

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

|  |   |                          |
|--|---|--------------------------|
| C.E.F. FUNDING, INC.,                      | ) |                          |
|  | ) |                          |
| Plaintiff,                                 | ) |                          |
|  | ) |                          |
| vs.  | ) | Case No. 09-2647-JTM-KGG |
|  | ) |                          |
| BECHUCK ENTERPRISES, INC., <i>et al.</i> , | ) |                          |
|  | ) |                          |
| Defendants.                                | ) |                          |
| _____                                      | ) |                          |

**ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL**

Now on this 20<sup>th</sup> day of January, 2011, this matter comes before the Court on the Motion to Withdraw as Counsel of Record for Defendants (Doc. 20) (“Motion”) filed by Mark A. Grover and Grover Law Firm, LLC (collectively “Grover”).

The Court finds Grover has complied with Local Rule 83.5.5 and should be permitted to withdraw as counsel for Defendants upon compliance with the requirements set out in this Order.

The Court entered a Scheduling Order in this matter on November 22, 2010 (Doc. 19). As a condition of withdrawal, Grover shall be required to serve a copy of the Court’s Scheduling Order (Doc. 19) on each Defendant and advise them that

they are responsible for complying with the deadlines therein.

Also, because at least one Defendant is or appears to be a corporation, Grover shall advise such party that it is well-established in this Circuit that a corporation or partnership may only appear in a court by a licensed attorney.

*Flora Constr. Co. v. Fireman's Fund Ins. Co.*, 307 F.2d 413, 414, n.1 (10<sup>th</sup> Cir. 1962) (citing numerous cases in support of this proposition); *Nato Indian Nation v. Utah*, No. 02-4062, 2003 WL 21872551, at \*1 (10<sup>th</sup> Cir. Aug. 8, 2003).

Therefore, while the individual Defendants may proceed to represent themselves in this case, they cannot represent the corporate Defendant(s). If the corporate Defendant(s) does not obtain replacement counsel in this case, it may be subject to the entry of judgment or default.

Grover shall be required to file a certificate of service with the Court documenting that he has made the required service and notice to the Defendants. Upon filing of such certificate of service, Grover's services as counsel in this case shall be concluded.

**IT IS THEREFORE ORDERED ADJUDGED, AND DECREED** that the Motion should be and hereby is **GRANTED**, that Grover should be and hereby is permitted to withdraw as counsel, and that Grover's withdrawal as counsel for Defendants shall be effective upon the filing of the certificate of service required

by this Order.

**IT IS SO ORDERED.**

Dated at Wichita, Kansas, on this 20<sup>th</sup> day of January, 2011.

S/ KENNETH G. GALE  
KENNETH G. GALE  
United States Magistrate Judge