

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02182-MSK-KLM

COLORADO CASUALTY INSURANCE COMPANY,

Plaintiff,

v.

S&S JOINT VENTURE,
WHITE RIVER VILLAGE, LLP, and
WHITE RIVER TOWNHOMES, LLC,

Defendants.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND,

Interested Party.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendants White River Village, LLP and White River Townhomes, LLC's **Motion to Withdraw Christian J. Schmidt as Counsel** [Docket No. 40; Filed May 16, 2012] (the "Motion"). As an initial matter, the Motion does not comply with D.C.COLO.LCivR 7.1A., which provides as follows:

The Court will not consider any motion, other than a motion under Fed. R. Civ. P. 12 or 56, unless counsel for the moving party or a *pro se* party, before filing the motion, has conferred or made reasonable, good faith efforts to confer with opposing counsel or a *pro se* party to resolve the disputed matter. The moving party shall state in the motion, or in a certificate attached to the motion, the specific efforts to comply with this rule.

The Motion is subject to denial on this basis alone. Nevertheless, in the interest of expedience,

IT IS HEREBY **ORDERED** that the Motion [#40] is **GRANTED**. Attorney Christian J. Schmidt ("Schmidt") is relieved of any further representation of Defendants White River Village, LLP and White River Townhomes, LLC in this case. The Clerk of the Court is

instructed to terminate Attorney Schmidt as counsel of record, and to remove his name from the electronic certificate of mailing. Defendants White River Village, LLP and White River Townhomes, LLC shall continue to be represented by Attorney Wade Warthen and Attorney Mark Nelson.

Dated: May 21, 2012