

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

Case Number 06-14891

Honorable David M. Lawson

J.T. BATTENBERG, III and PAUL FREE,

Defendants.

ORDER STRIKING NOTICE OF WITHDRAWAL

On October 27, 2022, attorney Susan K. DeClercq filed a “notice of U.S. Attorney withdrawal” of her appearance as counsel of record for the government. The “notice” was ineffective and improperly filed. Under the applicable court rules, “[a]n attorney may withdraw or be substituted for only on order of the court.” E.D. Mich. LR 83.25(b)(2). Moreover, before seeking any relief by filing a motion, “[t]he movant must ascertain whether the contemplated motion, or request under Federal Rule of Civil Procedure 6(b)(1)(A), will be opposed.” E.D. Mich. LR 7.1(a)(1). “If the movant obtains concurrence, the parties or other persons involved may make the subject matter of the contemplated motion or request a matter of record by stipulated order.” *Ibid.* Counsel in this instance made no effort to comply with the applicable court rules, and her filings purporting to withdraw her appearance therefore will be stricken.

Accordingly, it is **ORDERED** that the notice of withdrawal filed by attorney Susan K. DeClercq (ECF No. 399) is **STRICKEN**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: November 3, 2022