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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 OSCAR LUNA, et al.,

12 Plaintiffs,

13 v.

14 COUNTY OF KERN, et al.,

15 Defendants.  
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Case No.: 1:16-cv-00568 DAD JLT

ORDER DENYING SUBSTITUTION OF  
COUNSEL  
(Docs. 194-197)

17 In this action, the plaintiffs challenge the supervisorial district boundaries under the Voting  
18 Rights Act. (Doc. 1) Though the plaintiffs named each member of the Kern County Board of  
19 Supervisors and other County officials in addition to the County of Kern, they named the  
20 individuals only in their official capacities. Id. The plaintiffs seek declaratory relief, injunctive  
21 relief and an order of the Court redrawing the districts to comply with the Voting Rights Act. Id.

22 The Court is engaged in the remedy portion of this action. Toward that end, it has ordered  
23 the parties to engage in settlement discussions and ordered the parties to appear for a settlement  
24 conference on March 28, 2018 (Doc. 193) On March 23, 2018, one of the members of the Board of  
25 Supervisors, David Couch, filed substitutions of counsel forms seeking to be represented  
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1 separately from the attorneys who have defended the County throughout.<sup>1</sup> (Docs. 194-197)

2 The substitutions of attorney forms fail to have the signatures of current counsel consenting  
3 to the substitution and do not sufficiently evidence consent by the entity. (Docs. 194-197) Thus,  
4 the requests for substitution of counsel are **DENIED without prejudice**. In the event that these  
5 requests are renewed, they **SHALL** be filed by way of noticed motion and the motion **SHALL** be  
6 set before the Honorable Dale A. Drozd.

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8 IT IS SO ORDERED.

9 Dated: March 26, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The Court presumes that Mr. Couch is dissatisfied by the anticipated settlement positions of the County of Kern. Of course, he is welcome to attend the settlement conference, but the Court expects that the County will speak at the conference with only one voice.