted, withdrawing counsel and Polymer80, Inc. respectfully request that the court stay or extend all current deadlines until such time as Polymer80, Inc. has substituted in new counsel and such new counsel has appeared before this Court.

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

Date: July 25, 2023

Richard Giller

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

8. Number of pages attached: _____

1 **PROOF OF SERVICE**

2 *Kelley and Denis O'Sullivan, et al. v. Ghost Gunner Inc., et al.*
3 Case No. 34-2021-00302934-CU-PO-GDS

4 STATE OF CALIFORNIA)
5) ss
6 COUNTY OF LOS ANGELES)

7 I am employed in the County of Los Angeles, State of California. I am over the age of
8 eighteen years and not a party to the action. My business address is 1875 Century Park East, Suite
9 1900, Los Angeles, California 90067. On July 25, 2023, I served the document(s) on the interested
10 parties in this action as follows:

11 **DECLARATION IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED
12 AS COUNSEL-CIVIL**

13 By placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

14 **SEE ATTACHED SERVICE LIST)**

15 ☐ **BY E-MAIL SERVICE:** By agreement of the parties, e-mail shall equal personal service.

16 ☒ **BY ELECTRONIC MAIL-** I caused the foregoing document(s) to be served on all parties
17 at the e-mail addresses listed herein.


18 ☒ **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am "readily
19 familiar" with the firm's practice of collection and processing correspondence for mailing.
20 Under that practice it would be deposited with the U.S. postal service on that same day with
21 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.
22 I am aware that on motion of the party served, service is presumed invalid if the postal
23 cancellation date or postage meter date is more than one day after service of deposit for
24 mailing in affidavit.

25 ☒ **BY OVERNIGHT DELIVERY:** By causing such envelope to be deposited or delivered in
26 a box or other facility regularly maintained by Federal Express authorized to receive
27 documents, or delivering to a courier or driver authorized by said express service carrier to
28 receive documents, the copy of the foregoing document in a sealed envelope designated by
the express service carrier, addressed as stated above, with fees for overnight (next business
day) delivery paid or provided for and causing such envelope to be delivered by said
express service carrier on [Insert Date].

☐ **BY PERSONAL SERVICE:** I caused to be delivered the foregoing document(s) to the
addressee(s) specified.

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

Executed July 25, 2023, at Los Angeles, California.



Tereza Perez

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and BLACKHAWK
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d/b/a 80PERCENTARMS.COM,
MATRIX ARMS, d/b/a
MATRIXARMS.COM, JAMES
MADISON TACTICAL LLC, d/b/a
JAMESMADISONTACTICAL.COM,
MFY TECHNICAL SOLUTIONS LLC,
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GEAR HEADS LLC, d/b/a 80-
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80PERCENTGUYS.COM

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Email: dpollock@jacobsenmcelroy.com

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21 M-16 PARTS SUPPLY LLC, d/b/a M-16PARTS.COM
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23 Orlando, FL 32808

24 **Via U.S. Mail**

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Via U.S. Mail

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Office of Special Admissions and
Specialization
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Via Overnight Mail Only

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