

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 10-cv-01081-RPM

RONALD R. PACE,

Plaintiff,

v.

WOODMEN HILLS METROPOLITAN DISTRICT,
LARRY R. BISHOP, and
JANICE L. PIZZI,

Defendants.

ORDER FOR HEARING

On July 1, 2011, the defendants filed a motion to compel plaintiff's responses to defendants' first set of interrogatories and requests for production of documents. On July 26, 2011, the defendants filed a "notice of confession" of their motion to compel, based on the assertion that by the failure to file a response to the motion to compel the plaintiff has confessed it.

On August 18, 2011, a document entitled "Notice of Substitution of Counsel" was filed by "Williams, LLP" stating that it was entering its appearance on behalf of the plaintiff. An entry of appearance by an entity is not recognized by this court. Individual attorneys must appear for the representation of parties. The Clerk's Office designated Trocon Edward Williams as the attorney to be noticed, apparently relying on some e-mail address. On August 24, 2011, Marc H. Schtul and Richard W. Daily, who have been representing the plaintiff from the time of the complaint on May 10, 2010, filed a withdrawal based on the entry of appearance of new counsel.

The sudden attempt at entry of appearance of substitute counsel in this matter requires explanation. A hearing on the defendants' motion to compel is scheduled for August 30, 2011, at 11:00 a.m. It is now

ORDERED that at the hearing on the motion to compel on August 30, 2011, Marc H. Shtul or Richard W. Daily will be required to attend to explain the failure to respond to the motion to compel and on the notice of withdrawal. Trocon Edward Williams will also be required to attend to explain the "Notice of Substitution of Counsel" and Ronald R. Pace will be required to attend personally to explain his position with respect to his retention of counsel.

DATED: August 25th, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge