

1 WRIGHT, FINLAY & ZAK, LLP
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5 Las Vegas, NV 89117
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8 *Attorney for Fred Sadri, both in his individual
9 capacity and as Trustee for The Star Living
10 Trust, dated April 14, 1997; Ray Koroghli,
11 individually; and Ray Koroghli and Sathsowi T.
12 Koroghli, in their individual capacities as well
13 as Managing Trustees for Koroghli
14 Management Trust*

15 **UNITED STATES BANKRUPTCY COURT**
16 **DISTRICT OF NEVADA**

17 In re: JAZI GHOLAMREZA ZANDIAN,
18
19 Debtor.

20 Case No.: 16-50644-btb
21 Chapter 15
22 Adversary No.: 17-05016-btb

23 FRED SADRI, AS TRUSTEE FOR THE
24 STAR LIVING TRUST, DATED APRIL 14,
25 1997; RAY KOROGHLI AND SATHSOWI T.
26 KOROGHLI, AS MANAGING TRUSTEES
27 FOR KOROGHLI MANAGEMENT TRUST,

28 **MOTION TO WITHDRAW AS
COUNSEL**

OST Requested:
Hearing Date: October 1, 2019
Hearing Time: 2:00 PM

Plaintiffs,
vs.

JED MARGOLIN; JAZI GHOLAMREZA
ZANDIAN; and all other parties claiming an
interest in real properties described in this
action.

Defendant.

PATRICK CANET,

Counter-claimant,
vs.

FRED SADRI INDIVIDUALLY AND IN HIS
CAPACITY AS TRUSTEE OF THE STAR
LIVING TRUST AND RAY KOROGHLI

1 INDIVIDUALLY, AND RAY KOROGHLI
2 AND SATHSOWI T. KOROGHLI AS
3 MANAGING TRUSTEES OF THE
4 KOROGHLI MANAGEMENT TRUST

5 Counter-defendant.

6 PATRICK CANET,

7 Cross-claimant,

8 vs.

9 JED MARGOLIN,

10 Cross-defendant.

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

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

22 DATED this 17th day of September, 2019.

23 WRIGHT, FINLAY & ZAK, LLP

24 /s/ Yanxiong Li, Esq.

25 Yanxiong Li, Esq.

26 Nevada Bar No. 12807

27 7785 W. Sahara Ave., Suite 200

28 Las Vegas, NV 89117

Attorney for Plaintiffs/Counter-Defendants

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **ARGUMENT**

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

8 LR IA 11-6 [incorporated by reference pursuant to Local Rules of Bankruptcy Practice
9 2014(c)] provides, in pertinent part, that:

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

12 ...
13 Except for good cause shown, no withdrawal or substitution will be approved if it
14 will result in delay of discovery, the trial, or any hearing in the case. Where delay
15 would result, the papers seeking leave of the court for the withdrawal or
16 substitution must request specific relief from the scheduled discovery, trial, or
17 hearing. If a trial setting has been made, an additional copy of the moving papers
18 must be provided to the clerk for immediate delivery to the assigned district
19 judge, bankruptcy judge, or magistrate judge.

20 LR 11-6(b) and (e). Good cause exists for withdrawal as shown by the Declaration of counsel
21 (Yanxiong Li, Esq.) filed concurrently with this Motion. Specifically, on September 11, 2019 at
22 1:00 PM, Mr. Sadri, the undersigned counsel and Mr. Matthew S. Carter, Esq. attended a
23 teleconference to discuss the firm's proposal to withdraw as counsel as a result of a failure to
24 reach an agreement regarding any further engagement, during which Mr. Sadri, on behalf of
25 himself and Mr. Ray Koroghli, accepted WFZ's proposal to withdraw from representation of
26 Plaintiffs/Counterclaimants, and consented to WFZ's proposal to set hearing of its Motion to
27 Withdraw on the same day, but immediately after hearing on Margolin's Amended Motion to
28 Dismiss.

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

4 There would be no adverse effect on the interest of Plaintiffs/ Counter-Defendants if
5 WFZ is allowed to withdraw at this stage of the litigation/bankruptcy administration. Plaintiffs/
6 Counter-Defendants have filed their limited opposition to the pending Amended Motion to
7 Dismiss and WFZ intends to appear for Plaintiffs/Counter-Defendants at the October 1, 2019
8 Hearing Date. [Bankr. No. 40]. There are no other deadlines or hearings (aside from the October
9 1, 2019 hearing on Amended Motion to Dismiss) in either this Adversary Proceeding or the
10 underlying Chapter 15 Bankruptcy Case.

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

- 15 a. Fred Sadri Individually And In His Capacity As Trustee Of The Star
16 Living Trust
17 9617 Verlaine Court
18 Las Vegas, NV 89145
19 702.524.9875
20 fredsadri1@yahoo.com
- 21 b. Ray Koroghli Individually, And Ray Koroghli And Sathsowi T. Koroghli
22 As Managing Trustees Of The Koroghli Management Trust
23 3055 Via Sarafina Drive
24 Henderson, NV 89052
25 702.260.2013
26 702.493.5858
27 koroghli@msn.com

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CONCLUSION

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

3 DATED this 17th day of September, 2019.

4 WRIGHT, FINLAY & ZAK, LLP

5 /s/ Yanxiong Li, Esq.

6 Yanxiong Li, Esq.

7 Nevada Bar No. 12807

8 7785 W. Sahara Ave., Suite 200

9 Las Vegas, NV 89117

10 *Attorney for Plaintiffs/Counter-Defendants*

EXHIBIT 1

EXHIBIT 1

1 WRIGHT, FINLAY & ZAK, LLP
 2 Yanxiong Li, Esq.
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 Las Vegas, NV 89117
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 5 *Attorney for Fred Sadri, both in his individual*
capacity and as Trustee for The Star Living
 6 *Trust, dated April 14, 1997; Ray Koroghli,*
individually; and Ray Koroghli and Sathsowi T.
 7 *Koroghli, in their individual capacities as well*
 8 *as Managing Trustees for Koroghli*
 9 *Management Trust*

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

12 In re: JAZI GHOLAMREZA ZANDIAN,
 13 Debtor.

Case No.: 16-50644-btb
 Chapter 15
 Adversary No.: 17-05016-btb

14 FRED SADRI, AS TRUSTEE FOR THE
 15 STAR LIVING TRUST, DATED APRIL 14,
 16 1997; RAY KOROGHLI AND SATHSOWI T.
 17 KOROGHLI, AS MANAGING TRUSTEES
 FOR KOROGHLI MANAGEMENT TRUST,

**DECLARATION OF YANXIONG LI,
 ESQ. IN SUPPORT OF MOTION TO
 WITHDRAW AS COUNSEL**

18 Plaintiffs,

19 vs.

20 JED MARGOLIN; JAZI GHOLAMREZA
 21 ZANDIAN; and all other parties claiming an
 22 interest in real properties described in this
 action.

23 Defendant.

24 PATRICK CANET,

25 Counter-claimant,

26 vs.

27 FRED SADRI INDIVIDUALLY AND IN HIS
 28 CAPACITY AS TRUSTEE OF THE STAR
 LIVING TRUST AND RAY KOROGHLI

1 INDIVIDUALLY, AND RAY KOROGHLI
2 AND SATHSOWI T. KOROGHLI AS
3 MANAGING TRUSTEES OF THE
4 KOROGHLI MANAGEMENT TRUST

5 Counter-defendant.

6 PATRICK CANET,

7 Cross-claimant,

8 vs.

9 JED MARGOLIN,

10 Cross-defendant.

11 I, YanXiong Li, Esq., pursuant to 28 U.S.C. § 1746, declare under penalty of perjury
12 under the laws of United States of America that the following are true and correct to the best of
13 my knowledge:

14 1. I am admitted to practice in this Court. I am an attorney-at-law in the Las Vegas,
15 Nevada office of the law firm of Wright Finlay & Zak, LLP, which has been retained to
16 represent Plaintiffs/Counter-Defendants in the above-captioned matter.

17 2. I make this Declaration based on my personal knowledge of the facts and matters
18 of this action.

19 3. I submit this Declaration in support of Wright Finlay & Zak, LLP's Motion to
20 Withdraw as Counsel of Record in both Case No. 16-50644-btb and Adversary No. 17-05016
21 for Plaintiffs/Counter-Defendants.

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

26 5. On July 31, 2019, Defendant Jed Margolin filed an Amended Motion to Dismiss
27 Chapter 15 Case in the underlying Chapter 15 Bankruptcy Case [Bankr. No. 38].
28

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

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

8 8. These efforts culminated in two phone calls during the afternoon of September 4,
9 2019, which were not successful in negotiating a new agreement.

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

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

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

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

