

1 WRIGHT, FINLAY & ZAK, LLP

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8 *Attorney for Fred Sadri, as Trustee for The Star Living*

9 *Trust, dated April 14, 1997 and Ray Koroghli and Sathsowi T.*

10 *Koroghli, as Managing Trustees for Koroghli Management Trust*

11 **UNITED STATES BANKRUPTCY COURT**
12 **DISTRICT OF NEVADA**

13 In re:

14 JAZI GHOLAMREZA ZANDIAN,

15 Debtor in Foreign Proceeding.

16 Case No.: 16-50644-btb

17 Chapter 15

18 **MOTION TO WITHDRAW AS**
19 **COUNSEL**

20 **OST Requested:**

21 Hearing Date: October 1, 2019

22 Hearing Time: 2:00 PM

23 Pursuant to NRPC 1.16 and LR IA 11-6 [incorporated by reference pursuant to Local
24 Rules of Bankruptcy Practice 2014(c)], Yanxiong Li, Esq. and the law firm of Wright Finlay &
25 Zak, LLP (collectively, as “WFZ”) respectfully moves this Honorable Court for entry of an
26 Order permitting WFZ to withdraw as counsel of record for Plaintiffs/Counter-Defendants, Fred
27 Sadri, both in his individual capacity and as Trustee for The Star Living Trust, dated April 14,
28 1997; Ray Koroghli, individually; and Ray Koroghli and Sathsowi T. Koroghli, in their
individual capacities as well as Managing Trustees for Koroghli Management Trust in both
Case No. 16-50644-btb and Adversary No. 17-05016-btb.

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1 This motion is made and based upon the attached Memorandum of Points and
2 Authorities, Declaration of Yanxiong Li, Esq. attached hereto as **Exhibit 1** and judicial notice
3 of any pleadings and papers on file in this case.

4 DATED this 17th day of September, 2019.

5 WRIGHT, FINLAY & ZAK, LLP

6 /s/ Yanxiong Li, Esq.
7 Yanxiong Li, Esq.
8 Nevada Bar No. 12807
9 7785 W. Sahara Ave., Suite 200
10 Las Vegas, NV 89117
11 *Attorney for Plaintiffs/Counter-Defendants*

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 **ARGUMENT**

14 A lawyer may withdraw from representing a client if: (1) Withdrawal can be
15 accomplished without material adverse effect on the interest of the client; ... or (7) Other good
16 cause for withdrawal exists. NRPC 1.16(b). In exercising one's right to withdraw, a "lawyer
17 must comply with applicable law requiring notice to or permission of a tribunal when
18 terminating representation. NRPC 1.16(c).

19 LR IA 11-6 [incorporated by reference pursuant to Local Rules of Bankruptcy Practice
20 2014(c)] provides, in pertinent part, that:

21 No attorney may withdraw after appearing in a case except by leave of the court
22 after notice has been served on the affected client and opposing counsel.

23 ...
24 Except for good cause shown, no withdrawal or substitution will be approved if it
25 will result in delay of discovery, the trial, or any hearing in the case. Where delay
26 would result, the papers seeking leave of the court for the withdrawal or
27 substitution must request specific relief from the scheduled discovery, trial, or
28 hearing. If a trial setting has been made, an additional copy of the moving papers
must be provided to the clerk for immediate delivery to the assigned district
judge, bankruptcy judge, or magistrate judge.

1 LR 11-6(b) and (e). Good cause exists for withdrawal as shown by the Declaration of counsel
2 (Yanxiong Li, Esq.) filed concurrently with this Motion. Specifically, on September 11, 2019 at
3 1:00 PM, Mr. Sadri, the undersigned counsel and Mr. Matthew S. Carter, Esq. attended a
4 teleconference to discuss the firm's proposal to withdraw as counsel as a result of a failure to
5 reach an agreement regarding any further engagement, during which Mr. Sadri, on behalf of
6 himself and Mr. Ray Koroghli, accepted WFZ's proposal to withdraw from representation of
7 Plaintiffs/Counterclaimants, and consented to WFZ's proposal to set hearing of its Motion to
8 Withdraw on the same day, but immediately after hearing on Margolin's Amended Motion to
9 Dismiss.

10 Mr. Sadri further indicated that he will begin the process of retaining another law firm to
11 take over handling of this Adversary Proceeding and Chapter 15 Case, and will notify WFZ as
12 soon as possible to begin the transition process.

13 There would be no adverse effect on the interest of Plaintiffs/ Counter-Defendants if
14 WFZ is allowed to withdraw at this stage of the litigation/bankruptcy administration. Plaintiffs/
15 Counter-Defendants have filed their limited opposition to the pending Amended Motion to
16 Dismiss and WFZ intends to appear for Plaintiffs/Counter-Defendants at the October 1, 2019
17 Hearing Date. [Bankr. No. 40]. There are no other deadlines or hearings (aside from the October
18 1, 2019 hearing on Amended Motion to Dismiss) in either this Adversary Proceeding or the
19 underlying Chapter 15 Bankruptcy Case.

20 Should this request for withdrawal be granted prior to the appearance of alternative
21 counsel for Plaintiffs/ Counter-Defendants, the telephone number, email address and last known
22 address at which the clients may be served with notice of further proceedings taken in the case
23 are as follows:

- 24 a. Fred Sadri Individually And In His Capacity As Trustee Of The Star
25 Living Trust
26 9617 Verlaine Court
27 Las Vegas, NV 89145
28 702.524.9875
fredsadri1@yahoo.com

1 b. Ray Koroghli Individually, And Ray Koroghli And Sathsowi T. Koroghli
2 As Managing Trustees Of The Koroghli Management Trust
3 3055 Via Sarafina Drive
4 Henderson, NV 89052
5 702.260.2013
6 702.493.5858
7 koroghli@msn.com

8 **CONCLUSION**

9 WHEREFORE, WFZ requests this Honorable Court grant this Motion for Withdrawal as
10 Counsel for Plaintiffs/ Counter-Defendants.

11 DATED this 17th day of September, 2019.

12 WRIGHT, FINLAY & ZAK, LLP

13 /s/ Yanxiong Li, Esq.

14 Yanxiong Li, Esq.

15 Nevada Bar No. 12807

16 7785 W. Sahara Ave., Suite 200

17 Las Vegas, NV 89117

18 *Attorney for Plaintiffs/ Counter-Defendants*

EXHIBIT 1

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1 4. Throughout the course of this Adversary Proceeding and underlying Chapter 15
2 Case, in order to address the significant traveling Mr. Ray Koroghli does for his business and in
3 observance of religious customs of Judaism, counsel has relied on Mr. Sadri to act as conduit
4 and client representative to Mr. Koroghli.

5 5. On July 31, 2019, Defendant Jed Margolin filed an Amended Motion to Dismiss
6 Chapter 15 Case in the underlying Chapter 15 Bankruptcy Case [Bankr. No. 38].

7 6. The same day, the undersigned emailed both Mr. Sadri and Mr. Koroghli a copy
8 of the Amended Motion to Dismiss, reminded clients that their existing engagement does not
9 encompass any litigation work related to the Chapter 15 Case, requested approval of a
10 supplemental engagement with related estimate of fees/costs.

11 7. Between August 1, 2019 and September 4, 2019, Mr. Sadri, on behalf of himself
12 and Mr. Koroghli, attempted to negotiate a reduced fee/cost amount for WFZ to handle the
13 supplemental engagement of preparing a response to the Amended Motion to Dismiss.

14 8. These efforts culminated in two phone calls during the afternoon of September 4,
15 2019, which were not successful in negotiating a new agreement.

16 9. On September 11, 2019 at 1:00 PM, Mr. Sadri, the undersigned counsel and Mr.
17 Matthew S. Carter, Esq. attended a teleconference to discuss the firm's proposal to withdraw as
18 counsel as a result of the September 4, 2019 calls and a failure to reach an agreement regarding
19 any further engagement, during which Mr. Sadri, on behalf of himself and Mr. Koroghli,
20 accepted WFZ's proposal to withdraw from representation of Plaintiffs/Counterclaimants, and
21 consented to WFZ's proposal to set hearing of its Motion to Withdraw on the same day, but
22 immediately after hearing on Margolin's Amended Motion to Dismiss.

23 10. Mr. Sadri further indicated that he will begin the process of retaining another law
24 firm to take over handling of this Adversary Proceeding and Chapter 15 Case, and will notify
25 WFZ as soon as possible to begin the transition process.

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1 11. Until such time as another legal counsel appears on behalf of some or all of the
2 Plaintiffs/Counter-Defendants in this Adversary Proceeding and Chapter 15 Bankruptcy Case,
3 and following WFZ's withdrawal from this matter, Plaintiffs/Counter-Defendants may be
4 served with notice of further proceedings at the following addresses:

5
6 a. Fred Sadri Individually And In His Capacity As Trustee Of The Star
7 Living Trust
8 9617 Verlaine Court
9 Las Vegas, NV 89145
10 702.524.9875
11 fredsadri1@yahoo.com

12 b. Ray Koroghli Individually, And Ray Koroghli And Sathsowi T. Koroghli
13 As Managing Trustees Of The Koroghli Management Trust
14 3055 Via Sarafina Drive
15 Henderson, NV 89052
16 702.260.2013
17 702.493.5858
18 koroghli@msn.com

19 12. At this time, except as for October 1, 2019 hearing on Mr. Margolin's Amended
20 Motion to Dismiss, for which WFZ will attend on behalf of Plaintiffs/Counter-Defendants, there
21 are no other hearings scheduled in the Adversary Proceeding or Chapter 15 Bankruptcy Case,
22 and there are no other deadlines applicable to Plaintiffs/Counter-Defendants.

23 13. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws
24 of United States of America that the foregoing are true and correct to the best of my knowledge.

25 DATED this 17th day of September, 2019.

26 WRIGHT, FINLAY & ZAK, LLP

27 /s/ Yanxiong Li, Esq.

28 Yanxiong Li, Esq.

Nevada Bar No. 12807

7785 W. Sahara Ave., Suite 200

Las Vegas, NV 89117

Attorney for Plaintiffs/Counter-Defendants