

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
_____ DIVISION**

PLAINTIFF	CIVIL ACTION NO.: _____
VERSUS	JUDGE _____
DEFENDANT	MAGISTRATE JUDGE _____

ORDER GRANTING MOTION TO APPOINT COUNSEL

Plaintiff's motion for appointment of counsel [Record Document ____] is hereby **GRANTED**. An attorney shall be appointed for Plaintiff from the Civil Pro Bono Counsel Panel. Once the attorney is selected from the panel, the Court will issue an order appointing that attorney; that order will notify Plaintiff of the identity of the appointed attorney.

This representation is of limited to the present case, [DOCKET INFORMATION]. Counsel will not represent Plaintiff in any other civil matter, including petitions under 28 U.S.C. § 2254 and motions under 28 U.S.C. § 2255, nor in any criminal matter unless Counsel and Plaintiff execute a separate written agreement to that effect.

Counsel shall represent the party until final judgment is entered in the action or Counsel is allowed to withdraw by order of the Court.

- Representation shall include settlement negotiations (if appropriate), preparation for trial, and conduct of trial.

- Representation shall not include discovery practice unless the Court grants a motion by Counsel for a **limited** amount of additional discovery.
- Representation shall not include dispositive motion practice, but may include evidentiary motions as appropriate.
- Representation shall not include post-trial motion practice under Rules 59 and 60 of the Federal Rules of Civil Procedure nor any appeal of this matter unless Counsel and Plaintiff execute a separate written agreement to that effect.

Counsel may move to withdraw from the case at any time for good cause, including, but not limited to, inability to communicate effectively with the client.

Plaintiff may move to relieve the attorney from the representation by motion to the Court. However, if the Court relieves Counsel on Plaintiff's motion, replacement counsel will only be appointed for good cause shown.

If Plaintiff prevails and attorney fees are awarded under 42 U.S.C. § 1988, **any damage award to Plaintiff will be reduced by the lesser of 25% or the amount of the attorney fees**. This is required under the Supreme Court's interpretation of the Prison Litigation Reform Act. *Murphy v. Smith*, 138 S. Ct. 784 (2018).

The Clerk of Court is ordered to email this order as well as the following documents to each member of the Pro Bono Panel: the complaint, any amended complaint, rulings on any dispositive motions, the current scheduling order, and the docket sheet.

THUS DONE AND SIGNED in chambers this _____ day of

UNITED STATES MAGISTRATE JUDGE

SAMPLE