

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**CORNICHE CAPITAL, LLC; NM GAS
HOLDINGS 1, LLC; NM GAS HOLDINGS 2, LLC;
and DE LiqNM, LLC;**

Plaintiffs/Counter-defendants;

v.

No. 17-cv-0106 CG/SMV

W & N ENTERPRISES, INC.;

Defendant/Counterclaimant.

ORDER GRANTING PLAINTIFFS' AMENDED MOTION TO WITHDRAW

THIS MATTER is before the Court on Plaintiffs' Amended Motion to Withdraw and Allow Substitution of Counsel [Doc. 8], filed March 6, 2017. Counsel for Plaintiffs, Richard E. Olson and Rebecca Nichols Johnson, move to withdraw as counsel. Plaintiffs further request an extension of the deadline to answer Defendant's counterclaim.¹ Defendant does not oppose the motion. *Id.* The Court finds that the motion is well-taken and should be GRANTED.

No new counsel has entered an appearance on behalf of Plaintiffs. Plaintiffs are reminded of D.N.M.LR-Civ. 83.7, which provides, "[a] corporation, partnership or business entity other than a natural person must be represented by an attorney authorized to practice before this Court." Further, "[a]bsent entry of appearance by a new attorney, any filings made by the corporation, partnership or business entity other than a natural person may be stricken and default judgment or other sanctions imposed." D.N.M.LR-Civ. 83.8(c).

¹ While this motion was pending, the presiding judge in this case, the Honorable Carmen E. Garza, United States Magistrate Judge, twice extended this deadline. [Docs. 11, 14]. The current deadline is March 31, 2017.

IT IS THEREFORE ORDERED that Plaintiffs' Amended Motion to Withdraw [Doc. 8] is GRANTED. Richard E. Olson and Rebecca Nichols Johnson are terminated as counsel for Plaintiffs. Plaintiffs' original Motion to Withdraw and Allow Substitution of Counsel [Doc. 7], filed March 3, 2017, is DENIED as moot.

IT IS FURTHER ORDERED that Plaintiffs' deadline to file a responsive pleading to Defendant's counterclaim is EXTENDED to **5:00 p.m. MDT on April 20, 2017**.

IT IS FURTHER ORDERED that Plaintiffs must retain new counsel and such new counsel must enter an appearance on the record no later than **5:00 p.m. MDT on April 20, 2017**. If new counsel has not entered an appearance by this deadline, Plaintiffs risk dismissal of their complaint and entry of default judgment against them on Defendant's counterclaim.

IT IS FURTHER ORDERED that Mr. Olson and Ms. Johnson must ensure that this Order is forwarded to the appropriate decision-maker for Plaintiffs.

IT IS FURTHER ORDERED that the Clerk of the Court must mail a copy of this Order to Mr. David Ebrahimzadeh at 170 E. 77th Street, Apt. 7A, New York, NY 10075.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge