

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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| _____ |) | |
| UNITED STATES OF AMERICA |) | |
| |) | |
| |) | |
| v. |) | Criminal No. 11-10260-NMG |
| |) | |
| |) | |
| AARON SWARTZ |) | |
| |) | |
| _____ |) | |

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

Now comes Martin G. Weinberg who hereby moves, pursuant to Rule 83.5.2(c) of the Local Rules of the District of Massachusetts, to withdraw as counsel for the defendant Aaron Swartz for the following reason: the defendant has retained the law firm of Kecker and Van Nest of San Francisco, California, as his new counsel and that members of that firm are filing Notices of Appearances and, at least as to Elliot Peters Esq., a request for Pro Hac Vice. Although a trial date has been set for February, 2013, and a schedule for the filing of motions and expert disclosures (and other discovery obligations) has been set, successor counsel (if this motion is allowed) will inform the Court that they will seek admittance subject to the current trial and pretrial schedule.

Respectfully submitted,

/s/ Martin G. Weinberg
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Certificate of Service

I, Martin G. Weinberg, hereby certify that on this date, October 31, 2012, a copy of the foregoing document has been served via CM/ECF upon all registered parties including Assistant U.S. Attorney Stephen Heymann. The forgoing document has also been served upon Aaron Swartz via electronic mail.

/s/Martin G. Weinberg
Martin G. Weinberg, Esq.

Date: October 31, 2012