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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Jan E. Kruska,

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No. CV-08-0054-PHX-SMM

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Plaintiff,

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**ORDER**

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v.

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Perverted Justice Foundation)  
Incorporated.Org, *et al.*,

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Defendants.

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Pending before the Court is Defendants David M. Butler's and April Butler's Motion for

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Substitution of Counsel (Doc. 97), wherein they request that J. Daniel Campbell and Daniel

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Mayer of the law firm of O'Connor and Campbell are substituted as counsel of record in the

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place of Robert Christian Billar of the firm Billar and Donald. Despite the fact that the Butlers'

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consent is included in the motion, Mr. Campbell and Mr. Mayer did not set forth the reasons

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for the substitution together with the name, last known residence, and last known telephone

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number of the Butlers, as required by LRCiv 83.3(b).

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According to the Local Rules of the United States District Court for the District of

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Arizona,

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**83.3(b) Withdrawal and Substitution.** No attorney shall be permitted to withdraw or be substituted as attorney of record in any pending action except by formal written order of the Court, supported by written application setting forth the reasons therefor together with the name, last known residence and last known telephone number of the client, as follows:

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(1) Where such application bears the written approval of the client, it shall be accompanied by a proposed written order and may be presented to the Court *ex parte*. The withdrawing attorney shall give prompt notice of the entry of such

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order, together with the name, last known residence and last known telephone number of the client, to all other parties or their attorneys.

LRCiv 83.3(b)

Accordingly,

**IT IS HEREBY ORDERED DENYING** without prejudice the Motion for Substitution of Counsel. (Doc. 97.) Defendants David M. Butler and April Butler shall include all requisite information in their motion, pursuant to LRCiv 83.3(b).

**IT IS FURTHER ORDERED DENYING** Plaintiff Ms. Kruska's Motion for Recovery of Attorneys Fees. (Doc.103.) Plaintiff is reminded that she initiated the lawsuit and therefore must bear the cost of filing and defending motions.

**IT IS FURTHER ORDERED DENYING** Plaintiff Ms. Kruska's Motion for Sanctions. (Doc. 105.)

DATED this 15<sup>th</sup> day of September, 2008.

  
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Stephen M. McNamee  
United States District Judge