09-CV-05304-ORD

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WESTERN DISTRICT OF WASHINGTON AT TACOMA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CITY OF ILWACO, a Washington Municipal Corporation,

Plaintiff,

v.

AFFILIATED FM INSURANCE COMPANY, a Rhode Island Corporation,

Defendant.

09-5304 FDB

Case No. C-5304 FDB

ORDER REGARDING MOTION TO WITHDRAW AS ATTORNEY BY PLAINTIFF

This matter comes before the Court on motion of Plaintiff's counsel to permit withdrawal of representation of Plaintiff City of Ilwaco. Counsel submitted a declaration on March 11, 2010, stating that the City had terminated his services and retained new counsel. However, as of this date, new counsel has not made an appearance in this action.

This Court's Local General Rule 2(g)(4) provides:

> (B) If the attorney for a corporation is seeking to withdraw, the attorney shall certify to the court that he or she has advised the corporation that it is required by law to be represented by an attorney admitted to practice before this court and that failure to obtain a replacement attorney by the date the withdrawal is effective may result in dismissal of the corporation's claims for failure to prosecute and/or entry of default against the corporation as to any claims of other parties.

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Plaintiff is a municipal corporation and cannot proceed without representation by counsel. In accordance with General Rule 2(g), the Court will permit counsel to withdraw as of March 26, 2010. The Plaintiff is directed to obtain counsel and have an appearance made on said date. Pursuant to LGR 2(g)(4)(B), failure to obtain replacement counsel may result in dismissal of Plaintiff's action for failure to prosecute. Additionally, a failure to respond to Defendant's pending motion for summary judgment may be considered by the Court as an admission that the motion has merit. See Local Civil Rule 7(b)(2).

DATED this 24th day of March, 2010.

for FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE