

IN THE FRANKLIN COUNTY, OHIO, COURT OF COMMON PLEAS  
CIVIL DIVISION

Dr. Carlo M. Croce,	:	
	:	
Plaintiff,	:	Case No. 18 CV 10788
	:	
v.	:	
	:	Judge Karen Held Phipps
The Board of Trustees of	:	
The Ohio State University,	:	
	:	
Defendant.	:	

**MOTION OF PLAINTIFF’S COUNSEL TO  
WITHDRAW AS COUNSEL FOR PLAINTIFF**

Now comes James E. Arnold, Gerhardt A. Gosnell II, Damion M. Clifford, and James E. Arnold & Associates, LPA, and pursuant to Loc. R. 18.01 hereby moves the Court for an order permitting them to withdraw as counsel for Plaintiff, Carlo M. Croce. A Memorandum in Support of this Motion is attached. A proposed Order granting said Motion shall separately be provided to the Court.

Respectfully submitted,

/s/ James E. Arnold  
James E. Arnold (0037712)  
Gerhardt A. Gosnell II (0064919)  
Damion M. Clifford (0077777)

JAMES E. ARNOLD & ASSOCIATES, LPA  
115 W. Main St., Fourth Floor  
Columbus, Ohio 43215  
Telephone: (614) 460-1600  
Facsimile: (614) 469-1066  
Email: [jarnold@arnlaw.com](mailto:jarnold@arnlaw.com)  
[ggosnell@arnlaw.com](mailto:ggosnell@arnlaw.com)  
[dclifford@arnlaw.com](mailto:dclifford@arnlaw.com)

*Counsel for Plaintiff Dr. Carlo M. Croce*

**MEMORANDUM IN SUPPORT**

James E. Arnold, Damion M. Clifford, Gerhardt A. Gosnell and the law firm of James E. Arnold & Associates, LPA (hereafter collectively, "JEAA") have been counsel to Plaintiff, Dr. Carlo M. Croce, from the inception of this lawsuit. Unfortunately, circumstances under Ohio R. Prof. Cond. 1.16(a)(5) and (6) have developed which warrant withdrawing from representing Plaintiff. Mindful of the need to protect the client's interests in confidentiality, JEAA is willing to provide the Court further information *in camera* if needed, so as not to disclose any confidences or secrets of Plaintiff.

JEAA qualifies for withdrawal because no trial date or dispositive hearing is within 20 days of the date of filing this Motion, as prohibited by Loc. R. 18.02. Moreover, in accordance with Loc. R. 18.01(a), the undersigned represents to the Court that (1) notice has been given to the client advising the client of all orders and all upcoming assignment dates affecting the client; and (2) notice has been given of this Motion to all parties' counsel.

Accordingly, for the reasons set forth above, James E. Arnold, Damion M. Clifford, Gerhardt A. Gosnell and the law firm of James E. Arnold & Associates, LPA respectfully request the Court to grant them leave to withdraw as counsel for Plaintiff.

Respectfully submitted,

/s/ James E. Arnold

James E. Arnold (0037712)  
Gerhardt A. Gosnell II (0064919)  
Damion M. Clifford (0077777)

JAMES E. ARNOLD & ASSOCIATES, LPA  
115 W. Main St., Fourth Floor  
Columbus, Ohio 43215  
Telephone: (614) 460-1600  
Facsimile: (614) 469-1066

Email: [jarnold@arnlaw.com](mailto:jarnold@arnlaw.com)  
[ggosnell@arnlaw.com](mailto:ggosnell@arnlaw.com)  
[dclifford@arnlaw.com](mailto:dclifford@arnlaw.com)

*Counsel for Plaintiff Dr. Carlo M. Croce*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2019 that the Motion of Plaintiff's Counsel to Withdraw as Counsel for Plaintiff was filed with the Clerk of Court's electronic filing system, which by its operation will serve the filing upon all parties that have entered an appearance in the above-captioned matter.

*/s/ James E. Arnold*  
\_\_\_\_\_  
James E. Arnold