

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GEORGE GULLY,

Plaintiff,

v.

KEN BELL, et al.,

Defendants.

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8:10CV308

ORDER

This matter is before the court on the motion of William M. Lamson, Jr., William R. Settles, Brian J. Brislen and the law firm of Lamson, Dugan and Murray, LLP ([Filing No. 15](#)) to withdraw as counsel for the defendants. The movants state a potential conflict of interest exists and the defendants will obtain substitute counsel to represent their personal interests in this matter. Substitute counsel has now entered an appearance for the defendants Ken Bell, Bill Hughes, Bill Farrell, Fred Fromi, Tony Joy, Marvin Schreck, Mike Thatcher, James Timmerman, Dolese Tippery, Mario Villarreal, and Yas Yokozeki. **See** Filing Nos. 20-30. Although no new counsel has entered an appearance for Jerry Beninato, he may proceed pro se. The parties shall proceed with this case. Accordingly,

**IT IS ORDERED:**

1. William M. Lamson, Jr., William R. Settles, Brian J. Brislen and the law firm of Lamson, Dugan and Murray, LLP's motion to withdraw ([Filing No. 15](#)) is granted.
2. The parties shall have to **on or before July 28, 2011**, to file a planning report as required by Fed. R. Civ. P. 26(f).
3. Jerry Beninato is hereby considered proceeding *pro se* and counsel for the plaintiff may communicate with him directly regarding this case.
4. Withdrawing counsel shall serve a copy of this order on Jerry Beninato and file a certificate of such service containing Mr. Beninato's current address.

DATED this 7th day of July, 2011.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge