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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Dr. Guenter Stetter,

No. CV-09-1071-PHX-DGC

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Plaintiff/Counterdefendant,

ORDER

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vs.

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Blackpool, LLC; John R. Bickley IV;
and Burton D. Gould,

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Defendants/Counterclaimants.)

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Burton D. Gould,

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Counterclaimant,

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vs.

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John P. Dunbar,

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Counterdefendant.

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On January 19, 2010, the Clerk entered Defendant Blackpool, LLC's default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. Dkt. #108. Defendant John Bickley has filed a pro se motion to vacate default judgment of Blackpool, LLC. Dkt. #132. Because default judgment has not been entered, *see* Rule 55(b), the Court will construe Bickley's motion as a motion to set aside entry of default pursuant to Rule 55(c). For the reasons stated below, the motion will be denied.

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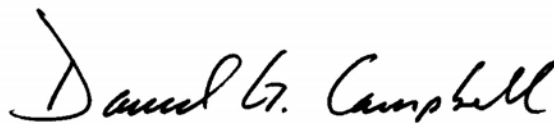
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"It is a longstanding rule that 'corporations and other unincorporated associations

1 must appear in court through an attorney.’’ *D-Beam Ltd. P’ship v. Roller Derby Skates, Inc.*,
2 366 F.3d 972, 973-74 (9th Cir. 2004) (alteration and citation omitted); *see Rowland v. Cal.*
3 *Men’s Colony, Unit II Men’s Advisory Counsel*, 506 U.S. 194, 201-202 (1993) (“It has been
4 the law for the better part of two centuries . . . that a corporation may appear in federal courts
5 only through licensed counsel.”) (citing *Osborn v. President of Bank of U.S.*, 9 Wheat. 738,
6 829, 6 L.Ed. 204 (1824)). Blackpool is a limited liability company. Bickley is not an
7 attorney licensed to practice before this Court or in any other jurisdiction. He therefore may
8 not file motions on behalf of Blackpool or otherwise represent the company in this action.
9 *See id.* Even as the sole shareholder of Blackpool (Dkt. #132 at 1), Bickley may not make
10 an “end run around” the general rule prohibiting pro se litigants from pursuing claims or
11 defenses on behalf of others in a representative capacity. *United States v. High Country*
12 *Broad. Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993); *see Simon v. Hartford Life, Inc.*, 546 F.3d
13 661, 664-65 (9th Cir. 2008) (citing cases applying rule).

14 **IT IS ORDERED** that Defendant John Bickley’s pro se motion to set aside entry of
15 Blackpool, LLC’s default (Dkt. #132) is **denied**.

16 DATED this 24th day of February, 2010.

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David G. Campbell
United States District Judge