

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

LEISURE INVESTMENTS HOLDINGS LLC, *et al.*,

Debtors.

Chapter 11

Case No. 25-10606 (LSS)
(Jointly Administered)

**GELLERT SEITZ BUSENKELL & BROWN, LLC’S MOTION TO
WITHDRAW AS COUNSEL FOR EDUARDO ALBOR**

Gellert Seitz Busenkell & Brown, LLC, (“GSBB” or the “Firm”) hereby moves pursuant to Rule 9010-2(b) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), Rule 1.16(b) of the ABA Model Rules of Professional Conduct (the “ABA Rules”), and Delaware Lawyers’ Rules of Professional Conduct 1.16(b)(4)(5)(6) and (7) (the “Delaware Rules”), for entry of an order, substantially in the form attached hereto as **Exhibit A**, permitting GSBB to withdraw as counsel to party in interest, Eduardo Albor (“Mr. Albor”), in the above-captioned bankruptcy case. In support thereof, GSBB respectfully states as follows:

1. On April 17, 2025, GSBB first made an appearance on behalf of Mr. Albor [D.I. 65].
2. GSBB has diligently represented Mr. Albor’s interest in this matter.
3. Delaware Rule 1.16(b) sets for the criterion for counsel’s termination of its representation, including that withdrawal can be accomplished without material adverse effect on the interests of the client and where good cause exists.
4. Mr. Albor has failed to substantially fulfill his financial obligations to GSBB regarding GSBB’s services and continued representation of Mr. Albor would result in an unreasonable financial burden on GSBB. Moreover, good cause exists for withdrawal as a result



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of the development of irreconcilable differences between GSBB and Mr. Albor. As a result, GSBB is no longer able to represent Mr. Albor effectively. These matters have been disclosed and thoroughly discussed by the undersigned with Mr. Albor, and undersigned has further advised Mr. Albor of his right to obtain substitute counsel or proceed *pro se*.

5. As a result of the attorney-client privilege, counsel seeking withdrawal may not be able to disclose the specifics or nature of the conflict giving rise to irreconcilable difference which warrant withdrawal. *See, e.g., Alonso v. Alonso*, 2022 WL 3699351 at *1 (S.D. Fla. Jan. 10, 2022); *Horan v. O'Connor*, 832 So. 2d 193, 193 (Fla. Dist. Ct. App. 2002). Courts have accepted this practice as a ground to withdraw. *See also, Hallmark Capital Corp. v. Red Rose Collection, Inc.*, 1997 WL 661146, at *3 (S.D.N.Y. Oct. 21, 1997) (court may permit withdrawal solely on the basis of “irreconcilable differences” and “it is not necessary for the Court to decide who or what caused the irreconcilable differences.”); *Generale Bank v. Wassel*, 1992 WL 42168, at *1 (S.D.N.Y. Feb. 24, 1992); *Dowler v. Cunard Line Ltd.*, 1196 WL 363167, at *1 (S.D.N.Y. June 28, 1996).

6. Accordingly, an attorney may simply cite that irreconcilable difference exist between the client and the attorney and that representation can be sufficient to establish that good cause exists for the withdrawal. *Horan*, 832 So.2d at 194.

7. Mr. Albor has been notified in advance of counsel’s intent to withdraw and consents to the withdrawal.

8. The undersigned respectfully submits that granting the requested relief will not unduly prejudice Mr. Albor or materially disrupt the progress of this case. As an individual, Mr. Albor is legally permitted to proceed *pro se* unless and until he obtains substitute counsel. Undersigned counsel will promptly provide him with all relevant files.

9. GSBB will serve this Motion on Mr. Albor pursuant to the provisions of Local Rule 9010-2(b).

WHEREFORE, Gellert Seitz Busenkell & Brown, LLC, requests the Court to enter an Order allowing them to withdraw as counsel to Eduardo Albor in the above-referenced matter.

Dated: June 30, 2025
Wilmington, Delaware

GELLERT SEITZ BUSENKELL & BROWN, LLC

/s/ Michael Busenkell
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Counsel to Eduardo Albor

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
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LEISURE INVESTMENTS HOLDINGS LLC, *et al.*,

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**ORDER GRANTING GELLERT SEITZ BUSENKELL & BROWN, LLC'S MOTION TO
WITHDRAW AS COUNSEL FOR EDUARDO ALBOR**

Upon consideration of *Gellert Seitz Busenkell & Brown, LLC's Motion to Withdraw as Counsel for Eduardo Albor* (the "Motion") filed by Gellert Seitz Busenkell & Brown, LLC, and any responses thereto, and the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); it is hereby ORDERED that:

1. The Motion is GRANTED.
2. Gellert Seitz Busenkell & Brown, LLC. and all attorneys at the firm who entered appearance on behalf of Eduardo Albor in this case are hereby authorized to withdraw as counsel of record.
3. The Clerk of Court is directed to remove Gellert Seitz Busenkell & Brown, LLC and its attorneys from the service list and all applicable electronic notice systems in this case as counsel for Eduardo Albor.

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2025, I caused a true and correct copy of the foregoing *Gellert Seitz Busenkell & Brown, LLC's Motion to Withdraw as Counsel for Eduardo Albor* to be electronically filed and served via CM/ECF to all parties requesting electronic service in this case and upon the parties on core service list via electronic mail or first class mail.

Dated: June 30, 2025

/s/ Michael Busenkell
Michael Busenkell (DE 3933)