
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

LEGRAND P. BELNAP,

Plaintiff,

v.

SALT LAKE REGIONAL MEDICAL
CENTER, L.P., et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER DENYING MOTION FOR LEAVE
TO WITHDRAW

Case No. 2:14-cv-00086-DBB-DBP

District Judge David B. Barlow

Chief Magistrate Judge Dustin B. Pead

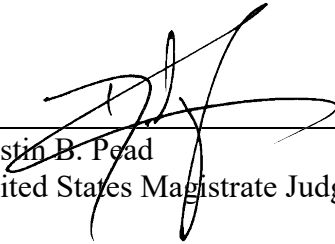
This matter is before the court on Counsel Peter Stirba's Motion to Withdraw as Counsel. (ECF No. 82.)¹ Counsel seeks to withdraw based upon a disagreement between Counsel and his client regarding the continuation of this litigation. "Recently, the Arbitrator in this case has decided that the Federal Antitrust claim should be dismissed." Mtn. p. 1. Counsel provides that as a result of that decision, "all remaining claims are to be decided based on state law," and a recent decision from the Utah Supreme Court, *Belnap v. Howard*, 2019 UT 9, 437 P.3d 355, undermines the remaining claims.

Despite the disagreement between Counsel and his client at this time, the court finds the current procedural posture of this case warrants a denial of the motion. This matter is currently stayed, and Counsel notes that the "remaining claims before the Arbitrator have yet to be decided." (ECF No. 82-1.) Because this case is currently stayed, the court cannot find any harm, and Counsel fails to demonstrate any such harm, in denying Counsel's request until the Arbitrator has finished deciding the remaining claims.

¹ The case is referred to the undersigned from Judge David Barlow under 28 U.S.C. § 636(b)(1)(A). (ECF No. 72.) The court decides this matter on the written memoranda. DUCivR 7-1(f).

Counsel's motion is therefore DENIED.

DATED this 13 January 2021.



Dustin B. Pead
United States Magistrate Judge