

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

SCRIPTPRO, LLC,	)	
	)	
Plaintiff,	)	
v.	)	Case No. 05-2244-CM
	)	
WAL-MART STORES, INC.,	)	
	)	
Defendant.	)	

**ORDER**

This case comes before the court on the Notice of Withdrawal filed by Megan J. Redmond (**doc. 67**). The court construes Ms. Redmond's notice as a motion for leave to withdraw as counsel for defendant.

D. Kan. Rule 83.5.5 governing withdrawal of counsel provides:

An attorney seeking to withdraw must file and serve a motion to withdraw on all counsel of record, and provide a proposed order for the court. In addition, **the motion must be served either personally or by certified mail, restricted delivery, with return receipt requested on the withdrawing attorney's client.** . . . A motion to withdraw must specify the reasons therefore unless to do so would violate any applicable standards of professional conduct. (Emphasis added.)

Ms. Redmond has failed to comply with D. Kan. Rule 83.5.5 in that there has been no evidence that she has served a copy of her motion upon her client. Further, Ms. Redmond did not specific the reasons for her withdrawal. Notwithstanding, the court notes that defendant will continue to be represented by other counsel who have already entered their appearances in this case.

In consideration of the foregoing,

IT IS HEREBY ORDERED:

1. The above-mentioned motion (**doc. 67**) is granted.
2. Ms. Redmond is granted leave to withdraw as counsel of record for defendant.

However, she shall serve a copy of the motion (notice) filed along with a copy of this order upon her client.

Dated this 29th day of December, 2008, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge