

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

In re:

MICHAEL D. VICK,

Debtor.

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**Case No. 08-50775-FJS
Chapter 11**

**MOTION TO WITHDRAW MOTION TO APPOINT
DAVID TALBOT AS FINANCIAL ADVISOR TO THE DEBTOR**

Michael D. Vick, the debtor and debtor-in-possession in the above-captioned Chapter 11 case (the “Debtor”), by counsel, appears before the United States Bankruptcy Court for the Eastern District of Virginia, Newport News Division (“Bankruptcy Court”), in connection with the motion to appoint David Talbot as financial advisor to the Debtor (Docket No. 23) (“Talbot Motion”). The Debtor seeks the entry of an order withdrawing the Talbot Motion. In support of this motion to withdraw, the Debtor states as follows:

JURISDICTION

1. The Bankruptcy Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district in accordance with 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

Peter R. Ginsberg, Esq.
Mark S. Lichtenstein, Esq.
Crowell & Moring LLP
153 East 53rd Street, 31st Floor
New York, NY 10022
(212) 223-4000 – Telephone
(212) 223-4134 – Facsimile
Proposed Counsel for Debtor

Paul K. Campsen, Esq. (VSB No. 18133)
Dennis T. Lewandowski (VSB No. 22232)
Kaufman & Canoles, a professional corporation
150 West Main Street, Suite 2100
Norfolk, VA 23510
(757) 624-3000 – Telephone
(757) 624-3169 – Facsimile
Proposed Counsel for Debtor

2. The statutory predicates for the relief sought herein are Sections 105(a) and 327(a) of the United States Bankruptcy Code.

BACKGROUND

3. On July 7, 2008, the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

4. The Debtor is an individual and a resident of Hampton, Virginia. He is a suspended National Football League ("NFL") quarterback formerly under contract with the Atlanta Falcons. On or about August 27, 2007, he plead guilty to conspiracy to travel in interstate commerce in aid of unlawful activities and to sponsor a dog in an animal fighting venture, under 18 U.S.C. § 371. The Debtor is currently serving a 23-month prison sentence at the United States Penitentiary at Leavenworth, Kansas and is expected to be released in or about the summer 2009. Upon his release, the Debtor will return to his home in Hampton, Virginia and will seek to rebuild his life and career.

RELIEF REQUESTED

5. The Debtor filed the Talbot Motion on July 10, 2008. In the Talbot Motion, the Debtor sought the entry of an order authorizing the Debtor to employ and retain Mr. Talbot as a financial advisor.

6. On August 1, 2008, the Bankruptcy Court entered an order appointing Mr. Talbot as the financial advisor for the Debtor on an interim basis. (Docket No. 79). A final hearing on the Talbot Motion is scheduled for September 5, 2008.


7. In the last two (2) days, the Debtor has learned of information concerning Mr. Talbot that has caused the Debtor to conclude that Mr. Talbot should not be retained as a

professional in connection with the Debtor's case. Therefore, the Debtor seeks to withdraw the Talbot Motion.

WHEREFORE, the Debtor respectfully requests that the Bankruptcy Court enter an order: (i) withdrawing the Talbot Motion; and (ii) granting the Debtor such other and further relief as is just and appropriate under the circumstances.

Date: August 8, 2008

MICHAEL D. VICK

By: 

/s/ Paul K. Campsen
Of Counsel

Peter R. Ginsberg, Esq.
Mark S. Lichtenstein, Esq.
Crowell & Moring LLP
153 East 53rd Street, 31st Floor
New York, NY 10022
(212) 223-4000 – Telephone
(212) 223-4134 – Facsimile
E-mail: pginsberg@crowell.com
Proposed Counsel for Debtor

Paul K. Campsen, Esq. (VSB No. 18133)
Dennis T. Lewandowski (VSB No. 22232)
Kaufman & Canoles,
a professional corporation
150 West Main Street, Suite 2100
Norfolk, VA 23510
(757) 624-3000 – Telephone
(757) 624-3169 – Facsimile
Email: pkcampsen@kaufcan.com
Proposed Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading was mailed first-class, postage prepaid U.S. Mail and/or by electronic-mail, this 8th day of August, 2008, to those parties listed on **Schedule 1** and to all creditors and parties-in-interest who are included in the Bankruptcy Court's ECF e-mail notification system.



/s/ Paul K. Campsen

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SCHEDULE 1

Official Committee of Unsecured Creditors

c/o Ross C. Reaves, Esq.
John D. McIntyre, Esq.
Laura C. Pyle, Esq.
Willcox & Savage, P.C.
Bank of America Center
One Commercial Place, Suite 1800
Norfolk, VA 23510

Atlantic Wine & Package LLC
3906 Roswell Road
Atlanta, GA 30342

AT&T
P. O. Box 105503
Atlanta, GA 30348-5503

Kenneth N. Whitehurst, III, Esq.
Office of the U. S. Trustee
200 Granby Street, 625 Federal Building
Norfolk, VA 23510

Baker & Daniels
202 S. Michigan Street, Suite 1400
South Bend, IN 46601

Aron P. M. Tady
Smith Gambrell & Russell
1230 Peachtree Street, Suite 3100
Atlanta, GA 30309

Bank of America NA
c/o Hilary B. Bonial, Esq.
Tyler Jones, Esq.
Brice Vander Linden & Wernick, P.C.
9441 LBJ Freeway, Suite 350
Dallas, TX 75243

Al Otto
White Horse Advisors, LLC
6151 Powers Ferry Rd., Suite 400
Atlanta, GA 30339

National Football League
c/o Douglas M. Foley, Esq.
Daniel F. Blanks, Esq.
McGuire Woods LLP
9000 World Trade Center
101 West Main Street
Norfolk, Virginia 23510

American Express
P.O. Box 650448
Dallas, TX 75265-0448

Arthur Washington
2527 Camp Creek Parkway
College Park, GA 30337

National Football League
c/o Gregg H. Levy, Esq.
Michael St. Patrick Baxter, Esq.
Dennis B. Auerbach, Esq.
Covington & Burling LLP
1201 Pennsylvania Avenue NW
Washington, DC 20004

Atlanta Falcons
c/o Phyllis B. Sumner, Esq.
Sarah R. Borders, Esq.
King & Spalding LLP
1180 Peachtree Street NW
Atlanta, GA 30309

National Football League
c/o Susan Power Johnston, Esq.
Covington & Burling LLP
620 Eighth Avenue
New York, NY 10018

Atlanta Falcons
Rich McKay
440 Falcon Parkway
Flowery Branch, GA 30542

Divine Seven, LLC
dba Payless Car Rental
2527 Camp Creek Parkway
College Park, GA 30337

1st Source Bank
c/o Patrick D. Murphy, Esq.
Boveri Murphy Rice & Laude LLP
400 Plaza Building
210 South Michigan Street
South Bend, IN 46601

Gerald Frank Jenkins
45 NW Old Vermont Place
Atlanta, GA 30328

Internal Revenue Service
c/o Greg D. Stefan, Esq.
Assistant US Attorney
101 West Main Street, Suite 800
Norfolk, VA 23510

Internal Revenue Service
P. O. Box 21126
Philadelphia, PA 19114

Taxing Authority Consulting Services, P.C.
c/o Mark Ames, Esq.
2812 Emerywood Parkway, Suite 220
Richmond, VA 23294

Joel Enterprises, Inc.
19 Roslyn Hill Drive
Richmond, VA 23229

Joel Enterprises
c/o Benjamin C. Ackerly, Esq.
Hill B Weelford Jr., Esq.
HUNTON & WILLIAMS
Riverfront Plaza East Tower
951 East Byrd Street
Richmond, VA 23219-4074

Joel Enterprises Inc.
c/o Arthur E. Schmalz, Esq.
Linda Lemmon Najjoun, Esq.
HUNTON & WILLIAMS LLP
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

Joel Enterprises, Inc.
c/o Warren David Harless, Esq.
Michael W. Smith, Esq.
Jennifer LeMore, Esq.
CHRISTIAN & BARTON, L.L.P.
909 East Main Street, Suite 1200
Richmond, VA 23219-3095

Lawrence H. Woodward, Esq.
SHUTTLEWORTH RULOFF SWAIN, PC
Southport Centre
4525 South Boulevard, Suite 300
Virginia Beach, VA 23452-1137

Neil Blumberg MD, PA
30 East Padonia Road, Suite 206
Lutherville Timonium, MD 21093

Office of US Attorney
Robert J. Dole US Courthouse
Suite 360, 500 State Avenue
Kansas City, KS 66101

Radtke Sports Inc.
3346 Trickum Road, Suite 103
Woodstock, GA 30188

Radtke Sports, Inc.
c/o P. Darrell Kimbrell, Esq.
KIMBRELL & BURGAR LLC
75 Fourteenth Street NE, Suite 2120
Atlanta, GA 30309

Royal Bank of Canada
c/o Lisa P. Sumner, Esq.
Poyner & Spruill LLP
P. O. Box 10096
Raleigh, NC 27605

Royal Bank of Canada
c/o Peter G. Zemanian, Esq.
Zemanian Law Group
150 Boush Street, Suite 600
Norfolk, VA 23510

Stephen R. Gross
HLB Gross Collin PC
2625 Cumberland Parkway, Suite 400
Atlanta, GA 30339

Isle of Wight County
Treasurer's Office
P.O. Box 79
Isle of Wight, VA 23397

Tinsley Bacon Tinsley LLC
3600 Mansell Road, Suite 300
Alpharetta, GA 30022

Wachovia Bank N.A.
c/o John T. Vian, Esq.
Smith Gambrell & Russell
1230 Peachtree Street NE, Suite 3100
Atlanta, GA 30309-3592

Georgia Department of Revenue
P. O. Box 161108
Atlanta, GA 30321-1108

US Bankcorp Manifest
Funding Services
1450 Channel Parkway
Marshall, MN 56238

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