

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

**BRIAN BARNHART and HOLY
STUART-BARNHART, individually and
jointly and severally as husband and wife,**

Plaintiffs,

v.

Case No: 2:11-cv-569-FtM-99SPC

**AMERICAN HOME MORTGAGE
SERVICING, INC., WELLS FARGO
BANK, N.A. and CHICAGO TITLE
INSURANCE COMPANY,**

Defendants.

ORDER

This matter comes before the Court on Robert T. Maher's Notice of Ineligibility to Practice Law (Doc. #45) filed on November 26, 2012. In the Notice, Maher indicates that he is no longer eligible to practice law in accordance with a notice received from the Florida Bar effective October 1, 2012 and is thereby no longer permitted to represent the Plaintiffs in this action. The Certificate of Service does not indicate that the Notice was mailed to Plaintiffs. Therefore, the Court will direct the Clerk of Court to mail Doc. #45 to Plaintiffs. The Court will indicate that Plaintiffs are now proceeding *pro se*. Plaintiffs will be afforded 30 days to find a new attorney if they desire to do so. Any deadlines which fall within this time as set forth in the Case Management and Scheduling Order (Doc. #42) will be extended as set forth below. Plaintiffs will also be provided with a copy of the Case Management and Scheduling Order which contains the dates and deadlines which will govern this case. Plaintiffs are informed that if they do not obtain new counsel to represent them that they will be required to prosecute this case on their own and comply with all Court orders and deadlines.

Accordingly, it is now

ORDERED:

- (1) Based on the Notice of Ineligibility to Practice Law (Doc. #45), the Clerk is directed to terminate Robert T. Maher as counsel of record for Plaintiffs.
- (2) The Clerk is directed to indicate on the docket sheet that the Plaintiffs are proceeding *pro se* and all future pleadings and correspondence in this case shall be mailed to the following address: Brian Barnhart, 1219 Rose Garden Road, Cape Coral, Florida 33914; Holly Stuart-Barnhart, 1219 Rose Garden Road, Cape Coral, Florida 33914.
- (3) The Clerk is further directed to mail Docs. #42 and 45 to Plaintiffs, as well as this Order and all future filings.
- (4) The deadline to file motions to amend pleadings or add parties is extended to January 2, 2013. All other deadlines in the Case Management and Scheduling Order (Doc. #42) **remain unchanged**.

DONE and ORDERED in Fort Myers, Florida this 29th day of November, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record