

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEATA KUREK, et al.,)	
)	
Plaintiff(s),)	No. C09-4307 BZ
)	
v.)	
)	ORDER GRANTING MOTION TO
COUNTRYWIDE HOME LOANS, et)	WITHDRAW NUNC PRO TUNC
al.,)	
)	
Defendant(s).)	
_____)	

On October 15, 2010, Joseph W. Strella, attorney for defendant IZT Mortgage Corporation dba Ameritech, filed a motion to withdraw as counsel on behalf of himself, P. Christian Scheley, and their law firm Clapp, Moroney, Bellagamba, Vucinich, Beeman & Scheley (collectively "Strella").

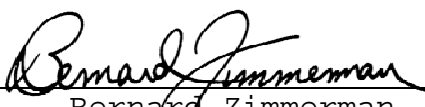
Having considered the moving papers, and having received no opposition from Ameritech or the other parties, **IT IS HEREBY ORDERED** that Mr. Strella's motion to withdraw as counsel for Ameritech is **GRANTED** conditionally. Ameritech has failed to pay for his services, has ignored counsel's repeated attempts to communicate, and has had sufficient notice that

1 counsel intended to withdraw.

2 Mr. Stella is granted a conditional withdrawal pursuant
3 to Civil Local Rule 11-5(b). While Mr. Stella is relieved of
4 his responsibilities as counsel for Ameritech, papers for
5 Ameritech may continue to be served on him, until Ameritech
6 appears by other counsel.

7 Given that Ameritech, as a corporation, cannot represent
8 itself, (Rowland v. California Men's Colony, 506 U.S. 194,
9 201-202 (1993); Civil L.R. 3-9(b)), **IT IS HEREBY ORDERED** that
10 Ameritech must obtain new counsel. If substitute counsel do
11 not file a general appearance by **January 14, 2011**, Ameritech's
12 default will be entered. Mr. Stella must serve this order on
13 Ameritech and inform it about the repercussions for failing to
14 obtain alternate counsel.

15 Dated: December 15, 2010

16 
17 Bernard Zimmerman
United States Magistrate Judge

18 G:\BZALL\BZCASES\KUREK V. COUNTRYWIDE\ORDER GRANTING DEF'S MOT TO WITHDRAW
19 (CORRECTED VERSION).wpd

20
21
22
23
24
25
26
27
28