

1 19.) On November 9, 2021, the Court issued an order regarding the notice of unincarcerated
2 witness information and resetting the deadline for Plaintiff to submit the required witness fees.
3 (ECF No. 140.)

4 Currently before the Court is Plaintiff's motion, filed November 24, 2021, requesting a
5 Court order regarding the delay in issuing the order regarding the unincarcerated witness fees he
6 is required to pay, as well as an order to show cause regarding Defendants' substitution of a new
7 attorney. (ECF No. 144.) Defendants have not yet had the opportunity to file a response, but the
8 Court finds a response unnecessary. The motion is deemed submitted. Local Rule 230(l).

9 In his motion, Plaintiff states that he has not received a notice from the Court regarding
10 the amount he is required to pay for the attendance of his unincarcerated witnesses. (ECF No.
11 144, p. 2.) The Court notes that Plaintiff's motion is signed and dated October 30, 2021, and was
12 served on the same date. (*Id.* at 3, 7.) As noted above, the Court issued an order regarding the
13 unincarcerated witness fees on November 9, 2021. (ECF No. 140.) As it appears that the Court's
14 order crossed in the mail with Plaintiff's motion, Plaintiff's motion is denied as moot.

15 As to Plaintiff's request for an order to show cause regarding Defendants' substitution of a
16 new attorney, Plaintiff argues that the reassignment of counsel appears to be a tactic to delay the
17 Court's proceedings. (ECF No. 144.) Plaintiff further argues that attorney Darby M. Williams is
18 assigned to the Office of the Attorney General's Northern District, not the Eastern District.
19 Finally, Plaintiff appears to request documented evidence of a conflict of interest between
20 Defendants and each of the attorneys formerly assigned to this action that led to the termination
21 of their services to Defendants, and if such evidence is not provided, that Defendants pay the fees
22 required for the attendance of Plaintiff's witnesses at trial. (*Id.*)

23 Plaintiff's request is denied. Plaintiff has not provided any support for the argument that
24 Defendants' substitution of new counsel will delay the proceedings, and Defendants have not
25 sought an extension of any existing deadlines in this action. Further, Plaintiff is not entitled to an
26 explanation regarding how or why cases are assigned to different attorneys within the Office of
27 the Attorney General, and individual attorneys within the Office of the Attorney General are not
28 required to demonstrate a conflict of interest with Defendants to justify termination and

1 substitution of new counsel.

2 Based on the foregoing, Plaintiff's motion regarding unincarcerated witness fees and the
3 substitution of new counsel for Defendants, (ECF No. 144), is HEREBY DENIED.

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5 IT IS SO ORDERED.

6 Dated: November 29, 2021

/s/ Barbara A. McAuliffe
7 UNITED STATES MAGISTRATE JUDGE

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