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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

RHONDA SHADE and LOWELL SHADE,  
  
Plaintiffs,  
  
v.  
  
LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, et al.,  
  
Defendants.

Case No. 2:15-cv-01016-RFB-PAL

REVISED ORDER

(Mot Stay – ECF No. 78)  
(Mot WD Atty – ECF No. 79)

Before the court is counsel for plaintiffs Potter Law Offices' Motion to Withdraw as Counsel and Stay Proceedings (ECF Nos. 78, 79). The motion represents that plaintiffs' counsel's present physical condition and health is such that he can no longer represent plaintiffs in this matter. There are only two attorneys in the law firm, and his associate and son, is unable to continue representing the plaintiffs. As such, the firm seeks leave to withdraw as counsel of record. Currently, the parties are awaiting a written ruling from the district judge on defendants' Motion to Dismiss Second Amended Complaint (ECF No. 52) which was heard on January 13, 2017.

Mr. Potter also requests a stay of the scheduling deadlines in order for plaintiffs to obtain new counsel. On May 9, 2016 the court entered a temporary stay of discovery pending decision of the defendants' motion to dismiss and plaintiffs motion to amend/correct the complaint. See Minutes of Proceeding, (ECF No. 43). The order directed the parties to submit a propose discovery plan and scheduling order 14 days after decision on these motions. Thus a stay of discovery is already in place and the motion to stay will therefore be denied as moot.

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED** that:

1. The Motion to Withdraw (ECF No. 79) is **GRANTED**.

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2. Plaintiffs shall have until **September 18, 2017**, in which to retain substitute counsel who shall make an appearance in accordance with the requirements of the Local Rules of Practice, or shall file a notice with the court that they will be appearing in this matter *pro se*.

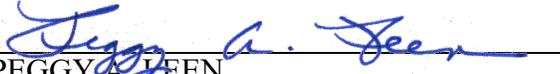
3. Plaintiffs' failure to timely comply with this order by either obtaining substitute counsel, or filing a notice that they will be appearing *pro se*, may result in the imposition of sanctions which may include a recommendation to the district judge that plaintiffs' complaint be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

4. The clerk of the court shall serve the plaintiffs with a copy of this order at their last known address:

Rhonda Shade  
Lowell Shade  
50 Emery Street  
Pahrump, NV 89048

5. The Motion to Stay (ECF No. 78) is **DENIED as moot**.

DATED this 22nd day of August, 2017.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE