

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

SENTRY INSURANCE A MUTUAL COMPANY,

Plaintiff,

ORDER

v.

13-cv-386-wmc

B & H HEALTHCARE SERVICES INC.
d/b/a NURSING PERSONNEL HOMECARE,

Defendant.

The court is in receipt of two motions: (1) plaintiff Sentry Insurance's motion for default judgment and attorney's fees pursuant to Fed. R. Civ. P. 37 (dkt. #22); and (2) defendant's counsel Attorney Joel Winnig's motion to withdraw as counsel (dkt. #26). Attorney Winnig's submission and defendant's opposition (submitted by Attorney Avrom R. Vann) demonstrate good grounds for allowing Attorney Winnig to withdraw as local counsel for defendant because (1) communications have broken down between Winnig and his client; (2) Winnig will not be required to continue to represent defendant on terms not agreed to or without pay; (3) defendant is separately represented by principal counsel; and (4) defendant has already been allowed ample time (and will be allowed additional time) to secure alternate local representation, if it deems necessary. Accordingly,

ORDER

IT IS ORDERED that:

- (1) Attorney Winnig's motion to withdraw (dkt. #26) is GRANTED. Attorney Winnig should provide notice to defendant's principal counsel Avron Bann and return to his former client any original documents or remaining amounts being held as a deposit that exceed Winnig's costs and fees for services to date.

(2) As for plaintiff's pending motion for default judgment, the court will hold an in person hearing on that motion on January 22, 2014, at 8:30 a.m. No further extensions or delays will be granted in this matter. Moreover, as a corporate entity, defendant is on notice that only counsel can appear or speak on its behalf at that hearing.

Entered this 2nd day of January, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge