

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 12M-46
09430

In the Matter of	)	EB Docket No. 11-71
)	
MARITIME COMMUNICATIONS/LAND	)	File No. EB-09-IH-1751
MOBILE, LLC	)	FRN: 0013587779
)	
Participant in Auction No. 61 and Licensee of)	
Various Authorizations in the Wireless Radio)	
Services)	
	)	Application File Nos.
Applicant for Modification of Various	)	0004030479, 0004144435,
Authorizations in the Wireless Radio Services	)	0004193028, 0004193328,
	)	0004354053, 0004309872,
Applicant with ENCANA OIL AND GAS (USA),	)	0004310060, 0004314903,
INC.; DUQUESNE LIGHT COMPANY, DCP	)	0004315013, 0004430505,
MIDSTREAM, LP; JACKSON COUNTY	)	0004417199, 0004419431,
RURAL MEMBERSHIP ELECTRIC	)	0004422320, 0004422329,
COOPERATIVE; PUGET SOUND ENERGY,	)	0004507921, 0004153701,
INC.; ENBRIDGE ENERGY COMPANY,	)	0004526264, 0004636537,
INC.; INTERSTATE POWER AND LIGHT	)	and 0004604962
COMPANY; WISCONSIN POWER AND)	
LIGHT COMPANY; DIXIE ELECTRIC)	
MEMBERSHIP CORPORATION, INC.;)	
ATLAS PIPELINE-MID CONTINENT, LLC;)	
DENTON COUNTY ELECTRIC)	
COOPERATIVE, INC., DBA COSERV)	
ELECTRIC; AND SOUTHERN)	
CALIFORNIA REGIONAL RAIL)	
AUTHORITY)	
)	
For Commission Consent to the Assignment of)	
Various Authorizations in the Wireless Radio)	
Service)	

ORDER

Issued: October 3, 2012

Released: October 3, 2012

On September 20, 2012, Robert H. Jackson, Esquire, of counsel for the law firm of Marashlian & Donahue, LLC, (collectively “M&D”), filed *Motion To Withdraw As Counsel*. M&D was representing Environmental LLC, Intelligent Transportation and Monitoring Wireless LLC and Monitoring Wireless LLC and Verde Systems LLC (“SkyTel-O”) in this proceeding.

As reason given for withdrawing, M&D cites Rule 1.16(b)(4) of the *Rules of Professional Conduct of the District of Columbia Bar*, which provides:

Rule 1.16(b)(4): *The representation will result in an unreasonable financial burden on the lawyer or obdurate or vexatious conduct on the part of the client has rendered the representation unreasonably difficult.*

The entities listed above being dutifully represented by M&D, are owned and controlled by Mr. Warren Havens, and each was designated a party *per* Para. 72 of the *Hearing Designation Order* (FCC 11-64):

IT IS FURTHER ORDERED that each of the following entities shall be made parties to this hearing in its capacity as a petitioner to one or more of the captioned applications: Environmental LLC; Intelligent Transportation; and Monitoring Wireless LLC/ Skybridge Spectrum Foundation; Telesaurus Holdings GB LLC; Verde Systems LLC; V2G LLC; and Warren Havens.

However, the entities Skybridge Spectrum Foundation, Telesaurus Holdings GB LLC, and V2G LLC and Warren Havens are not identified in the *Motion To Withdraw* as entities that were represented by M&D. ¹

¹ Since there are no apparent conflicting interests in M&D representing Mr. Havens and his corporate entities, acting on behalf of any of the Havens’ entities would be representing Havens’ interests. It is impossible to segregate identical interests in representing any of Havens entities. In a sense, it mimicks Einstein’s universe wherein you can only describe your position in your relationship to something else, and that something else can only describe its position in its relationship to you.

Accordingly, for optimal good cause contained in Rule 1.16(b)(4), *supra*, and there being no opposition filed or otherwise communicated, IT IS ORDERED that *Motion To Withdraw As Counsel* filed by M&D on September 20, 2012, IS GRANTED. ²

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink that reads "Richard L. Sippel". The signature is written in a cursive, flowing style.

Richard L. Sippel
Chief Administrative Law Judge

² Courtesy copies of the *Order* sent by e-mail on issuance to each counsel and to Mr. Havens. Counsel for Mr. Havens who have appeared in this case but who seek to withdraw as counsel shall continue to receive e-mail notices of the Presiding Judge's rulings until (1) an individual attorney files and serves a request to no longer be served; or (2) Mr. Havens retains new counsel who represents all Havens' entities, and who is serving for the duration. Cf. Order (FCC 12M-43) at fn.3.