

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**WOODARD & CURRAN, INC. and  
CONTINENTAL CASUALTY  
COMPANY,**

**PLAINTIFFS**

**v.**

**CATE STREET CAPITAL, INC. AND  
WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY,**

**DEFENDANTS**

**CIVIL No. 2:15-cv-10-DBH**

**ORDER ON PLAINTIFFS' MOTION FOR ORDER  
DISQUALIFYING DEFENDANT'S COUNSEL**

The plaintiffs' motion for an order disqualifying counsel is **DENIED** as premature. It is too soon to determine whether Attorney Champion will be a "necessary" witness, *i.e.*, whether his testimony is "unobtainable from other sources." See Maine Rule of Professional Conduct 3.7, Reporter's Notes; see also Local Rule 83.3(d) (adopting Maine Rules of Professional Conduct). But the denial is without prejudice to reasserting the motion if at a later time the plaintiffs can show that his testimony is necessary. The request for other associated relief (disqualification of the firm; limitation of Attorney Champion's role) is likewise **DENIED**. No fees to either party.

**SO ORDERED.**

**DATED THIS 3<sup>RD</sup> DAY OF JUNE, 2015**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE (PORTLAND)  
CIVIL DOCKET NO. 2:15-CV-10-DBH**

**Woodard & Curran, Inc.**

**and**

**Continental Casualty Company,**

**Plaintiffs**

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**v.**

**Cate Street Capital, Inc.**

**and**

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**Brian L. Champion**  
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**Westchester Surplus Lines  
Insurance Company,**

**Defendants**

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