

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF THE MUNCIE
SANITARY DISTRICT FOR APPROVAL
OF A REGULATORY ORDINANCE
COVERING UNINCORPORATED
AREAS OF DELAWARE COUNTY,
INDIANA

CAUSE NO. 45055

PETITION TO WITHDRAW APPEARANCE

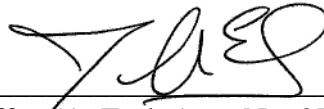
Jeffery A. Earl, counsel for Delaware County Regional Wastewater District (DCRWD), respectfully petitions the Indiana Utility Regulatory Commission (Commission) under 170 IAC 1-1.1-7(d) to approve the withdrawal of counsel's appearance in this Cause. In support of its petition, DCRWD counsel states:

1. Subsequent to DCRWD intervening in this case, counsel accepted a position as Of Counsel with the law firm of Bose McKinney & Evans LLP (BME). At that time, BME had a waivable conflict due to unrelated prior representation of the City of Muncie and the Muncie Sanitary District (MSD). Counsel obtained a waiver of the conflict from all parties.
2. Since that time, the conflict has become one that is not waivable under the Indiana Rules of Professional Conduct. Counsel immediately informed DCRWD, MSD, and the Presiding Judge of the new conflict and the need for DCRWD to obtain new counsel. Counsel also assisted DCRWD in obtaining new counsel.
3. On August 9, 2019, Jeremy Fetty and Aleasha Boling entered their appearance in this Cause on behalf of DCRWD.

4. Counsel wishes to express his gratitude to the Presiding Officers and all parties involved for their patience and cooperation in managing this transition of counsel.

THEREFORE, counsel, Jeffery A. Earl, respectfully requests that the Presiding Officers grant this Petition to Withdraw Appearance and remove him as counsel of record for DCRWD in this Cause.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JAE', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I certify that on August 21, 2019, this Petition to Reopen the Record was electronically filed with the Indiana Utility Regulatory Commission using the Commission electronic filing system and was served by electronic mail on the parties below:

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