



Dated: November 19, 2010 11:21:16

The following is ORDERED:

T.M. Weaver
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA**

IN RE:)	
)	
MILLENNIUM MULTIPLE EMPLOYER)	CASE NO. 10-13528-WV
WELFARE BENEFIT PLAN,)	
)	
Debtor.)	Chapter 11

ORDER STRIKING PLEADING

On November 16, 2010, Mr. Ivan J. Reich, counsel for several covered employers and plan participants in this bankruptcy case, filed a pleading entitled, "Amended Notice of Unavailability" (the "Notice"), in which counsel notifies the court and parties, without explanation, of his "unavailability" on certain dates, including virtually the entire month of January, 2011, to attend to any matters associated with the progress of this bankruptcy case. The Notice includes a "request" that all pending matters be "abated" during counsel's period of "unavailability." The Notice further purports to constitute counsel's standing and preemptive request for "continuance, extension of time and/or for a protective

order as may be appropriately required” as a consequence of counsel’s alleged “unavailability.”

A cursory review of the Notice and the declarations contained therein prompts the question posed, in the memorable words uttered in a fictional rural Alabama courtroom by the inimitable jurist, Vincent LaGuardia (“Vinny”) Gambini: “You were *serious* about that?”*

In the event counsel was indeed serious about the matters contained within the Notice, however, the court is of the view that the Notice merits no further consideration and should be, and hereby is, STRICKEN FROM THE RECORD in this case.

IT IS SO ORDERED.

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* *My Cousin Vinny*. Dir. Jonathan Lynn. Perf. Joe Pesci. 20th Century Fox, 1992. Film.