

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

**ANNA WHITE FERRARACCIO,
Plaintiff,**

v.

CIVIL CASE NO. 5:24-cv-00700

**NEW PEOPLES BANK,
Defendant.**

MOTION TO WITHDRAW OR IN THE ALTERNATIVE TO CONTINUE

THE CASE TO ALLOW RETENTION OF SUBSTITUTE COUNSEL

COMES NOW undersigned counsel, Robert P. Dunlap, II, Esquire, and the law firm of Dunlap & Associates, PLLC and moves this Honorable Court of Pro Hac Vice counsel's notice of withdrawal in this matter and avers as follows:

1. Plaintiff sought undersigned counsel's assistance as local counsel for Scott Behren (Behren) of Florida.
2. Undersigned counsel mistakenly believed that Pro Hac Vice counsel had the privilege to file documents in this matter in federal court at the time of entering an appearance in this case.
3. Undersigned counsel relied on the purported federal court experience of Behren to draft pleadings and motions in collaboration with him; however, counsel Behren continually sent filings and motions via email after close-of-business on the day of the deadline for the documents to be filed.
4. As deadlines approached, undersigned counsel sent reminders to Behren about the deadlines with no response from Behren.

5. On May 13, 2026, after Plaintiff contacted undersigned counsel and undersigned counsel left messages for Behren, Behren responded that he told Plaintiff last week that he was withdrawing from the case and subsequently sent the Notice of Withdrawal filed prior to or simultaneously with this motion.

6. Undersigned counsel is unable to continue representation in this case without assistance from substitute counsel with experience in federal court in this area of the law.

Wherefore, undersigned counsel respectfully requests the Court grant Mr. Behren's withdrawal from the case and grant a continuance of the matter until substitute counsel is retained by Plaintiff.

**ANNA WHITE FERRARACCIO,
By Counsel,**

/s/Robert P. Dunlap, II

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NEW PEOPLE's BANK

CERTIFICATE OF SERVICE

I, Robert P. Dunlap, Esq., counsel for the Plaintiff, hereby certify that I have served the attached **NOTICE OF APPEARANCE** by delivering a true copy thereof via the WV e-file system, on this the 14th day of May, 2026 to:

William S. Winfrey, II
Counsel for Defendant
P.O. Box 1159
Princeton, WV 24740-1159

Scott Behren
Behren Law Firm
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Weston, FL 33326

/s/Robert P. Dunlap, II
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