

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

vs.

**JAMES G. TEMME,  
STEWARSHIP FUNDS, LP**

**Defendants.**

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**Civil Action No. 4:11-CV-00655**

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD**

COME NOW Leane Capps Medford and her firm, Polsinelli PC (“Polsinelli”) and move this Court for withdrawal of counsel as record for Bruce Berg, Stuart Cartner, Kevin Doyle, Walter Haydock, Edward Leh, Kevin Murphy, Philip Schantz, DAIS Partners, LP, Singer Bros., LLC, Skeleton Lake, LLC, and Wildcat Lake Partners (collectively, the “Bruce Berg Group”) as follows:

**Introduction and Relevant Facts**

1. Plaintiff is the Securities and Exchange Commission.
2. Plaintiff filed its complaint against Defendants James G. Temme and Stewardship Funds, LP, seeking emergency relief and for violations of the federal securities laws.
3. Non-parties, the Bruce Berg Group, filed an appearance as interested persons in this action.

4. The Bruce Berg Group contacted the law firm of Polsinelli, PC to represent their interests in this action. David W. Lunn and Leane Capps Medford served as lead counsel for the Bruce Berg Group in the action.

5. Subsequently, a receiver was appointed over Defendant Stewardship Fund, LP and James G. Temme.

6. Trial of this case is scheduled to commence on March 31, 2014. Dispositive Motions are currently being briefed. The Bruce Berg Group has no pending deadlines or matters set for hearing at this time.

#### **Basis for Motion**

7. There is good cause for this Court to allow Leane Capps Medford and Polsinelli PC to withdraw as counsel of record for the Bruce Berg Group because David W. Lunn is no longer associated with Polsinelli PC and the Bruce Berg Group has chosen to transfer their case to his new law firm, Nussbaum Gillis & Dinner, P.C. Accordingly, Polsinelli no longer represents Plaintiffs in this action.

8. David W. Lunn of Nussbaum Gillis & Dinner, P.C. is now lead counsel for the Bruce Berg Group. His new firm's address is 14850 N. Scottsdale Road, Suite 450, Scottsdale, Arizona 85254.

9. This motion will not delay this action and is unopposed by all counsel of record.

**Conclusion & Prayer**

9. For these reasons, Leane Capps Medford respectfully requests that she and her firm be allowed to withdraw as counsel for the Bruce Berg Group.

DATED: September 12, 2013

Respectfully submitted,

*/s/ Leane Capps Medford*

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LEANE CAPPS MEDFORD

State Bar No. 00796301

**POLSINELLI PC**

2501 N. Harwood, Ste. 1900

Dallas, Texas 75201

(p) (214) 397-0030

(f) (214) 853-5248

lmedford@polsinelli.com

**CERTIFICATE OF CONFERENCE**

I hereby certify that the counsel listed below was contacted regarding the substance of this Unopposed Motion to Withdraw as Counsel of Record and did not oppose the relief sought herein.

Mr. Bradley Purcell  
Bryan Cave, LLP  
2200 Ross Ave., Suite 3300  
Dallas, Texas 75201-7965  
Ph: 214-721-8000  
Fx: 214-721-8100  
*Attorney for Receiver Keith Aurzada*

*/s/ Leane Capps Medford*  
Leane Capps Medford

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served per Local Rule 5.1(d) with a copy of the foregoing via the Court's CM/ECF system on this 12th day of September, 2013.

*/s/ Leane Capps Medford*  
Leane Capps Medford

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**Civil Action No. 4:11-CV-00655**

**ORDER GRANTING UNOPPOSED  
MOTION TO WITHDRAW AS COUNSEL OF RECORD**

After considering Leane Capps Medford’s Unopposed Motion to Withdraw as Counsel of Record, the Court:

**GRANTS** the motion and orders Leane Capps Medford is withdrawn as attorney of record for Bruce Berg, Stuart Cartner, Kevin Doyle, Walter Haydock, Edward Leh, Kevin Murphy, Philip Schantz, DAIS Partners, LP, Singer Bros., LLC, Skeleton Lake, LLC, and Wildcat Lake Partners and the firm of Polsinelli PC is no longer counsel of record for this case.

SIGNED ON \_\_\_\_\_, 2013

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HONORABLE JUDGE PRESIDING

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