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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DENNIS MONTGOMERY and the  
MONTGOMERY FAMILY TRUST,

Plaintiffs,

v.

ETREPPID TECHNOLOGIES, LLC;  
WARREN TREPP; and the UNITED  
STATES DEPARTMENT OF DEFENSE,

Defendants.

AND ALL RELATED MATTERS.

3:06-CV-00056-PMP-VPC  
BASE FILE

3:06-CV-00145-PMP-VPC

ORDER

Presently before the Court is Dennis Montgomery, Brenda Montgomery, and the Montgomery Family Trust’s (“Montgomery”) Emergency Ex Parte Application for Clarification of Order re: Motion to Withdraw by Michael J. Flynn (Doc. #274), filed on September 18, 2007. Montgomery’s former counsel in this matter, Michael J. Flynn (“Flynn”), filed an Opposition (Doc. #286) on September 26, 2007.

Montgomery’s Motion for Clarification requests the Court clarify its Order (Doc. #256) of September 4, 2007. Although styled a motion for clarification, Montgomery essentially seeks reconsideration of the Court’s prior Order. The Court will deny the Motion for Clarification as the Court’s prior Order is clear and unambiguous, dealing solely with the matter then before the Court as to whether to condition Flynn’s withdrawal as an attorney in this matter on the return of Montgomery’s client file.

1           Montgomery has not moved in this Court for return of his client files under  
2 Nevada or any other applicable law. The Court’s denial of Montgomery’s Motion for  
3 Clarification therefore is without prejudice to file a fully briefed motion for return of the  
4 file, including any argument that law other than Nevada’s applies to such an inquiry.

5           IT IS THEREFORE ORDERED that Dennis Montgomery, Brenda Montgomery,  
6 and the Montgomery Family Trust’s (“Montgomery”) Emergency Ex Parte Application for  
7 Clarification of Order re: Motion to Withdraw by Michael J. Flynn (Doc. #274) is hereby  
8 DENIED without prejudice to file a motion for return of the client file.

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10 DATED: OCTOBER 4, 2007.

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13 PHILIP M. PRO  
14 United States District Judge  
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