

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-02173-PAB-BNB

MIRIAM WHITE,

Plaintiff,

v.

DEERE & COMPANY,
JOHN DEERE LIMITED, and
JOHN DOES 1-5,

Defendants.

ORDER

This matter arises following a status conference held this morning.

I held a hearing on September 30, 2014, on the Motion to Withdraw as Attorney for the Plaintiff [Doc. # 25]. At the hearing, defense counsel questioned whether the plaintiff's alleged head injury may include a cognitive component, and I observed during the hearing that the plaintiff's thought processes were delayed and her speech was halting. Because I was concerned about the plaintiff's ability to proceed pro se, I denied the Motion to Withdraw. In doing that, I informed plaintiff's counsel that he could renew his request to withdraw upon either (a) the entry of appearance of substitute counsel or (b) the filing of an affidavit by the plaintiff evidencing her understanding of the obligations imposed by proceeding pro se, her willingness to do so, and her statement that she does not currently intend to engage substitute counsel. I also granted the plaintiff's oral request for a protective order relieving the plaintiff of the obligation to sit for a deposition scheduled to begin on October 1, 2014.

To maintain the case schedule, I set the matter for a status conference to occur this morning. In setting the status conference, I indicated that I expected to receive, prior to the status conference, either an entry of appearance of substitute counsel or the plaintiff's affidavit. No such filings were made.

I will not delay the case further. Mr. Peck remains as plaintiff's counsel, the Motion to Withdraw having been denied. Order [Doc. # 29]. The case should proceed through discovery, including the plaintiff's deposition. The protective order prohibiting the plaintiff's deposition beginning on October 1, 2014, is VACATED.

SO ORDERED.

Dated October 21, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge