

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETER KIEWIT SONS', INC.,

Plaintiff,

vs.

WALL STREET EQUITY GROUP, INC.,
WALL STREET GROUP OF
COMPANIES, INC., SHEPHERD
FRIEDMAN, STEVEN S. WEST,

Defendants.

8:10CV365

MEMORANDUM AND ORDER

For the reasons previously discussed in my memorandum and order dated March 15, 2013, a copy of which is attached,

IT IS ORDERED that defendant West's Motion for Reconsideration for Additional Time to Secure Competent Counsel and to Retry All Matters Because of Ineffective Counsel on behalf of Defendant Steven S. West, (Filing No. 378), is denied.

April 22, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

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MEMORANDUM AND ORDER

Defendant Steven S. West has filed a motion for reconsideration and for additional time to obtain counsel. West claims he needs an additional 30 days to locate a new attorney. He further asks that matters previously litigated be re-litigated because of the alleged improper and unethical actions of his prior counsel of record. See Filing No. [373](#).

West remains able to retain counsel and have an attorney enter an appearance on his behalf—a development which could occur before or after thirty days from now. The court need not enter an order setting a thirty-day timeline. And to the extent West is asking the court to stay this case while West looks for a new attorney, his request is denied.

Finally, West's request to reopen and re-litigate prior proceedings due to Ms. Hesford's alleged misconduct is denied. A client is "generally bound by the actions (or inaction) of his attorney when his attorney acts in her representational capacity." [Rodgers v. Curators of University of Missouri, 135 F.3d 1216, 1220 \(8th Cir. 1998\)](#).

March 15, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

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