

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

THOMAS L. ALTIMAS, et al.,

Plaintiffs,

-vs-

Case No. 2:09-cv-682-FtM-36SPC

RUSSELL WHITNEY, et al.,

Defendants.

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ORDER

This matter comes before the Court on the Stipulation for Substitution and Withdrawal of Counsel (Doc. #44) filed on February 2, 2010. Pursuant to Local Rule 2.03, the Stipulation will be construed as a Motion for Substitution and Withdrawal of Counsel. Counsel indicates the parties have stipulated to Rothstein Rosenfeldt Adler, 401 East Las Olas Boulevard, Suite 1650, Fort Lauderdale, FL 33301, being substituted for Kelley, Kronenberg, Gilmartin, Fichtel & Wander, P.A, 8201 Peters Road, Suite 4000, Fort Lauderdale, FL 33324. Finding good cause, the Court will grant the stipulation of Counsel.

Accordingly, it is now

ORDERED:

(1) The Stipulation for Substitution and Withdrawal of Counsel (Doc. #44) is **GRANTED**. Rothstein Rosenfeldt Adler, 401 East Las Olas Boulevard, Suite 1650, Fort Lauderdale, FL 33301, shall be removed as Counsel of record and released of any further responsibility.

(2) Kelley, Kronenberg, Gilmartin, Fichtel & Wander, P.A, 8201 Peters Road, Suite 4000, Fort Lauderdale, FL 33324, shall be designated Counsel of Record on behalf of the Defendant, Russell Whitney.

DONE AND ORDERED at Fort Myers, Florida, this 4th day of February, 2010.


SHERI POLSTER CHAPPEL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record