

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Case No. 02-02474
) (Jointly Administered)
KMART CORPORATION, et al.,) Chapter 11
) Hon. Susan Pierson Sonderby
)
Debtors.) Hearing Date: August 5, 2009
) Hearing Time: 11:00 a.m.
)
)

NOTICE OF MOTION

**TO: ATTACHED SERVICE LIST
Via CM/ECF**

Tom Brock
3665 11th St.
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Via Certified & First Class Mail

Richard A. Samdal
rasamdal@varnumlaw.com
Via Email

PLEASE TAKE NOTICE that on August 5, 2009, at 11:00 a.m. or as soon thereafter as counsel may be heard, I shall appear before the Honorable Susan Pierson Sonderby in Room 642 of the Dirksen Federal Courthouse, 219 S. Dearborn St., Chicago, Illinois, or before any other Judge who may be sitting in her stead, and shall then and there present the **Motion of David A. Newby and Johnson & Newby, LLC For Leave to Withdraw as Counsel to Global Property Services, Inc.**, a copy of which is attached hereto and herewith served upon you.

/s/ David A. Newby
Attorney for Defendant

David A. Newby
Johnson & Newby, LLC
39 S. LaSalle Street, Suite 820
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CERTIFICATE OF SERVICE

I, David A. Newby, an attorney, certify that I caused true and correct copies of the foregoing notice and document to which it refers to be served to the persons listed above in the manner indicated at or before 5:00 p.m. on July 27, 2009.

/s/ David A. Newby

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Case No. 02-02474
) (Jointly Administered)
KMART CORPORATION, et al.,) Chapter 11
) Hon. Susan Pierson Sonderby
)
)
Debtors.)
)
)

**MOTION OF DAVID A. NEWBY AND THE LAW FIRM OF JOHNSON &
NEWBY, LLC FOR LEAVE TO WITHDRAW AS COUNSEL
TO GLOBAL PROPERTY SERVICES, INC.**

David A. Newby and the law firm of Johnson & Newby, LLC (collectively, "J&N") requests leave to withdraw as attorneys for Global Property Services, Inc. ("Global"), pursuant to Local Rule 2091-1 of the Local Rules for the U.S. Bankruptcy Court for the Northern District of Illinois, and in support thereof states as follows:

1. J&N filed an appearance as local counsel in the above captioned matter on behalf of Global Property Services, Inc. ("Global").
2. Thereafter, J&N represented Global in this bankruptcy case to the best of its ability and in accordance with the Illinois Rules of Professional Conduct.
3. However, Global and J&N have come to an impasse with respect to their attorney/client relationship that prevents J&N from representing Global's interests.
4. J&N has given notice to Global of its intention to withdraw from this matter and recommended that Global find substitute counsel. Notice of the

presentation of this motion to withdraw was given to Global via certified and regular U.S. Mail on July 27, 2009, 9 days in advance of the hearing date.

WHEREFORE, David A. Newby and the attorneys of the firm of Johnson & Newby, LLC respectfully request that this Court grant their motion and enter an order authorizing them to withdraw their appearance as attorneys for Global Property Services, Inc., and grant such other and further relief as may be appropriate under the circumstances.

Respectfully submitted,

Dated: 07/27/09

/s/ David A. Newby
One of the attorneys for
for Johnson & Newby, LLC
and David A. Newby

David A. Newby
Johnson & Newby, LLC
39 S. LaSalle Street
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(312) 345-1306

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Case No. 02-02474
)	(Jointly Administered)
KMART CORPORATION, et al.,)	Chapter 11
)	Hon. Susan Pierson Sonderby
)	
Debtors.)	
)	
)	
)	

**ORDER AUTHORIZING WITHDRAWAL OF COUNSEL
TO GLOBAL PROPERTY SERVICES, INC.**

This matter came on for hearing on the Motion of David A. Newby and Johnson & Newby, LLC For Leave to Withdraw; due notice having been given to Global Property Services, Inc., and other parties entitled to notice; the Court being duly advised in the premises;

IT IS HEREBY ORDERED THAT:

David A. Newby and the attorneys of Johnson & Newby, LLC are granted leave to withdraw their appearances on behalf of the Global Property Services, Inc. and shall have no further obligation to represent said party before this Court in the above-captioned proceeding.

ENTER:

Dated: _____

Bankruptcy Judge