

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02092-MSK-KLM

MARGARET MARTINEZ, et al.,

Plaintiffs,

v.

NASH FINCH COMPANY, d/b/a Avanza Supermarket,

Defendant.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiffs' **Motion to Withdraw as Counsel of Record for Plaintiff Maria Lariaz** [Docket No. 76; Filed October 25, 2012]; on Plaintiffs' **Motion to Withdraw as Counsel** [Docket No. 82; Filed November 7, 2012]; and on the **Entry of Appearance** [Docket No. 85; Filed November 12, 2012], filed by Attorney W. Richard Kroeger ("Kroeger"). The Motions seek withdrawal of representation from 21 Plaintiffs in this matter based, in short, on failure to communicate with counsel and/or failure to provide signed responses to written discovery. The Motions seek withdrawal by Attorney J. Kyle Bachus ("Bachus"), Attorney James Olson ("Olson"), and Attorney Colleen Calandra, all of the law firm of Bachus & Schanker, L.L.C. Prior to resolution of the Motions, Attorney Kroeger, also of Bachus & Schanker, entered his appearance "on behalf of all Plaintiffs currently represented by the same." [#85].

First, the Court notes that Attorney Olson does not appear on the docket as counsel of record for any Plaintiff in this matter. Second, if the Court were to grant the Motions, Attorney Kroeger would remain as counsel of record for the 21 Plaintiffs from which the attorneys of Bachus & Schanker are attempting to withdraw. Third, there is a pending Rule 37 Motion for Sanctions [#58], which involves the non-responsiveness of some of the Plaintiffs in this matter and Plaintiffs' counsel's continued representation of them. Accordingly, to clarify the current status of this matter,

IT IS HEREBY **ORDERED** that, **on or before November 26, 2012**, Attorney Kroeger shall file a Motion to Join in the pending Motions [#76, #82] or file a Status Report indicating that he will continue to represent the 21 Plaintiffs at issue in these Motions [#76, #82].

Dated: November 19, 2012