

CHERYL STEELE,  
  
Plaintiff,  
  
v.  
  
EDWARD T. SCHAFER, Secretary,  
United States Department of Agriculture,  
  
Defendant.

The Court held a status conference in this matter on October 23, 2008. Neither plaintiff nor plaintiff's counsel appeared at that status conference. The next day, the Court issued the following minute order:

Steele v. Schafer, Civil Action No. 02-0452, Minute Order (D.D.C. Oct. 24, 2008). On

November 3, 2008, counsel for defendant submitted a report documenting his attempts to

(1) contact the attorneys who have represented plaintiff in this action, both in the district court and in the court of appeals, and (2) ascertain whether any of them intended to represent plaintiff in proceedings before this Court. According to defendant's counsel, none of the attorneys with whom he spoke intends to represent plaintiff going forward. See Defendant's Status Report at 1-2 (reporting that attorneys Micah Salb, Carl Snead and Saundra White told defendant's counsel that they do not intend to represent plaintiff, and further reporting that attorney Janet Cooper apparently has died).<sup>1</sup> It therefore is unclear to the defendant, to this Court and perhaps to plaintiff herself who (if anyone) will represent plaintiff going forward.

That being said, there is no ambiguity as to who the Court regards as plaintiff's attorneys at this time. Attorneys Betty Clark and Carl Snead remain listed as plaintiff's "lead attorneys" on the docket of this case. They have not officially moved to withdraw from the case (as they must under Local Civil Rule 83.6), nor otherwise communicated to the Court a desire to withdraw. As a result, the Court considers Ms. Clark and Mr. Snead to be plaintiff's attorneys, and views their failure to appear for the last status conference as a violation of the Court's order setting that status conference. Thus, unless Ms. Clark and Mr. Snead move to withdraw from this case, with proper notice to their client, and the Court grants their motions before the next status conference, they are required to appear for the next status conference – or risk sanctions. Accordingly, it is hereby

ORDERED that the next status conference, currently scheduled for November 19, 2008 at 11:30 a.m., is hereby postponed and rescheduled to November 25, 2008 at 9:30 a.m. in order to allow the parties sufficient time to communicate with each other with respect to the

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<sup>1</sup> Defendant's counsel refers to Ms. Cooper as "Ms. Carter" in his report.

issues identified above; it is

FURTHER ORDERED that Ms. Clark and Mr. Snead shall appear at the next status conference unless they move to withdraw from the case *and* the Court grants their motions before the date of the status conference; and it is

FURTHER ORDERED that plaintiff shall appear in person at the next status conference whether or not she is represented by counsel at that time. Plaintiff is advised that the Court may be compelled to dismiss her case for failure to prosecute if her attorneys move to withdraw (and the Court grants their motions) and plaintiff fails to appear at the upcoming status conference.

SO ORDERED.

/s/ \_\_\_\_\_  
PAUL L. FRIEDMAN  
United States District Judge

DATE: November 17, 2008