

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

CINDY HURST,

Plaintiff,

v.

IHC HEALTH SERVICES, INC., a Utah
General Non-Profit Corporation, d/b/a
CASSIA REGIONAL MEDICAL
CENTER; INTERMOUNTAIN
HEALTH CARE, INC., a Utah General
Non-Profit Corporation,

Defendants.

Case No. 4:10-cv-00387-BLW

**MEMORANDUM DECISION AND
ORDER**

The Court has before it a Motion to Withdraw as Counsel (Dkt. 39). Counsel for Plaintiff Phillips 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. 39) 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 Plaintiff, 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 Defendant notifies the Court in

writing that it has 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 Plaintiff or mail the Order by first class mail, return receipt requested.

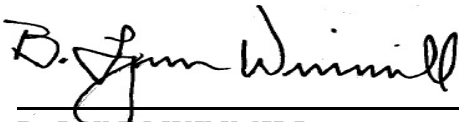
2. Plaintiff shall have twenty-one (21) days from the filing of the proof of service by the withdrawing attorney to file written notice with the Court stating how and by whom it will be represented.

3. Upon filing of proof of service on Plaintiff, no further proceedings can be had in this action that will affect Plaintiff's rights for a period of twenty-one (21) days. If Plaintiff fails to appear in this action, either in person or through a newly appointed attorney within that twenty-one (21) day period, such failure shall be grounds for dismissal of Plaintiff's claims with prejudice without further notice.

4. Based on the conversation between counsel and the Court's staff at the scheduling conference, the Court understands that new counsel will make an appearance for Plaintiff. The Court encourages counsel to expedite that process so as not to delay the case.

DATED: **November 15, 2011**





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