



obtains substitute counsel, the court will grant the motion to withdraw. In the event the motion to withdraw is granted, failure to have substitute counsel enter an appearance may result in an order striking the answer and claims of the defendant and entry of default. **See [Fed. R. Civ. P. 55](#)**. However, counsel shall not be given leave to withdraw as attorneys for the defendant until substitute counsel has entered an appearance or other order of the court. Accordingly,

**IT IS ORDERED:**

1. Harding & Shultz, P.C., L.L.O., William A. Harding and Adam J. Prochaska's motion to withdraw as counsel for the defendant ([Filing No. 62](#)) is held in abeyance until April 2, 2009.

2. The defendant shall have until **on or before April 2, 2009**, to file a response to the motion to withdraw with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the motion to withdraw will be granted.

3. Moving counsel shall immediately serve a copy of this order on the defendant and file a certificate of service therefore.

DATED this 5th day of March, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge