

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 10-81173-Civ-Cohn/Seltzer

ANA ISABELLA MADIEDO,

Plaintiff,

v.

MARK GERHARDT, MATTHEW BRINDISI, INTEGRITY
WAY and TRANSFORMATIONS TREATMENT, INC.,

Defendants.

ORDER GRANTING MOTION TO WITHDRAW AS PLAINTIFF'S COUNSEL
ORDER GRANTING IN PART MOTION TO STAY
ORDER SETTING NEW SCHEDULE

THIS CAUSE is before the Court upon the Unopposed Motion to Withdraw as Plaintiff's Counsel [DE 19] and Plaintiff's *pro se* Motion to Stay [DE 20]. The Court has carefully considered all of the filings in this case.

Plaintiff's counsel, Marc Reiner, has moved to withdraw from this action, citing "irreconcilable differences" with Plaintiff. Neither Plaintiff nor Defendants oppose this motion. The Court will therefore grant the motion to withdraw.

In her response to the motion, Plaintiff expresses her grievances against Attorney Reiner, and her belief that he has deceived her throughout his representation. Plaintiff consents to Attorney Reiner's withdrawal, but requests that a stay be placed on her case while she obtains new counsel. Defendant did not respond to this motion.

The Court does note that the initial scheduling order in this case placed the Calendar Call six months after the filing of this action, as the primary claim was for unpaid wages pursuant to the Fair Labor Standards Act ("FLSA"). However, the Complaint (as well as the Second Amended Complaint [DE 13]) also contains several tort claims, including both intentional torts and negligence-related torts. In addition, the

parties had filed a Notice of Settlement on February 2, 2011 [DE 18], which invariably led to a delay in completion of discovery.

The Court concludes that the remaining deadlines in this case shall be extended. However, as of this date, Plaintiff Ana Madiedo has already had a thirty-six (36) day stay since the date of the filing of her motion, and only a brief further stay is warranted.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Unopposed Motion to Withdraw as Plaintiff's Counsel [DE 19] is hereby **GRANTED**, and Marc Reiner, Esq. is removed as counsel for Plaintiff Ana I. Madiedo;
2. Plaintiff's pro se Motion to Stay [DE 20] is hereby **GRANTED in part** in that the case has been stayed since the filing of her motion. The stay shall lift on Monday, April 11, 2011;
3. Absent the filing of a Notice of Appearance of counsel on her behalf, Plaintiff Ana Madiedo shall be deemed to be representing herself. Ms. Madiedo shall file a Notice with her address or other means for the Court and Defendants' counsel to communicate with her. It will remain Plaintiff's responsibility to keep her contact information current.
4. The following deadlines shall now apply to this case:


Discovery cutoff	May 20, 2011
Dispositive motion deadline	June 3, 2011
Mediation Report Deadline	June 17, 2011
Motions in limine	July 7, 2011

Responses to Motions in Limine,
Joint Pretrial Stipulation and July 15, 2011
Deposition Designations for Trial for
Unavailable Witnesses

Proposed Jury Instructions, and any Calendar Call
Counter-designations and objections to
Deposition designations

5. This case is reset for trial on the two week trial period **commencing**
July 25, 2011, with the Calendar Call reset for **Thursday, July 21, 2011**
at 9:00am.

DONE AND ORDERED in chambers in Fort Lauderdale, Broward County,
Florida, this 5th day of April, 2011.



JAMES I. COHN
United States District Judge

copies to: counsel of record
Ana Madieto via fax