

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREN AZARIAN : CIVIL ACTION
 :
v. :
 :
 :
TRUSTEES OF THE UNIVERSITY :
OF PENNSYLVANIA : NO. 00-CV-633

MEMORANDUM AND ORDER

J. M. KELLY, J.

February 8, 2000

Before the Court is the Request of the Plaintiff for Appointment of Attorney. A review of her pleading indicates that she has been in touch with six lawyers, who, for various reasons, declined to represent her. She refused to accept a modified contingency fee agreement with one lawyer. Several other lawyers claimed that they could not represent her because of time constraints. One attorney claimed to have a conflict of interest. The plaintiff contacted the Lawyer's Referral Service and that attorney refused to meet with the plaintiff. The Court has a list of volunteer attorneys who agree to take some employment civil rights cases, however, it is the spirit of the requested appointment program: (1) the attorney requested is not required to take the appointment; and, (2) the request by the Court should be for those plaintiffs who have no other recourse. In this case, the plaintiff has refused to sign a contingency fee agreement. Presumably, if she had signed it, the attorney would have represented her. Six other attorneys have refused to represent her. The Court finds that the granting of this request

would merely delay the case and would unlikely be of any benefit to the plaintiff because the Court may merely request counsel to represent the plaintiff and does not have the power to mandate such an action.

The facts are rather straightforward in the Complaint proffered in this matter. It appears that the plaintiff is capable of prosecuting the matter. She does not desire to contract with the one attorney who is willing to enter into an agreement to represent her.

In consideration of the above, the Court declines to grant Plaintiff's Request for Appointment of Attorney.

BY THE COURT:

JAMES MCGIRR KELLY, J.