

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

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BRIAN TEED,

Plaintiff,

v.

J.T. PACKARD & ASSOCIATES, INC.  
and S.R. BRAY CORP.,

Defendants.

- - - - -

ORDER

08-cv-303-bbc

MARCUS CLAY,

Plaintiff,

v.

J.T. PACKARD & ASSOCIATES, INC.  
and S.R. BRAY CORP.,

Defendants.

- - - - -

ORDER

09-cv-313-bbc

On April 6, 2012, Larry Johnson, counsel for plaintiffs, filed a motion for leave to withdraw from his representation of plaintiffs Robert Dabal, Lewis Tate, Eula Sheehan (as

real party in interest for the Estate of Thomas Daly) and Ethel McNamara (as real party in interest for the Estate of Michael McNamara) on the ground that each has failed to respond to counsel's numerous attempts to engage in the communication necessary to pursue their claims in this lawsuit.

In an order entered on April 12, 2012, I gave plaintiffs until April 26, 2012 in which to contact the court to oppose counsel's request to withdraw and to show cause why their case should not be dismissed for failure to prosecute. On April 26, 2012, the order mailed to plaintiff Ethel McNamara was returned to the court as undeliverable by the post office. Plaintiffs Robert Dabal, Lewis Tate, Eula Sheehan (as real party in interest for the Estate of Thomas Daly) did not respond in any manner. Because plaintiff McNamara failed to keep counsel and the court advised of her current address and because the remaining plaintiffs did not respond in any way to the April 12, 2012 order, I conclude that they do not object to counsel's withdrawal from representation, I will grant the motion to withdraw and, as I warned plaintiffs I would do in the April 12, 2012 order, dismiss the case as to each named plaintiff for failure to prosecute under Fed. R. Civ. P. 41(b).

#### ORDER

IT IS ORDERED that Larry Johnson is granted leave to withdraw as counsel for plaintiffs Robert Dabal, Lewis Tate, Eula Sheehan (as real party in interest for the Estate of

Thomas Daly) and Ethel McNamara (as real party in interest for the Estate of Michael McNamara).

IT IS FURTHER ORDERED that the claims of plaintiffs Robert Dabal, Lewis Tate, Eula Sheehan (as real party in interest for the Estate of Thomas Daly) and Ethel McNamara (as real party in interest for the Estate of Michael McNamara) are dismissed with prejudice for plaintiffs' failure to prosecute them.

Entered this 30th day of April, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge

ADDRESSES:

Mr. Robert Dabal  
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Wallington, NJ 07057-1429

Ms. Ethel McNamara  
On behalf of the estate of Michael McNamara  
110 Jankin Lane  
Sandston, VA 23150

Ms. Eula Sheehan  
on the estate of Thomas Daly  
5127 El Nino Lane  
North Las Vegas, NV 89031

Mr. Lewis Tate  
3553 Atlantic Avenue  
Suite A  
Long Beach, CA 90807

Mr. Lewis Tate  
1213 W. 93rd Street  
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