

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

GEMCAP LENDING I, LLC,)
)
Plaintiff,)
)
v.) Case No. 18-2622-JWB
)
PERTL RANCH FEEDERS, LLC, et al.,)
)
Defendants.)

ORDER

Before the court is the motion of Robert Hammeke and Dentons US LLP to withdraw from representing GemCap Lending I, LLC, in this matter (**ECF No. 261**). The court finds that the motion, taken together with Mr. Hammeke’s affidavit (ECF No. 265), satisfies the requirements of D. Kan. Rule 83.5.5, which governs attorney withdrawal. The motion therefore is **granted**, and the withdrawal permitted.

With the entry of this order, GemCap is left without local counsel in this action.¹ Arash Beral and Todd M. Lander, counsel from California who are admitted in this case

¹ Although the docket continues to list Brett Michael Simon, an attorney who *is* licensed in this district, as representing GemCap, Mr. Hammeke has informed the court that he replaced Mr. Simon as local counsel nearly two years ago and that Mr. Simon has not been involved in the case since. *See* ECF No. 110. Mr. Hammeke represents that Mr. Simon was inadvertently left off the March 18, 2019 notice of counsel withdrawal/substitution. *Id.* As a practical matter, then, GemCap will be left without local counsel. To correct the record, the clerk is directed to remove Mr. Simon from the docket.

pro hac vice, remain of-record for GemCap. But D. Kan. Rule 83.5.4. only permits such attorneys to practice in this court with the assistance of local counsel. Indeed, any pleadings filed on a party's behalf must be signed by "a member of the bar of this court."² Therefore, GemCap must retain local counsel immediately, which counsel shall enter an appearance in this case by **March 12, 2021**. If local counsel does not enter an appearance by that date, Messrs. Beral and Lander will be terminated from this action.

IT IS SO ORDERED.

Dated February 25, 2021, at Kansas City, Kansas.

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

² D. Kan. Rule 83.5.4(c).