

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GLAS-WELD SYSTEMS, INC., an
Oregon Corporation,

Civ. No. 6:12-cv-02273-AA

ORDER

Plaintiff,

v.

MICHAEL P. BOYLE, dba SURFACE
DYNAMIX and CHRISTOPHER BOYLE,

Defendants.

AIKEN, Chief Judge:

Plaintiff Glas-Weld Systems, Inc., brings patent infringement and unfair competition claims against defendants Michael P. Boyle, dba Surface Dynamix, and Christopher Boyle. Before the court is the motion to withdraw filed by defendant Michael Boyle's pro bono counsel, David Madden, and several related matters.

Upon review of the motion to withdraw and attached declaration - along with additional information provided in camera by Ms. Kathryn Pratt, counsel for Mr. Madden - I find more than adequate grounds to support withdrawal. Clearly, irreconcilable conflicts exist between Mr. Boyle and Mr. Madden regarding the proper defense

of this action. Therefore, Mr. Madden is excused from further appearance or representation in this matter, and the court considers Michael Boyle as a pro se litigant. As indicated in a previous order, no further requests for pro bono counsel will be made in this case. Additionally, both Michael and Christopher Boyle remain bound by the court's order to comply with outstanding discovery requests by July 2, 2014.

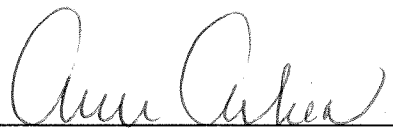
In a previous order, I allowed Christopher Boyle the opportunity to retain an expert to rebut plaintiff's proposed claim construction. Christopher Boyle has not given the court any notice or indication that he intends to do so; therefore, the parties' proposed claim constructions are under advisement and the court will proceed accordingly.

Finally, Mr. Madden's counsel has requested permission to contact plaintiff's counsel regarding a discovery matter brought to her attention by Mr. Boyle. The request is granted.

CONCLUSION

The Motion to Terminate Pro Bono Appointment and Withdraw as Counsel (doc. 125) is GRANTED. Further, Ms. Pratt may contact plaintiff's counsel to resolve any issue concerning Bates Range GWS 00178-1230. IT IS SO ORDERED.

Dated this 24 day of June, 2014.



Ann Aiken
United States District Judge