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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Yusuf M. Bogor, on behalf of himself and
all others similarly situated,

No. CV 09-2260-PHX-JAT

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Plaintiff,

ORDER

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vs.

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American Pony Express, Inc., an Arizona
Corporation, a.k.a. Allstate Cab Company,
et al.,

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Defendants.

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Several motions are pending before the Court. First, the Court notes the parties who have appeared in this case have jointly moved to stay this case 60 days to allow the Defendants who have appeared to attempt to locate new counsel. The Court will not stay this case; however, the Court will extend certain deadlines as indicated below.

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With respect to the need for new counsel, the Court notes a motion to withdraw as counsel for all Defendants for whom he has appeared is pending from attorney Robert Jones. No client has consented to the motion. Accordingly, the Court will not rule on the motion until the time for the client(s) to object has expired. Additionally, the Court notes that Defendant American Pony Express, Inc. (a.k.a. Allstate Cab Company) cannot appear in federal court without counsel. *See Rowland v. Cal. Mens Colony, Unit II Men's Advisory Counsel*, 506 U.S. 194, 201-202 (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in federal courts only through licensed

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1 counsel.”). Therefore, if substitute counsel does not appear within five days after the motion
2 to withdraw is granted (assuming it is eventually granted), Plaintiff may move to strike
3 Defendant American Pony Express, Inc.’s answer and seek default.

4 Further the Court notes that Plaintiff is in the process of serving additional Defendants
5 who were added when the amended complaint was filed. Those new Defendants will be
6 bound by the deadlines established herein as indicated below.

7 Based on the foregoing,

8 **IT IS ORDERED** that Counsel Jones shall send a copy of this Order to all of his
9 clients for whom he seeks to withdraw from representation and shall file a proof of mailing.

10 **IT IS FURTHER ORDERED** that if a client does not object to the motion to
11 withdraw by September 8, 2010, the Court will deem the failure to object to be consent to
12 the motion to withdraw being granted.

13 **IT IS FURTHER ORDERED** that if withdrawal is granted for the corporate
14 Defendant and no substitute counsel appears within FIVE days of when withdrawal is
15 granted, Plaintiff may move to strike the corporate Defendant’s answer.

16 **IT IS FURTHER ORDERED** that the motion to stay (Doc. 147) is denied; however,
17 the parties may organize discovery however they deem appropriate within the deadlines set
18 forth below.

19 **IT IS FURTHER ORDERED** that Plaintiff shall serve and file a proof of service for
20 all newly added Defendants by **September 30, 2010**.

21 **IT IS FURTHER ORDERED** that all newly added Defendants shall answer or
22 otherwise respond to the second amended complaint (Doc. 123) within **20** days of being
23 served (even if service is by waiver).

24 **IT IS FURTHER ORDERED** that for any newly added defendant, Plaintiff must
25 serve a copy of this Order and a copy of the Rule 16 scheduling order with the complaint
26 (unless a newly added Defendant has already been served, in which case Plaintiff must send
27 them a copy of this Order and a copy of the Rule 16 scheduling order today and file a proof
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1 of mailing).

2 **IT IS FURTHER ORDERED** that the newly added Defendants are advised that they
3 are bound by both the Rule 16 Scheduling Order (as modified by this Order) and this Order.

4 **IT IS FURTHER ORDERED** extending the deadlines in this case as follows:

5 The deadline for the party with the burden of proof on an issue to disclosure experts
6 (as more specifically detailed in the Rule 16 Order) is **October 25, 2010;**

7 The deadline for responsive expert disclosures (as more specifically detailed in the
8 Rule 16 Order) is **November 30, 2010;**

9 The deadline for rebuttal expert disclosures is **December 13, 2010;**

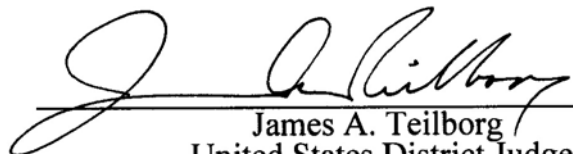
10 The deadline for completing all discovery is **February 14, 2011;**

11 The deadline for filing motions to decertify any class is **February 25, 2011;**

12 The deadline for filing dispositive motions is **May 31, 2011.**

13 DATED this 25th day of August, 2010.

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James A. Teilborg
United States District Judge