

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,

Plaintiff,

**ORDER**

v.

**10-CV-569A(F)**

MARK ELLIOT ZUCKERBERG,  
FACEBOOK, INC.,

Defendants.

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Plaintiff shall show cause why the proposed Notice of Withdraw by stipulation (“Plaintiff’s Notice”) filed October 19, 2011 (Doc. No. 168) should not be struck as non-compliant with this court’s Local Rule of Civil Procedure 83.2(d)(2) (“Rule 83.2(d)(2)” or “the Rule”). Whereas Rule 83.2(d)(2) requires, as relevant, that “all counsel of record” (underlining added) endorse the proffered withdrawal by stipulation, Plaintiff’s Notice contains only signatures of Plaintiff and Plaintiff’s attorneys, but not, as required by the Rule, Defendants’ attorneys.<sup>1</sup>

Plaintiff’s papers in response to this order shall be filed by 4:00 p.m., October 20, 2011.

SO ORDERED.

*/s/ Leslie G. Foschio*

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LESLIE G. FOSCHIO  
UNITED STATES MAGISTRATE JUDGE

Dated: October 20, 2011  
Buffalo, New York

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<sup>1</sup> While our Local Rules provide for a Substitution of Counsel by filing of a Notice of Substitution of Counsel by identification of “new counsel of record” and affirming the agreement of the party represented to such substitution, Local Rule of Civil Procedure 83.2(d)(1), Plaintiff’s Notice does not appear to constitute a substitution of counsel as it fails to designate such new counsel for Plaintiff.