

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHRISTINE YOEELL, as Next Friend of)
E.B. and ISAAC BENNETT, SR.,)
)
Plaintiffs,)
)
v.)
CORRECTIONAL MEDICAL SERVICES, INC.)
and CITY OF ST. LOUIS, et al.,)
)
Defendants.)

No. 4:10CV1180 TIA

MEMORANDUM AND ORDER

This matter is before the Court on the Motion to Withdraw as Counsel for City of St. Louis and its Officers/Correctional Employees (Doc. # 100) by the law firm Jackson Lewis LLP, Jessica Liss, Chanekka Buckingham, and Charissa Mayes as counsel of record for Defendants City of St. Louis, Michael Clemons, Terrence Fleming, Ronnie Johnson, Tonya Harry, and Francisco Cruz. Also pending are Plaintiffs' Second Motion to Compel Answers to Interrogatories Directed to Defendant Correctional Medical Services n/k/a Corizon (Doc. #102) and Plaintiffs' First Motion to Compel Answers to Requests for Admission Directed to Defendant Correctional Medical Services n/k/a Corizon (Doc. #103). The parties consented to this Court's jurisdiction pursuant to 28 U.S.C. § 636(c).

On June 6, 2012, the undersigned held a hearing on the motions. In the motion to withdraw and during the hearing, Corizon and City of St. Louis' attorney of record Jessica Liss represented that after investigation, she discovered a substantial and insurmountable conflict of interest in the representation of the City of St. Louis and its officers. The Court is satisfied that such potential conflict exists, and the motion shall be granted.

Further, Mr. Thomas McDonald appeared on behalf of the City of St. Louis and stated the intention of the City Counselor's Office to enter its appearance in the case after receipt of the file and an appropriate amount of time for review. The undersigned finds this request reasonable and will order counsel for Corizon to provide Mr. McDonald with a copy of the file.

Finally, the Court notes the pending motions to compel filed by Plaintiffs in this case. With regard to the most recent motions to compel directed toward Corizon, counsel for Plaintiffs and Corizon represented to the Court at the hearing that they have discussed the motions and agreed to the terms of resolution. In addition, Plaintiffs' attorney noted that Defendant City of St. Louis had not responded to its earlier motion to compel. The City fo St. Louis requested additional time after entry of appearance to comply with Plaintiffs' discovery requests.

Accordingly,

IT IS HEREBY ORDERED that the Motion to Withdraw as Counsel for City of St. Louis and its Officers/Correctional Employees (Doc. #100) by the law firm Jackson Lewis LLP, Jessica Liss, Chanekka Buckingham, and Charissa Mayes as counsel of record for Defendants City of St. Louis, Michael Clemons, Terrence Fleming, Ronnie Johnson, Tonya Harry, and Francisco Cruz is **GRANTED**.

IT IS FURTHER ORDERED that counsel for Corizon shall provide copies of the file to Mr. Thomas McDonald with the City Counselor's Office no later than **June 13, 2012**.

IT IS FURTHER ORDERED that the City Counselor's Office shall enter its appearance on behalf of Defendants City of St. Louis and its officers no later than **June 27, 2012**.

IT IS FURTHER ORDERED that Defendant City of St. Louis shall respond to Plaintiffs' discovery requests no later than **July 27, 2012**.

IT IS FINALLY ORDERED that Plaintiffs' Second Motion to Compel Answers to Interrogatories Directed to Defendant Correctional Medical Services n/k/a Corizon (Doc. #102) and Plaintiffs' First Motion to Compel Answers to Requests for Admission Directed to Defendant Correctional Medical Services n/k/a Corizon (Doc. #103) are **DENIED** as **MOOT**.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 6th day of June, 2012.