

4.6 f. DISENGAGEMENT LETTER (UNPAID FEES)

Dear (Name):

In the past, it has been my pleasure to serve you as counsel in (subject matter title). In the course of that representation, you have paid my firm \$(dollar amount already paid) in legal fees and expenses. Unfortunately, contrary to our engagement agreement, you have not paid our statements in a timely matter for the past few months.

At this time, the outstanding and overdue fees and expenses total approximately \$(dollar amount). My firm desires to continue our relationship but will not finance your case. Moreover, you expressly agreed that the hourly fees and expenses in this matter would be kept current. I have continued to represent you for the past (time), even though each month the outstanding fees and expenses increased. I did so because I value our relationship and would like to continue representing you.

At this point, in my opinion, the trial court will permit me to withdraw. There is still sufficient time for you to retain other counsel without jeopardizing your case or adversely affecting the Court's calendar. However, if we wait several more months, it is possible that one of these conditions for withdrawal may not exist.

Your new counsel may wish to discuss this case with me. That would be to your advantage both substantively and economically. I am willing to do so as long as satisfactory arrangements are made to compensate me for the additional time and expense that will be incurred. In addition, it will be necessary to agree on a plan to gradually reduce the outstanding fees and expenses. I also have certain work product that has been generated in the past. I am willing to share it with your new counsel to the extent my legal obligations require me to do so in the absence of full payment of my fees and expenses.

I enclose a Petition for Withdrawal that I plan to file with the Court 14 days from the date of this letter. In the meantime, if you wish us to continue representing you, I would be pleased to do so if satisfactory arrangements are made to take care of the outstanding and overdue fees and expenses, as well as to take care of the future fees and expenses. I look forward to hearing from you and remain hopeful the representation can continue.

Very truly yours,

(Your name)