

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FAZOLI'S MANAGEMENT, INC.)	
)	OPPOSITION NO. 91152360
Opposer)	Serial No.: 76/060264
)	TM: PASTA FAZUL'S & DESIGN
STEVEN SETTIPANI)	
)	
Applicant)	

MOTION TO WITHDRAW AS ATTORNEY OF RECORD

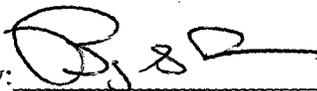
COMES NOW, the law offices of MITTELBERG & NICOSIA, P.A. hereby files this its Motion to Withdraw as Counsel for Applicant, STEVEN SETTIPANI, and as grounds would state as follows:

1. Irreconcilable differences has arisen between counsel for the Plaintiff which mandated that counsel withdraw as attorney of record for the Plaintiff.

WHEREFORE, the law firm of Mittelberg & Nicosia, P.A., prays this Honorable Court grants this Motion to Withdraw as Attorney of record and for any and all further relief this Court deems just and proper in the premises.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent U.S. Mail this 13th day of June, 2003 to *Michael W. Rafter, Esq.*, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309, the original plus one copy to Assistant Commissioner of Trademarks, 2900 Crystal Drive, BOX TTAB-NO FEE, Arlington, VA. 22202, and *Steven Settiani*, Pasta Fazul's, 1603 NE Jensen Beach Blvd., Jensen Beach, Florida 34957.

MITTELBERG & NICOSIA
Attorneys for Applicant
8100 North University Drive, Suite 102
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By: 

Barry S. Mittelberg, Esq.
Florida Bar No. 396567

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**ORDER GRANTING MOTION TO WITHDRAW
AS ATTORNEY OF RECORD**

THIS CAUSE having come on to be heard before me on this ____ day of June, 2003, upon Motion to Withdraw as attorney for Applicant, STEVEN SETTIPANI, and appropriate notice having been given to all parties of the hearing before the Court, it is thereupon

ORDERED AND ADJUDGED as follows:

1. The Motion is granted and Barry S. Mittelberg, Esquire is permitted to withdraw as attorney of record and shall have no further obligation in this matter.
2. The Applicant, STEVEN SETTIPANI, within _____ days of the signing of this Order, shall either retain a new attorney and have the attorney file a written appearance or file a written notification with the Clerk of the Courts advising the Court that the Applicant wishes to represent himself.
3. Until new Counsel appears the parties may be noticed at the addresses shown at the bottom of this Order.

DONE AND ORDERED in Chambers in Arlington, Virginia this ____ day of

_____, 2003.

cc: **Barry S. Mittelberg, Esq.**, 8100 N. University Drive, #102, Ft. Lauderdale, FL 33071;
Michael W. Rafter, Esq., 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309; and
Steven Settiani, Pasta Fazul's, 1603 NE Jensen Beach Blvd., Jensen Beach, FL 34957.

TTAB

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REPLY TO:
FORT LAUDERDALE OFFICE



June 12, 2003

06-16-2003

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #22

Assistant Commissioner of Trademarks
Box TTAB-No Fee
2900 Crystal Drive
Arlington, VA. 22202-3513

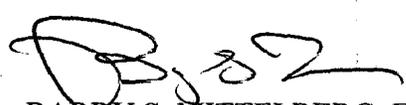
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Re: *Fazoli's Management, Inc. and Steven Settipani*
Serial No.: 76/060,264

Dear Assistant Commissioner of Trademarks:

Please find enclosed our Motion to Withdraw in regard to the above-referenced matter and proposed Order granting same. If same meets with your approval please execute and return to all parties in the enclosed self-addressed, stamped envelopes.

Very truly yours,


BARRY S. MITTELBERG, Esq.

BSM/jb
Enclosure

cc: Michael W. Rafter, Esq.