

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Oleg and Jennifer Yusenko,)	C/A No.: 0:09-2395-JFA
)	
Plaintiffs,)	
)	
vs.)	SUPERSEDING
)	ORDER REGARDING
)	WITHDRAWAL OF
Lennar Carolinas, LLC; Home Buyers)	PLAINTIFF’S COUNSEL
Warranty Corporation d/b/a 2-10 Home)	
Buyers Warranty Corporation; National)	
Home Insurance Company; John Doe,)	
)	
Defendants.)	
_____)	

This order supersedes the previous order (ECF No. 56) regarding the withdrawal of plaintiff’s counsel.

On November 7, 2011, the court executed an order permitting D. Ryan McCabe, Brian C. Gambrell, and Rogers Townsend & Thomas, PC, to withdraw as attorneys of record for plaintiff s, Oleg and Jennifer Yusenko (hereafter “the client”). The court will allow the client fifteen (15) days from the entry date of this order within which to mail the court notice of the identity of replacement counsel or, alternatively, of the client’s desire to proceed with this litigation without an attorney (“*pro se*”).¹ To this end, the client shall, within fifteen days from entry of this order, complete the attached Notice and mail it to the Clerk of Court at the address indicated. If the client fails to mail the attached letter to the clerk within the time prescribed, the court may strike the plaintiff’s complaint. This means that the plaintiff will not be able to recover from the defendant. The postmark date will be determinative of the date

¹ If any party to this litigation is a corporation, the court hereby gives notice that a corporation may not appear through its corporate officers but may only appear in United States District Court through an attorney duly licensed to practice in this district. *E.g., Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985).

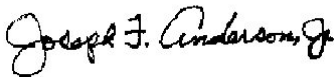
mailed.

If the client elects to proceed without counsel, the client is specifically advised that the court will expect this litigation to be conducted in accordance with all provisions of the Federal Rules of Civil Procedure. Failure to comply could have serious consequences including but not limited to the imposition of sanctions.

A party proceeding without counsel is obligated at all times to keep the court informed of a current address and phone number. The party must also respond promptly to all communications from the court and fully comply with all orders of the court. Failure to satisfy these obligations may result in the serious consequences referenced above.

IT IS SO ORDERED.

November 8, 2011
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge

Brian C Gambrell
D. Ryan McCabe, Jr.
Rogers Townsend and Thomas
PO Box 100200
Columbia, SC 29202-3200
803-771-7900

The Honorable Larry Propes
Clerk of Court
United States District Court
1845 Assembly Street
Columbia, South Carolina 29201-2455

In Re: 0:09-cv-02395-JFA Yusenko et al v. Lennar Corporation et al

Dear Mr. Propes:

In response to Judge Anderson's order, I wish to advise as follows:

- _____ 1. I have obtained a new attorney to represent me in this matter. This attorney's name, address, and telephone number are as follows:

OR

- _____ 2. I have **NOT** obtained a new attorney and will represent myself in this matter. The clerk is directed to forward all notices and pleadings to me at the above address. I understand that I am obligated to comply with all provisions of the Federal Rules of Civil Procedure and to keep the Clerk of Court informed as to my proper address.

Note: a corporation must retain counsel.

Signature of Client