

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

SYLVAN LEARNING, INC., :
 :
 Plaintiff, :
 :
 vs. : CIVIL ACTION NO. 11-00236-KD-B
 :
 LEARNING SOLUTIONS, INC., :
 et al., :
 :
 Defendants. :

ORDER

This action is before the Court on the motion of George R. Irvine, III, of the firm of Stone, Granade & Crosby, P.C., and Benjamin C. Heinz to withdraw as counsel for Defendants Baldwin Management, Inc., Martha Blow, Richard Blow, Learning Solutions, Inc., Dale Logan, and Elizabeth Logan. (Doc. 43). As grounds for said motion, counsel asserts that Defendants retained them for "an engagement of limited scope", that the scope has been reached, and that no agreement has been reached regarding continuing representation of Defendants in this action. Counsel further asserts that Defendants have been advised of the impending deadlines, and of the instant motion.

Upon consideration, and for good cause shown, Mr. Irvine III and Mr. Heinz's Motion to Withdraw is **GRANTED**. Corporations, such as Baldwin Management, Inc., and Learning Solutions, Inc. are prohibited from appearing in federal court

without counsel. See e.g., Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1385 (11th Cir. 1985); National Independent Theatre Exhibitors, Inc. v. Buena Vista Distribution Co., 748 F. 2d 602, 604 (11th Cir. 1984) ("This rule ensures that a licensed attorney, an officer of the court, is responsible for conducting the corporation's litigation.") Accordingly, Baldwin Management, Inc. and Learning Solutions, Inc. are granted leave until **December 9, 2011** to obtain new counsel, and are **cautioned** that the failure of a corporate entity to obtain counsel, in violation of a court order or rule to do so, has repeatedly been held to support default judgment, even in the absence of violations of other rules or orders. American Resources Insurance Company, Inc. v. the Evoleno Company, LLC., 2008 U.S. Dist. LEXIS 86310 (S.D. Ala. October 23, 2008) (citing Employee Painters' Trust v. Ethan Enterprises, Inc., 480 F.3d 993, 998 (9th Cir. 2007); Grace v. Bank Leumi Trust Co., 443 F.3d 180, 192 (2nd Cir. 2006); Forsythe v. Hales, 255 F.3d 487, 490 (8th Cir. 2001)).

Additionally, the time for objections to the Report and Recommendation (Doc. 41), entered on November 4, 2011, is extended to **December 9, 2011**.

The Clerk is directed to send a copy of this Order, via certified mail, return receipt, to Defendants Baldwin Management, Inc., Martha Blow, Richard Blow, Learning Solutions,

