

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

HANS TSCHBAUM, ET AL.

Defendants.

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NO. 3-05-CV-1465-L

ORDER

Bruce W. Claycombe and the law firm of Geary, Porter & Donovan, P.C. have filed a motion to withdraw as counsel for Defendants Hans Tschebaum and Michael Tschebaum due to an unspecified conflict of interest and the inability to effectively communicate with his clients. [Doc. #53]. Because defendants refused to grant permission for their attorney to withdraw, the court scheduled a hearing on June 2, 2006 at 9:00 a.m. Defendants failed to attend the hearing as required and have not communicated with the court to explain their opposition to the motion.

After considering the motion and the arguments of counsel, the court finds that good cause has been shown and the motion should be granted. Accordingly, Bruce W. Claycombe and the law firm of Geary, Porter & Donovan, P.C. are hereby granted leave to withdraw as counsel for Defendants Hans Tschebaum and Michael Tschebaum. As defendants have not obtained substitute counsel, they will represent themselves in this case until another attorney enters an appearance on their behalf. The district clerk and all counsel of record shall communicate with defendants at the following address:

Hans Tschebaum
1424 North Lincoln Street
Burbank, California 91506

Michael Tschebaum
1424 North Lincoln Street
Burbank, California 91506

Defendants are advised that the hearing on the Receiver's motion for preliminary injunction in this case, and the Receiver's motion for contempt in *SEC v. Megafund Corp.*, No. 3-05-CV-1328-L, will go forward as scheduled on **June 16, 2006** at **9:00 a.m.** Hans Tschebaum and Michael Tschebaum are ordered to attend this hearing *in person*, whether or not they retain substitute counsel. Defendants are reminded that their failure to attend the hearing may result in the imposition of additional sanctions, including an order striking their pleadings and entering a judgment by default. In addition, the court may issue a bench warrant directing the United States Marshal to effect their arrest and keep them in custody until brought before the court.

SO ORDERED.

DATED: June 2, 2006.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE