

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ROBERTA LANCIONE, et al.,

Plaintiffs,

v.

MASS GENERAL BRIGHAM
INCORPORATED,

Defendant.

Civil Action No. 1:21-cv-11686

DEFENDANT’S OPPOSITION TO MOTION TO WITHDRAW AS COUNSEL

Defendant Mass General Brigham Incorporated (“MGB”) files this Opposition to Plaintiff’s counsel’s Motion to Withdraw as Counsel (Doc. 88) from representation of four additional Plaintiffs.

As grounds for this Opposition, MGB states as follows:

1. Recently, Plaintiffs’ counsel moved to withdraw from 13 Plaintiffs who failed to participate in the discovery process. *See* Doc. 80. MGB opposed that motion on the grounds that (i) having the Plaintiffs remain in the case *pro se* is untenable given *inter alia* the Court’s scheduling order, a complex deposition process and schedule already agreed to by the parties, and the Court’s protective order (Doc. 60), and (ii) instead, the Plaintiffs in question should be dismissed from the case with prejudice for failure to comply with required discovery. *See* Doc. 82.

2. In the instant motion (Doc. 88), Plaintiff’s counsel now moves to withdraw from four additional Plaintiffs. He has since filed a Declaration (Doc. 90) explaining that they have not

participated in discovery and that he does not “expect that the plaintiffs named in the Motion to Withdraw will participate in this matter.” Doc. 90 at ¶6.

3. MGB opposes the instant motion for the same reasons it opposed the last Motion to Withdraw, and incorporates herein its argument from the prior Opposition. See Doc. 82.

4. MGB agrees with Plaintiffs’ counsel that it will be most efficient for the Court to address the issues raised by these motions at the status conference scheduled for May 11, 2022. See Doc. 86.

WHEREFORE, MGB respectfully requests that this Court enter an order that (i) the four additional Plaintiffs from whom counsel seeks to withdraw must produce all discovery that was due on or before April 20, 2022 by no later than three days from the date of the Court’s order; or (ii) have their claims dismissed with prejudice.

Dated: May 5, 2022

MASS GENERAL BRIGHAM INCORPORATED

By Its Attorneys,

Respectfully Submitted,

/s/ Lynn A. Kappelman

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CERTIFICATE OF SERVICE

I, Lynn A. Kappelman, certify that on May 5, 2022, I caused a true and accurate copy of the foregoing document to be filed and uploaded to the CM/ECF system.

/s/ Lynn A. Kappelman

Lynn A. Kappelman