

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-21925-CIV-UNGARO/SIMONTON

LORNA BEACH-MATHURA,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,

Defendant.

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**ORDER DIRECTING PLAINTIFF'S COUNSEL TO  
FILE STATEMENT OF CLARIFICATION**

This matter is before the undersigned upon Plaintiff's Motion to Overturn Jury Verdict and Motion for New Trial (DE # 131). Pursuant to the Consent to Exercise Jurisdiction by a United States Magistrate Judge form signed by the Parties, on June 3, 2009, this matter was referred by the District Judge to the undersigned Magistrate Judge for final disposition, including trial and entry of final judgment (DE # 106).

Throughout the course of proceedings in this matter, the Plaintiff, Ms. Lorna Beach-Mathura, has been represented by Attorney Donovan Parker. Mr. Parker signed and filed the Original Complaint in this case (DE # 1) and was lead trial counsel for the four-day jury trial that concluded on June 25, 2009 with a verdict in favor of American Airlines, Inc. and against Plaintiff (DE ## 128). On July 6, 2009, Plaintiff Lorna Beach-Mathura filed the instant Motion to Overturn Jury Verdict and Motion for New Trial, *pro se* (DE # 131). However, Donovan Parker is still listed as counsel of record for Ms. Beach-Mathura and no motion to withdraw as counsel or substitution of counsel has been filed, although Ms. Beach-Mathura refers to him as "former counsel" in her Motion (DE # 131 at 1).

Rule 11.1 D.3 of the Local Rules of the United States District Court for the

Southern District of Florida provides, “No attorney shall withdraw the attorney’s appearance in any action or proceeding except by leave of Court after notice served on the attorney’s client and opposing counsel” and, section D.4 of that rule provides, “[w]henever a party has appeared by attorney, the party cannot thereafter appear or act on the party’s own behalf in the action or proceeding, or take any action therein, unless an order of substitution shall first have been made by the Court, after notice to the attorney of such party and to the opposite party; provided, that the Court may in its discretion hear a party in open court, notwithstanding the fact that party has appeared or is represented by an attorney.” S.D. Fla. L.R. 11.1 D 3, 4.

Thus, pursuant to these rules, any action on behalf of Ms. Beach-Mathura in this matter must be taken by her attorney of record, Donovan Parker. Accordingly, the Court orders that Mr. Parker file a Notice of Clarification indicating the status of his representation of the Plaintiff. Also, if Mr. Parker seeks to withdraw from representation in this matter, he must file an appropriate motion that comports with the Local Rules of the United States District Court for the Southern District of Florida.

Therefore, it is

**ORDERED** that Plaintiff’s Counsel of Record, Donovan Parker, shall file a Notice of Clarification regarding his status in representing the Plaintiff in this matter by the close of business on Wednesday, July 22, 2009.

**DONE AND ORDERED** in chambers at Miami, Florida, on July 17, 2009.



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ANDREA M. SIMONTON  
UNITED STATES MAGISTRATE JUDGE

Copies furnished via CM/ECF to:  
The Honorable Ursula Ungaro,  
All counsel of record