

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FENGEMI LI,

Plaintiff,

vs.

RECELLULAR, INC.,

Defendant.

Case No. 09-11363

Stephen J. Murphy, III  
United States District Judge

Michael Hluchaniuk  
United States Magistrate Judge

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**ORDER ON PLAINTIFF'S MOTION FOR  
APPOINTMENT OF COUNSEL (Dkt. 16)**

This matter is before the Court on plaintiff's motion for appointment of counsel. (Dkt. 16). Plaintiff brings this action against defendant claiming violations the Elliott-Larsen Civil Rights Act, Title VII, the Whistleblower Protection Act, and the Whistleblower Protection Act under the Solid Waste Disposition Act, Toxic Substances Control Act, and various other state and federal statutes and Michigan common law. (Dkt. 1). An order granting plaintiff's application to proceed *in forma pauperis* and directing service of process on defendant was entered on April 17, 2009. (Dkt. 4). On April 23, 2009, District Judge Steven J. Murphy, III, referred this matter to the undersigned for all pretrial purposes. (Dkt. 10).

Plaintiff previously filed an application for the appointment of counsel on April 10, 2009. (Dkt. 3). While plaintiff completed the financial affidavit in support of her application for the appointment of counsel, she provided no reasons in support of her request, and the Court denied her request. (Dkt. 12). Plaintiff has filed a second motion for the appointment of counsel, citing her difficulties with speaking and understanding English, among other issues. (Dkt. 16). The Court cautions plaintiff that even if she can show good cause for the Court to appoint counsel, such an appointment is not automatic. Finding an attorney willing to take a court appointment is a difficult, lengthy, and often fruitless process.

Moreover, plaintiff has not described her good faith efforts to exhaustively find counsel. The Court previously gave plaintiff telephone numbers for the State Bar of Michigan and Washtenaw County attorney referral services and suggested that she obtain an interpreter. In order for the Court to evaluate plaintiff's second request for the appointment of counsel, plaintiff must describe, in detail, all of her efforts to obtain counsel and an interpreter. Plaintiff must file a document setting forth this information by **July 21, 2009**.

**IT IS SO ORDERED.**

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service as provided for in 28

U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), any objections must be served on this Magistrate Judge.

Date: July 7, 2009

s/Michael Hluchaniuk  
Michael Hluchaniuk  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

I certify that on July 7, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: F. Arthur Jones, II and Melvin J. Muskovitz, and I certify that I mailed by United States Postal Service the paper to the following non-ECF participant: Fengmei Li, 3092 Village Circle, Ann Arbor, MI 48108.

s/James P. Peltier  
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