

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

REVELSTOKE CUSTOM HOMES,
LLC, an Idaho limited liability company,

Plaintiff,

v.

TIM FARRELL and NANCY
FARRELL, husband and wife; UNITED
STATES OF AMERICA, acting through
the Rural Housing Service, an agency of
the United States Department of Interior;
HIGH MARK HEATING AND
COOLING, LLC, an Idaho limited,
liability company; BONNER
CONCRETE PRODUCTS, INC., an
Idaho corporations; DAVID W.
BUTTERFIELD, an individual;
INTERSTATE CONCRETE AND
ASPHALT COMPANY, an Idaho
corporation; STOCK BUILDING
SUPPLY, LLC, a Utah limited liability
company; EXCELL INSULATION,
INC., an Idaho corporation; DECRA
ROOFING & SEAMLESS
RAINGUTTERS, INC., an Idaho
corporation; and TODD GARRETT
JANSSEN, an individual doing business
as Three Amigos,

Defendants.

Case No. 2:10-cv-00599-BLW

**MEMORANDUM DECISION AND
ORDER**

The Court has before it a Motion to Withdraw as Counsel. Dkt. 42. Counsel for Plaintiffs requests to withdraw as counsel of record.

NOW THEREFORE IT IS HEREBY ORDERED that pursuant to District of Idaho Local Civil Rule 83.6, the Motion to Withdraw as Counsel, Dkt. 42, shall be, and the same is hereby GRANTED, and counsel is permitted to withdraw according to the following terms:

1. Withdrawing counsel shall continue to represent Plaintiffs, pursuant to Dist. Idaho Loc. Civ. R. 83.6(c)(2) until proof of service of this Order on the client has been filed with the Court, or alternatively, until such time as Plaintiffs notify the Court in writing that they have received the Court's Order. The withdrawing attorney shall forthwith and with due diligence serve all other parties and either personally serve copies of the Order upon Plaintiffs or mail the Order by first class mail, return receipt requested.

2. Plaintiffs shall have twenty-one (21) days from the filing of the proof of service by the withdrawing attorney to file written notice with the Court stating how and by whom they will be represented. Individual plaintiffs may appear and represent themselves, but Revelstoke Custom Homes, LLC cannot appear without being represented by an attorney in accordance with Dist. Idaho Loc. Civ. R. 83.4(d).

3. Upon filing of proof of service on Plaintiffs, no further proceedings can be had in this action that will affect Plaintiffs' rights for a period of twenty-one (21) days. If Plaintiffs fail to appear in this action through a newly appointed attorney within that twenty-one (21) day period, such failure shall be grounds for dismissal of Plaintiffs'

claims with prejudice without further notice.

DATED: **November 18, 2011**



B. Lynn Winmill

B. LYNN WINMILL
Chief U.S. District Court Judge