

# NOT FOR PUBLICATION OR CITATION

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF: )  
 )  
JARROD KENDALL ) CASE NO. 10-40621  
 )  
 )  
Debtor )

## DECISION AND ORDER

At Fort Wayne, Indiana, on September 21, 2010

The motion to withdraw appearance of counsel, filed by James T. Knight, counsel for the debtor herein, is DENIED, because:

1. It does not comply with N.D. Ind. L.B.R. Rule B-9010-2(e);
2. The filing of an adversary proceeding in which counsel has never appeared, see, N.D. Ind. L.B.R. B-9010-2(c), does not constitute cause for withdrawal of the appearance in the main case; and,
3. Although the court is skeptical that counsel can property limit his representation of the debtor, see, In re Collmar, 417 B.R. 920 (Bankr. N.D. Ind. 2009), the mere filing of a motion for relief from stay which the debtor may or may not want counsel to oppose does not constitute cause for the withdrawal from all aspects of the case. See, In re Edsall, 89 B.R. 772 (Bankr. N.D. Ind. 1988). This is especially so since there are other aspects of the representation which counsel has agreed to undertake which may remain unfulfilled. See, Disclosure of Compensation ¶ 5(c).

SO ORDERED.

/s/ Robert E. Grant  
Chief Judge, United States Bankruptcy Court