

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

THE BANKRUPTCY ESTATE OF KDC,
INC., by its Trustee, JAMES W. McNEILLY,
JR.,

Plaintiff,

v.

HARRY KRAKLOW, CYNTHIA KANDLER,
DONALD JOHNSON, JEFFREY COVELLI,
KENNETH BANWART, DARREN MASSNER,
KIM MYERS, FIRST PRODUCTS, INC., and
COUNTRY MAID, INC.,

Defendants.

ORDER

06-C-0402-C

A telephone conference was held in this case on April 3, 2007, before United States Judge Barbara B. Crabb, to discuss the motion Kathleen Donius had filed to withdraw as counsel for defendants Don Johnson, Kim Myers and First Products, Inc. (Although the motion was titled as one filed by Reinhart Boerner Van Dueren, S.C., only individual lawyers may represent clients in federal court. According to the docket sheet, Ms. Donius is the attorney of record for these defendants. Therefore, I will consider the motion as if it were filed on her own behalf.) Ms. Donius and Ryan Stippich participated in the

conference, as did defendants Donald Johnson and Kim Myers. Also on the telephone was Thomas Anderal, a member of the board of directors of defendant First Products, Inc.

In response to the court's questioning, defendants Johnson and Myers and First Products, Inc., by Anderal, advised the court that they did not object to Ms. Donius's motion to withdraw. Accordingly, the motion was granted.

Defendants may have until April 23, 2007, in which to obtain new counsel, who are to file notices of appearance with the court. I will take this opportunity to inform defendant First Products, Inc. that, as a corporation, it can appear in this court only by counsel. If the individual defendants do not find new counsel to represent them, they may represent themselves, but defendant First Products, Inc. does not have that option.

Although plaintiff's counsel were not part of the telephone conference, they wrote to the court before the conference to say that they opposed any extension of time for the trial of the case. They acknowledged, however, that some time will be necessary to allow newly-retained counsel to prepare for the defense of the claims against their clients, but they want to minimize that time. A telephone conference will be held promptly after April 23, 2007, at which time new dates will be set for trial preparation and plaintiff's views on scheduling will be heard.

ORDER

IT IS ORDERED that Kathleen S. Donius's motion to withdraw as counsel for defendants Donald Johnson, Kim Myers and First Products, Inc. is GRANTED. FURTHER, IT IS ORDERED that defendants Donald Johnson, Kim Myers and First Products, Inc. may have until April 23, 2007, in which to secure new counsel and have notices of appearances filed in this court. A re-scheduling motion will be held by telephone promptly after April 23, 2007, or earlier, if defendants obtain the services of counsel before then. All deadlines currently in effect are stayed pending the re-scheduling hearing.

Entered this 4th day of April, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge