

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

LINDSAY HUTHNANCE	:	
	:	
Plaintiff	:	
	:	
v.	:	C.A. No. 1:06-CV-001871 (RCL) (JMF)
	:	
DISTRICT OF COLUMBIA, <i>et al.</i>	:	
	:	
Defendants	:	
_____	:	

**NOTICE OF FILING**

Defendant District of Columbia, by and through counsel, herein submits this Notice of Filing concerning the District’s motivation in withdrawing the appearance of its lead counsel in this case. In its June 22, 2011 Order the Court denied plaintiff’s motion to impose individual monetary sanctions against the District’s counsel. However, the Court admonished the District for “switching counsel” in this case as a litigation tactic and observed that the District has a habit of “switching counsel” as trial approaches. *See* Order [Dkt. #251] at 8. While the District appreciates and understands the Court’s admonition, the District wishes to make clear that it has never sought to change trial counsel to gain litigation advantage and it will not do so in the future. In the instant case, the District’s prior lead counsel withdrew from this case based solely on medical necessity, not as a litigation tactic. Prior trial counsel’s withdrawal was required by compelling and unanticipated circumstances — his unexpected hospitalization and need to attend to a serious health condition, as explained in detail to the Court *ex parte* on November 10, 2010. *See* Minute Entry, Nov. 10, 2010; *see also* Dkt. ##189, 192, 194. Following these disclosures, the Court granted

the District's motion to continue the trial date. *See* Minute Entry, Nov. 10, 2010; *see also* Dkt. #185. Prior counsel has remained on medical leave since late-December 2010.

Respectfully Submitted,

IRVIN B. NATHAN  
Attorney General for the District of Columbia

GEORGE C. VALENTINE  
Deputy Attorney General, Civil Litigation Division

/s/ Patricia A. Oxendine  
PATRICIA A. OXENDINE  
D.C. Bar No. 428132  
Chief, General Litigation Sec. IV

/s/ Michael J. Lanzdorf  
MICHAEL J. LANZDORF  
D.C. Bar No. 997821  
DWAYNE C. JEFFERSON  
D.C. Bar No. 980813  
Assistant Attorneys General  
Office of the Attorney General  
441 Fourth Street, N.W., 6th Floor South  
Washington, D.C. 20001  
(202) 724-6648; (202) 727-6295  
Facsimile: (202) 741-0573  
Email: [Michael.Lanzdorf@dc.gov](mailto:Michael.Lanzdorf@dc.gov)