

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<p><b>LYLE BREHM, et al.,</b></p> <p style="text-align: center;"><b>Plaintiffs,</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>GERALD PARKER and</b> <b>PETER KIRSCHNER, et al.,</b></p> <p style="text-align: center;"><b>Defendants.</b></p>	<p>)</p>	<p><b>8:07CV254</b></p> <p><b>ORDER</b></p>
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This matter is before the court on the motion of Carl F. Schoeppl and his firm, Schoeppl & Burke, P.A. to withdraw as counsel for the defendant Gerald Parker ([Filing No. 251](#)) and the motion of David R. Chase and the Law Office of David R. Chase, P.A. to withdraw as counsel for the defendant Peter Kirschner ([Filing No. 253](#)).<sup>1</sup> Mr. Schoeppl states there is good cause for the withdrawal and filed an affidavit ([Filing No. 252](#)) in support of his motion. Similarly, Mr. Chase states there is good cause for the withdrawal and filed an affidavit ([Filing No. 254](#)) in support of his motion. Moving counsel shows they served the motions on their respective clients. The court will afford Mr. Parker and Mr. Kirschner an opportunity to respond to the motions and/or obtain substitute counsel. Accordingly,

**IT IS ORDERED:**

1. Carl F. Schoeppl's motion to withdraw ([Filing No. 251](#)) held in abeyance.
2. David R. Chase's motion to withdraw ([Filing No. 253](#)) held in abeyance.
3. Gerald Parker and Peter Kirschner shall have to **on or before November 7, 2008**, to respond to the motions to withdraw by filing a brief with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the

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<sup>1</sup>As a convenience, this document contains certain cross-document hyperlinks to documents previously filed in this case. The hyperlinked documents appear in blue underlined text. Except with regard to the local rules, access to the hyperlinked material is subject to fees pursuant to user agreements. The hyperlinks may be accessed without PACER fees by use of the public computer terminal in the Clerk's office.

motions to withdraw will be granted. If the motions to withdraw are granted and substitute counsel has not entered an appearance, Mr. Parker and/or Mr. Kirschner will be considered proceeding *pro se* and counsel for the other parties may communicate with Mr. Parker and/or Mr. Kirschner directly regarding this case.

3. Moving counsel shall serve a copy of this order on their clients and file a certificate of such service with the court.

DATED this 6th day of October, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge