

Jonathan Charles Capp (177585)  
4317 Silver Spring Way  
Oceanside, CA 92057  
Tel. (760) 231 6498  
Fax. (760) 231 6272  
Email: jonccapp@cox.net

*Attorney for Defendants*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

10 GROUP, INC., a California corporation; CHANNEL ONE RELEASING, INC., a California corporation; and LIBERTY MEDIA HOLDINGS, LLC, a California corporation,

Plaintiffs,

vs.

GLBT, Ltd, a British limited company; et al.

Defendants.

Case No. CV-10-1282 MMC (DMR)

**DECLARATION OF  
JONATHAN CAPP IN SUPPORT  
OF MOTION TO WITHDRAW  
AS ATTORNEY OF RECORD.**

Complaint filed: March 26, 2010

Judge: Honorable Maxine M. Chesney

I, JONATHAN CHARLES CAPP, declare as follows:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. I am the attorney for Defendants in this matter. I make this declaration in support of the motion to be relieved as attorney of records for all Defendants. The following is within my personal knowledge and I know the same to be true, if called to testify thereto I could and would.
2. Prior to filing this motion I have spoken with Defendants and communicated with them via email.
3. They have made it clear that they do not want to participate any longer in this matter and certainly no longer wish to have counsel representing them, whether it be me or any other lawyer.
4. Defendants certainly know about and approve of this motion to withdraw, which has been emailed to them prior to it being filed.
5. Furthermore I am not being paid and as such, continuing to be attorney of record in this matter imposes an undue burden on me
6. Opposing counsel have been trying to contact me by telephone. I thus sent them the email attached as **Exhibit A** and so far have had no response. Except that I have just learned that they have filed a wholly unwarranted sanctions motion. I have been busy in deposition with an expert witness all day and am now able to file the motion.
7. Either way, I wish to be relieved as attorney of record and ask that the Court grants this motion.
8. I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed on October 31th, 2011 in Oceanside, California

/s/Jonathan C. Capp  
JONATHAN C. CAPP