

1                                    IN THE UNITED STATES DISTRICT COURT  
2                                    FOR THE NORTHERN DISTRICT OF CALIFORNIA

3  
4 OKSANA CLEM,

No. C 11-3952 CW

5                                    Plaintiff,

ORDER GRANTING

6                                    v.

PLAINTIFF'S

7 BARNEYS NEW YORK, INC.,

COUNSEL'S REQUEST

TO WITHDRAW,

Docket No. 38.

8                                    Defendant.  
9 \_\_\_\_\_/

10                                    On June 14, 2012, Plaintiff's counsel, Alden Knishbacher,  
11 filed a notice of substitution, seeking to withdraw as counsel in  
12 this action and have Plaintiff represent herself. In response,  
13 the Court issued an order stating that it would not allow the  
14 substitution of Plaintiff in pro per until after she and her  
15 counsel have attempted in good faith to mediate the case.

16                                    The parties have since engaged in mediation, as indicated by  
17 the mediator's certification filed on July 24, 2012. Plaintiff's  
18 counsel then filed a second notice of substitution of counsel.  
19 Docket No. 38. Counsel's request to withdraw is granted. If  
20 Plaintiff wishes to pursue this litigation, she will have to  
21 retain new counsel or represent herself in pro per.

22                                    The parties are scheduled to appear for a case management  
23 conference on August 29, 2012 at 2:00 pm. The parties shall  
24 submit separate case management statements on or before August 22,  
25 2012. The requirements for the case management statements are  
26 described in the Standing Order for All Judges of the Northern  
27 District of California. In the event that Plaintiff fails to file  
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1 a statement or does not appear at the conference in person or  
2 through counsel, her claims will be dismissed for failure to  
3 prosecute.

4 IT IS SO ORDERED.

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6 Dated: 7/31/2012

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9 CLAUDIA WILKEN  
10 United States District Judge  
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