

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION

v.

MARK NORDLICHT, et al.,

Defendants.

Case No. 16-cv-06848-BMC

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL AND TO
DESIGNATE MARK NORDLICHT AS A *PRO SE* LITIGANT**

PLEASE TAKE NOTE pursuant to Local Rule 1.4, Lisabeth Fryer hereby moves to withdraw as counsel of record for the Defendant, Mark Nordlicht and requests that the Court designate Mr. Nordlicht as a *pro se* litigant in the above-captioned case. Mr. Nordlicht consents to counsels' request to withdraw. Mr. Nordlicht requests to proceed *pro se*. Attached to this letter is the Declaration of counsel setting forth the reasons for withdrawal.

Dated January 9, 2020

*CC: All Counsel of Record via CM/ECF
and Mark Nordlicht at
MNord18@gmail.com*

SO ORDERED
January __, 2020

Respectfully submitted,

/s/ Lisabeth J. Fryer
Lisabeth J. Fryer
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The Honorable Brian M. Cogan
United States District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION

v.

MARK NORDLICHT, et al.,

Defendants.

DECLARATION

Case No. 16-cv-06848-BMC

**DECLARATION IN SUPPORT OF MOTION FOR LEAVE TO WITHDRAW AS
COUNSEL AND TO DESIGNATE MARK NORDLICHT AS A *PRO SE* LITIGANT**

I, LISABETH FRYER, declare under penalty of perjury that the following is true and correct. Pursuant to 28 U.S.C. § 1746

1. Pursuant to Local Civil Rule 1.4, I respectfully request leave of the Court to withdraw my appearance as counsel for Defendant Mark Nordlicht in the above-captioned action.
2. I was retained as counsel for Defendant, Mark Nordlicht, in *United States v. Nordlicht, et al.*, Case No.: 16-CR-640-BMC. As a courtesy to Mr. Nordlicht, I agreed to represent him in the above-captioned action through the duration of his criminal proceeding to jury verdict.
3. On July 9, 2019, after a jury trial, Mr. Nordlicht was found not guilty as to Counts One, Two, Three, Four, and Five. Mr. Nordlicht was found guilty as to Counts Six, Seven, and Eight.
4. On September 27, 2019 the Court granted Mr. Nordlicht a new trial on Counts Six, Seven, and Eight.

5. On October 4, 2019, The United States Attorney's Office for the Eastern District of New York filed a Notice of Appeal seeking review of the Order Granting Mr. Nordlicht a new trial. The appeal is currently pending before the Second Circuit Court of Appeals.

6. On December 30, 2019, I was discharged as attorney of record in the above-captioned case. Mr. Nordlicht does not wish to further engage my services in this matter.

7. Mr. Nordlicht knowingly and freely assents to my withdrawal as counsel of record in his case. Further, Mr. Nordlicht seeks to represent himself.

8. Currently, there is no scheduled trial in this matter. My withdrawal as counsel of record will not delay any future trial of Mr. Nordlicht, nor will it prejudice Mr. Nordlicht. Mr. Nordlicht has adequate time to prepare for a trial should one be held in his case.

9. My withdrawal as counsel of record will not have a material adverse effect on Mr. Nordlicht's interests. While the Court has ordered a briefing schedule on an issue that is due January 17, 2020, Mr. Nordlicht is fully aware of this deadline and it is his intention to adopt the arguments of his co-defendants as a *pro se* litigant.

10. The undersigned will not be asserting a retaining or charging lien in connection with the above-captioned case.

Dated: Sanford, Florida
January 9, 2020



Lisabeth Fryer