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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

William W. Castle,)	No. CIV 09-8114-PCT-JWS (DKD)
Plaintiff,)	
vs.)	ORDER
Eurofresh Incorporated, et al.,)	
Defendants.)	

Pending before the Court is Plaintiff’s Motion for Appointment of Counsel (Doc. 87). Plaintiff requests that the court appoint counsel because he lacks legal training, cannot afford counsel, and because the issues in this matter are complex. (*Id.*)

Plaintiff’s first motion for the appointment of counsel was denied September 30, 2009 (Doc. 12). Plaintiff has not demonstrated a likelihood of success on the merits, nor has he shown that he is experiencing difficulty in litigating this case because of the complexity of the issues involved. Moreover, Plaintiff’s numerous filings with the Court as well as the pending motion, indicate that Plaintiff is capable of presenting legal and factual arguments to the Court. After reviewing the file, the Court determines that this case does not present exceptional circumstances requiring the appointment of counsel.

IT IS HEREBY ORDERED that Plaintiff’s Motion for Appointment of Counsel (Doc. 87) is **DENIED** without prejudice.

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IT IS FURTHER ORDERED denying Plaintiff's Motion for Settlement Conference (Doc. 86), as premature in light of the pending dispositive motions deadline.

DATED this 3rd day of March, 2011.



David K. Duncan
United States Magistrate Judge