

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS AT HOUSTON

**Terry Neff and Iron Workers Mid-South Pension Fund, derivatively
on behalf of Weatherford International, Ltd. v. Nicholas F. Brady,
David J. Butters, Robert B. Millard, Robert A. Rayne**

Neff · No. 01-18-00170-CV · Decided October 8, 2019

OPINION

Terry Neff and Iron Workers Mid-South Pension Fund v. Nicholas F. Brady, David J Butters, William E. MacAulay, Robert B. Millard, Robert K Moses, Jr., Robert a Rayne, Bernard J. Duroc-Danner and Bruce M. Martin and Weatherford International LTD., a Swiss Corporation
PER CURIAM.

COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON
ORDER

Appellate case name: Terry Neff and Iron Workers Mid-South Pension Fund, derivatively on behalf of Weatherford International, Ltd. v. Nicholas F. Brady, David J. Butters, William E. Macaulay, Robert B. Millard, and Robert A. Rayne Appellate case number: 01-18-00170-CV Trial court case number: 2010-40764 Trial court: 270th District Court of Harris County This appeal is stayed pursuant to a suggestion of bankruptcy filed by appellees, Nicholas F. Brady, David J. Butters, William E. Macaulay, Robert B. Millard, and Robert A. Rayne, in this Court. See TEX. R. APP. P. 8.1 (notice of bankruptcy); see also 11 U.S.C. § 362(a) (automatic stay in bankruptcy). Appellees have filed an Unopposed Motion to Withdraw James A. Reeder, Jr. as Counsel, requesting that James A. Reeder, Jr. be allowed to withdraw as their attorney and stating that Michael A. Heidler and Nicholas Shum of Vinson & Elkins, LLP will remain as counsel for appellees in this matter. Appellees request that the Court treat their motion as a motion to substitute counsel under Texas Rule of Appellate Procedure 6.5(d). See TEX. R. APP. P. 6.5 (d). Appellees' motion is granted. See, e.g., Springer v. Tummel, No. 13-14-00446-CV, 2016 WL 8919854, at *1 (Tex. App.—Corpus Christi—Edinburg Dec. 8, 2016, no pet.) (mem. op.) (noting, while case abated due to bankruptcy, “the only activity in th[e] appeal [was] appellant’s motion to substitute counsel and motion to withdraw as counsel”). The Clerk of this Court is directed to note the withdrawal of James A. Reeder, Jr. as counsel for appellees. We note that appellees previously filed a Designation of New Lead Counsel, designating Michael A. Heidler as their new lead counsel on appeal. See TEX. R. APP. P. 6.1(c). Michael A. Heidler and Nicholas Shum shall remain as counsel for appellees on the docket of this Court. See TEX. R. APP. P. 6.1, 6.2. It is so ORDERED. Judge’s signature: __/s/ Julie Countiss__ Acting individually Acting for the Court Date: __October 8, 2019__

