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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Honeywell International, Inc.,

No. CV 12-00645-PHX-JAT

10 Plaintiff,

ORDER

11 v.

12 Western Support Group; Douglas C.
13 Harmon; and Cynthia A. Harmon,

14 Defendants.
15

16 **IT IS ORDERED** granting in part and denying in part defense counsel's Motion
17 to Withdraw as Counsel and to Vacate June 26, 2013 Hearing (Doc. 73) without
18 prejudice as follows:

19 **IT IS ORDERED** that the discovery dispute hearing currently set for June 26,
20 2013 at 1:30 p.m. is vacated.

21 **IT IS FURTHER ORDERED** that Defense Counsel's Motion to Withdraw is
22 denied without prejudice. Defense counsel's motion is not in compliance with LRCiv
23 83.3(b)(2). Specifically, defense counsel's declaration in support of his motion to
24 withdraw does not state that his "client *has been* notified in writing of the status of the
25 case including the dates and times of any court hearings or trial settings, pending
26 compliance with any existing court orders and the possibility of sanctions." LRCiv
27 83.3(b)(2) (emphasis added). Rather, defense counsel's declaration states that his "clients
28 *will be* notified in writing of the status of this case in compliance with Local Rule of Civil

1 Procedure 83.3(b)(2).” (Doc. 73-1 (emphasis added)). Defense counsel does not state
2 when his clients “will be” notified. As counsel has not yet informed his clients in writing
3 of his decision to withdraw and the status of the case, counsel is not in compliance with
4 LRCiv 83.3(b)(2). Accordingly, the Motion to Withdraw is denied without prejudice.

5 If defense counsel still seeks to withdraw, such motion to withdraw shall be filed
6 within 3 days of the date of this Order. Further, if such motion to withdraw is made
7 pursuant to LRCiv 83.3(b)(2), the declaration in support of such motion shall state the
8 date Defendants were served with notice pursuant to LRCiv 83.3(b)(2) and how such
9 service was accomplished.

10 If no Motion to Withdraw is filed within 3 days of this Order, Plaintiff may seek to
11 reset a discovery dispute hearing as set forth in this Court’s Rule 16 Scheduling Order.

12 Dated this 26th day of June, 2013.

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James A. Teilborg
Senior United States District Judge