

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRIME ALLIANCE BANK, INC.,
a Utah banking corporation; and
SERTANT CAPITAL, LLC, a
Delaware limited liability company,
Plaintiffs,

Plaintiffs,

v.

THE GREAT LAKES TISSUE
COMPANY, a Michigan corporation.

Defendant.

Case No. 23-10564
Honorable Laurie J. Michelson

**ORDER GRANTING DEFENSE COUNSEL'S
MOTIONS TO WITHDRAW [46, 47]**

This is a breach of contract action involving the Great Lakes Tissue Company's failure to make monthly payments for equipment it leases from Plaintiffs. Presently before the Court are the motions of GLT's counsel to withdraw. (ECF Nos. 46, 47.) The motions advise that GLT has failed to pay legal bills for several months and has ceased all communication with counsel. (*See, e.g.*, ECF No. 46, PageID.721.) As a result of the unpaid fees and lack of communication, counsel do not believe they can effectively represent GLT. Plaintiff did not oppose the motions.

The Court heard argument and received additional information from the parties' lawyers on October 24, 2023. The Court ordered a representative of GLT to appear at the hearing in person. (ECF No. 48.) Three employees of Tissue Depot, Inc., appeared and the Court heard from the general manager of the mill. Having heard

from the parties, the Court finds that withdrawal is warranted by at least Michigan Rule of Professional Conduct 1.16(b)(5), (6) and Eastern District of Michigan Local Rule 83.25.

Thus, for the reasons stated in the motions and more fully on the record during the hearing, defense counsel's motions to withdraw are GRANTED. GLT shall have until **October 31, 2023**, to secure new counsel. If, by that time, no new counsel has appeared, the Court will issue an order for GLT to show-cause why a default judgment should not be entered for the corporation's failure to be represented by counsel. *See* 28 U.S.C. § 1654; *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 202 (1993).

IT IS FURTHER ORDERED that GLT's response to Plaintiffs' Verified Second Motion for Possession and Injunctive Relief is due by **November 7, 2023**. New Counsel shall pay particular attention to this deadline.

Finally, Hilger Hammond or Hansen Reynolds LLC shall serve a copy of this order on all Defendants and docket proof of service of the same that includes all Defendants' last known mailing addresses and telephone numbers, as well as the identification of a corporate representative housed at these addresses and his/her last known email address.

SO ORDERED.

Dated: October 24, 2023

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE