



IT IS ORDERED as set forth below:

Date: February 17, 2010

Mary Grace Diehl

**Mary Grace Diehl
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:	:	CASE NUMBER
	:	
LINDA COTY BULLOCK,	:	08-43724-MGD
	:	
Debtor.	:	CHAPTER 7
	:	

ORDER DENYING MOTION TO WITHDRAW AS ATTORNEY OF RECORD

The above-styled Chapter 7 Case is before the Court on Evan M. Altman's Motion to Withdraw as Counsel for Debtor. (Docket No. 151). Bankruptcy Local Rule 9010-5 governs the policies and procedures for attorneys seeking to withdraw as counsel. Mr. Altman's Motion does not comply fully with the requirements of BLR 9010-5 and therefore is denied.

Bankruptcy Local Rule 9010-5(b)(1) identifies the information an attorney seeking to withdraw must provide to his client. Attached to Mr. Altman's Motion is the Notice of Withdrawal that Mr. Altman mailed to Debtor. The Local Rule requires the notice to include the following information: (1) that the client has the obligation to file with the Court and mail to all adverse parties a written statement with the client's contact information and to which cases the

client is a party, (2) that the client must amend that statement if her contact information changes, and (3) that service may be made upon the client at her last known address. BLR 9010-5(b)(1)(D). Mr. Altman's Notice did not include any of those statements. Additionally, the notice must inform the client of any hearings that have been scheduled and any applicable deadlines. BLR 9010-5(b)(1)(E). Mr. Altman's Notice did not include information about any of the hearings that were scheduled in Debtor's case, nor did it inform Debtor of applicable deadlines. Finally, the notice must inform the client that she has 14 days from the date of service of the notice to state any objections to the attorney's withdrawal. BLR 9010-5(b)(1)(F). Mr. Altman's Notice informed Debtor that Mr. Altman "[is] withdrawing" and that Debtor had ten days from the date of the notice "to respond" to the Notice. These statements, taken together, would not inform Debtor of her right to object to Mr. Altman's withdrawal from her case.

Local Rule 9010-5 also includes specific requirements for the contents of and attachments to the Motion to Withdraw. The Motion must be accompanied by a notice to the client that the client has 14 days after service of the Motion to file objections and the notice must include the address of the Bankruptcy Clerk's office where objections may be filed. BLR 9010-5(b)(2). Neither Mr. Altman's Motion nor the Notice he originally mailed to Debtor informed Debtor that she could file objections to the Motion within 14 days' of its service, and neither document informed Debtor where she may file her objections. It appearing that Mr. Altman's Motion and accompanying Notice to Debtor fail to comply with BLR 9010-5, it is

ORDERED that Evan M. Altman's Motion to Withdraw as Counsel for Debtor is **DENIED**.

IT IS FURTHER ORDERED that Evan M. Altman remains the attorney of record for Debtor and shall continue to represent Debtor fully, including attending Debtor's scheduled § 341

Meeting of Creditors, until he has obtained permission from the Court to withdraw as counsel, has filed a certificate of consent in accordance with the local rules, or a substitute counsel has made an appearance on behalf of Debtor in this case.

The Clerk shall serve a copy of this order upon Debtor, the Chapter 7 Trustee, the U.S. Trustee, and the party on the attached distribution list.

END OF DOCUMENT

Distribution List:

Evan M. Altman, Esq.
Northridge 400
8325 Dunwoody Place
Building Two
Atlanta, Georgia 30350