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10 Attorneys for Defendants True Count
Staffing, Inc., Albert Kim, Kaine Wen,
and Relief Defendant Infinite Management
11 Corp.

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 Bureau of Consumer Financial
Protection; State of Minnesota, by its
15 Attorney General, Keith Ellison; State of
North Carolina, *ex rel.* Joshua H. Stein,
16 Attorney General; and The People of The
State of California, Michael N. Feuer,
17 Los Angeles City Attorney,

18 Plaintiffs,

19 v.

20 Consumer Advocacy Center Inc., d/b/a
Premier Student Loan Center; True
21 Count Staffing Inc., d/b/a SL Account
Management; Prime Consulting LLC,
22 d/b/a Financial Preparation Services;
TAS 2019 LLC d/b/a Trusted Account
23 Services; Horizon Consultants LLC;
First Priority LLC d/b/a Priority
24 Account Management; Albert Kim,
a/k/a Albert King; Kaine Wen, a/k/a
25 Wenting Kaine Dai, Wen Ting Dai, and
Kaine Wen Dai; and Tuong Nguyen,
26 a/k/a Tom Nelson,

27 Defendants, and

28 Infinite Management Corp., f/k/a
Infinite Management Solutions Inc.;

CASE NO. 8:19-cv-01998-MWF(KSx)

Hon. Michael W. Fitzgerald
Courtroom 5A – First Street

**DECLARATION OF GERALD S.
SACHS IN SUPPORT OF MOTION
TO WITHDRAW AS COUNSEL OF
RECORD FOR DEFENDANTS
TRUE COUNT STAFFING, INC.,
ALBERT KIM, KAINE WEN, AND
RELIEF DEFENDANT INFINITE
MANAGEMENT CORP.**

Date: August 31, 2020
Time: 10:00 a.m.
Crtrm: 5A

Action Filed: October 21, 2019

1 Hold The Door, Corp.; TN
2 Accounting Inc.; Mice and Men
3 LLC; 1st Generation Holdings, LLC;
4 Sarah Kim, and Anan Enterprise,
5 Inc.,

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Relief Defendants.

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DECLARATION OF GERALD S. SACHS

I, Gerald S. Sachs, declare as follows:

1. I am an attorney at law and a Partner at the law firm Venable LLP (“Venable”), counsel of record for Defendants True Count Staffing, Inc. (“True Count”), Albert Kim, Kaine Wen, and Relief Defendant Infinite Management Corp. (“Infinite”) (collectively, “Defendants”). I have personal knowledge of the facts stated herein, and if called as a witness, I could and would testify competently thereto.

2. On July 16, 2020 (among other instances), I requested that Defendants consent to Venable’s withdrawal from representation as their counsel of record in the above-captioned matter. I conferred with counsel for the Receiver appointed over True Count regarding whether the Receiver would consent to Venable’s withdrawal from representation of True Count. I further advised True Count and Infinite of the consequences of their inability to appear *pro se* if Venable withdrew from representation. True Count, Infinite, Mr. Kim, and Mr. Wen informed me that they do not consent to Venable’s withdrawal. Counsel for the Receiver informed me that it consents to Venable’s withdrawal.

3. An actual conflict of interest has recently arisen between and among Defendants that prevents Venable from continuing to represent Defendants, and prevents Venable from being able to simultaneously satisfy its duties of loyalty and confidentiality to each of Defendants. That conflict of interest also materially limits Venable’s ability to effectively represent each of them.

4. Due to the above-referenced conflicts, I do not believe that Venable can provide competent and diligent representation as to each of Defendants if representation were to continue.

5. Due to the above-referenced conflicts, communications between Venable and Defendants have broken down, such that Venable is no longer able to effectively represent Defendants without unreasonable difficulty.

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1 6. Conflicts and breakdown in communication aside, and while not the
2 basis for Venable’s withdrawal, it bears noting that Defendants have a significant
3 outstanding balance for work performed by Venable on this matter and have not
4 indicated any willingness or ability to pay those fees or any fees for future work.

5 I declare under penalty of perjury under the laws of the United States of
6 America that the foregoing is true and correct.

7 Executed on July 24, 2020, at Washington, D.C.

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