

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WELLS FARGO EQUIPMENT FINANCE,
INC.,

Plaintiff,

v.

FLANNERY OFF-ROAD TRUCKING, INC.,
and JACK A. FLANNERY, d/b/a OFF-ROAD
LOGGING,

Defendants.

ORDER

03-C-56-C

A hearing on defendants' counsel's request to withdraw was held by telephone in this case on August 27, 2003, before United States District Judge Barbara B. Crabb. Plaintiff was represented by Caren Lederer. Jack Flannery represented himself. Norman Farnam participated in the telephone call as well.

Mr. Flannery advised the court that he does not object to Mr. Farnam's motion to withdraw from his representation of Mr. Flannery and Flannery Off-Road Trucking, Inc. Plaintiff stated that he understood that unless he hired new counsel to replace Mr. Farnam, he would have to represent himself in any further proceedings in this case. Furthermore, he

stated that he understood that he could not represent Flannery Off-Road Trucking, Inc., because the law requires corporations to be represented by licensed lawyers.

Mr. Flannery advised the court that he had engaged counsel to represent him in bankruptcy proceedings and that he anticipated his chapter 7 bankruptcy proceeding would be filed today. Because plaintiff has noticed Mr. Flannery's deposition for Friday morning, August 29, 2003, plaintiff's counsel needs to know no later than 4:30 p.m., Thursday, August 28, 2003, whether the bankruptcy filing has been accomplished. Mr. Flannery is to advise Ms. Lederer no later than 4:30 p.m., on August 28, 2003, of the status of his bankruptcy filing. If the bankruptcy proceeding has not been filed, Mr. Flannery must make himself available for a deposition at the time, date and place previously set. If the bankruptcy proceeding has been filed, Mr. Flannery need not appear for a deposition.

If the bankruptcy proceeding is filed, this case will be administratively closed. If the bankruptcy proceedings do not resolve all of the issues, plaintiff may move to reopen the case immediately upon the lifting of the bankruptcy stay or resolution of the bankruptcy

proceeding, whichever comes first. In such a circumstance, the parties will be entitled to all such rights as they had when the case was administratively closed.

Entered this 27th day of August, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge