

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CANOPIUS CAPITAL TWO LIMITED, et al

PLAINTIFFS

VS.

CASE NO. 11-CV-4070

JEANNE ESTATES APARTMENTS, INC.,
et al

DEFENDANTS

ORDER

Before the Court is a Motion to Withdraw (ECF No. 138) filed on behalf of John Rogers, attorney for Separate Defendants Jeanne Estates Apartments, Inc., Cherry Hill Printing, Inc., and Don Wolf a/k/a Donn Wolfe. Also before the Court is a Motion for Extension of Time to File Dispositive Motions (ECF No. 140) filed on behalf of Separate Defendants Jeanne Estates Apartments, Inc., Cherry Hill Printing, Inc., and Don Wolf a/k/a Donn Wolfe. Plaintiffs have filed a response (ECF No. 141) to the Motion for Extension of Time. The Court finds these matters ripe for consideration.

Separate Defendants' attorney, John Rogers, states that he "undertook counsel representation of Separate Defendants in this matter due to his representation of clients in a closely related federal case, *Kolbek, et. al v. Twenty-First Century Holiness Tabernacle Church et al.*, 4:10-cv-04124." John Rogers now requests that he be permitted to withdraw because "further representation in this matter is substantially beyond the scope of the representation undertaken on behalf of Separate Defendants" in the related *Kolbek* case. Mr. Rogers also states that he has not received compensation for his continued representation of Separate Defendants in this matter. Along with his Motion to Withdraw, Mr. Rogers has filed a Motion for Extension on

behalf of Separate Defendants requesting that their deadline to file dispositive motions be extended so that they might have the opportunity to find new representation.

Upon consideration of the motions (ECF Nos. 138 & 140), the Court finds that they should be and hereby are **DENIED**. This litigation has been pending for several years, and the September 18 deadline for filing dispositive motions is quickly approaching. The Court declines to extend these deadlines any further. To allow Mr. Rogers to withdraw at this particular time would be highly prejudicial to Separate Defendants because it would leave them without adequate time find an attorney to respond to dispositive motions filed by Plaintiffs or to file dispositive motions on their behalf, if necessary. Mr. Rogers may refile his Motion to Withdraw after the dispositive motions period, and the Court will reconsider whether withdrawal might be appropriate at that time.

IT IS SO ORDERED, this 15th day of September, 2015.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge