

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BANK OF COMMERCE & TRUST COMPANY)	
)	
Plaintiff,)	
)	
vs.)	Case No. 07-1122-JTM
)	
JOHN-PAUL STRAUSS a/k/a J. P. STRAUSS)	
and BANC CORP USA, an Illinois Corporation,)	
both jointly and severally)	
)	
Defendants.)	
_____)	

ORDER ALLOWING WITHDRAWAL OF COUNSEL

NOW, on this 21st day of November, 2007, this matter comes before the Court on the motion of Jay F. Fowler of Foulston Siefkin LLP to withdraw as counsel for record for defendants John Paul Strauss and Banc Corp USA. (Doc. 11.) The court finds that counsel has complied with the requirements of Local Rule 83.5.5 and finds that counsel's motion should be GRANTED.

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED, ADJUDGED AND DECREED that Jay F. Fowler of Foulston Siefkin LLP should be and hereby is granted leave to withdraw as counsel of record herein.

A copy of this Order is to be served on defendants John Paul Strauss and Banc Corp. USA by U.S. Mail at the address provided by counsel in his Return of Service. (Doc. 13.) Defendants are reminded that a corporation may not appear in federal court proceedings pro se and must have counsel appear on their behalf. As noted in counsel's Return of Service (Doc. 13), defendants have received a copy of the Court's Scheduling Order entered on October 30, 2007 (Doc. 12). Defendants' failure to comply with the deadlines and procedures set out in that Scheduling Order may lead to the imposition of sanctions on them including, but not limited to the entry of a default

judgment against them and/or imposition of monetary sanctions.

IT IS SO ORDERED.

s/ DONALD W. BOSTWICK
HONORABLE DONALD W. BOSTWICK
U.S. Magistrate Judge

Approved:

By /s/ Jay F. Fowler
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