

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

RANDY WILLOUGHBY,

Plaintiff,

v.

Case No.: 8:23-cv-1260-KKM-NHA

GOVERNMENT EMPLOYEES  
INSURANCE COMPANY,

Defendant.

\_\_\_\_\_ /

**ORDER**

The Court partially grants Jennifer Worden's Time Sensitive Motion (1) to Withdraw as Counsel for Defendant, (2) for a Protective Order, and (3) to Stay Discovery and Modify the Scheduling Order (Doc. 61). The Court also grants Young, Bill, Boles, Palmer, Duke & Thompson, P.A.'s Motion to Withdraw as Counsel for Defendant (Doc. 59).

Plaintiff brings a third-party bad-faith insurance action against Defendant GEICO, for the alleged breach of fiduciary duties Defendant owed to its insured, Alberta Ellison. Doc. 1-1. Essentially, Plaintiff alleges that Defendant failed to appropriately settle claims against Ms. Ellison that arose from a traffic accident and that ultimately resulted in a \$30-million jury award against her. *Id.* pp. 5–8.

GEICO is currently represented by two separate law firms: Young, Bill, Boles, Palmer, Duke & Thompson, P.A. (the “Young Law Firm”) and the Segundo Law Group.

Initially, the Young Law Firm alone represented GEICO. *See* Docs. 6, 7, 8. Then, on February 23, the Segundo Law Group filed a notice of appearance. Doc. 55.

On March 18, 2024, the Young Law Firm filed an unopposed Motion to Withdraw (Doc. 59), later explaining that GEICO had decided to raise an “advice of counsel” defense, based on the advice of the firm’s managing partner (Doc. 62, p. 2). Because of this dynamic, GEICO discharged the Young Law Firm. In its motion to withdraw, the Young Law Firm certified that Jennifer Worden and the Segundo Law Group would continue to represent GEICO in this matter. *Id.* p. 2.

Then, on March 21, 2024, Ms. Worden filed a Time Sensitive Motion (1) to withdraw as counsel for defendant, (2) for a protective order, and (3) to stay discovery, based on a newly discovered conflict of interest. Doc. 61. Ms. Worden indicated that she needed to withdraw immediately and could not participate in the 10 depositions scheduled to occur over the next 20 days. *Id.* She asked to continue all non-trial deadlines for 30 days. *Id.*

Discovery is scheduled to close on April 12, 2024. Doc. 23.

On March 22, 2024, the Court held a hearing on the Young Law Firm's motion to withdraw (Doc. 59) and Ms. Worden's Time Sensitive Motions (Doc. 61). For the reasons stated on the record (*see* Doc. 66), the Young Law Firm's motion to withdraw (Doc. 59) is **GRANTED** and Ms. Worden's Time Sensitive Motions (Doc. 61) are **GRANTED in part**.

It is hereby **ORDERED** that:

- (1) The Young Law Firm's motion to withdraw (Doc. 59) is **GRANTED**. The Clerk is directed to terminate Jordon Thompson, Carlos Gomez, and Megan Alexander from the service list.
- (2) Ms. Worden's motion to withdraw (Doc. 61) is **GRANTED**.
  - (a) Ms. Worden must instruct GEICO that an attorney must appear on its behalf within 14 days.
  - (b) Any new counsel must be prepared to complete all depositions within the new discovery cut-off date, provided below.
  - (c) The Clerk is directed to terminate Ms. Worden from the service list.
- (3) Ms. Worden's motion for a protective order (Doc. 61) is **GRANTED in part**.
  - (a) All upcoming depositions are to be cancelled and rescheduled with GEICO's replacement counsel.

- (b) The Court will consider entertain a motion by Plaintiff as to whether GEICO should be responsible for the costs incurred in rescheduling these depositions.
- (4) Ms. Warden’s motion for a stay of proceedings and to modify the scheduling order (Doc. 61) is **GRANTED in part**. The following deadlines will be amended:
- (a) The “Discovery Cut-Off and Discovery Related Motions” deadline is extended to May 13, 2024.
- (b) The “Dispositive and *Daubert* Motions” deadline is extended to June 26, 2024.
- (c) The Young Law Firm’s responsive production to the “Subpoena for Attorney Communications” (Doc. 56-1) is due April 26, 2024.
- (d) The deadline to respond to the Motion to Compel (Doc. 57) and Motion to Quash (Doc. 56) are extended to April 5, 2024.
- (e) The Hearing on the Motion to Compel (Doc. 57) and Motion to Quash (Doc. 56), previously scheduled for March 27, 2024, is rescheduled for April 10, 2024.

**ORDERED** in Tampa, Florida on March 25, 2024.

  
NATALIE HIRT ADAMS  
United States Magistrate Judge