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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Cinthia Hernandez, et al.,

10 Plaintiffs,

11 v.

12 Tax Breaks Incorporated, et al.,

13 Defendants.
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No. CV-14-00512-PHX-ESW

ORDER

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16 On November 2, 2015, the Court ordered Defendant Tax Breaks, Inc. to obtain
17 counsel no later than November 16, 2015. Defendant Tax Breaks, Inc. has failed to do
18 so. No Notice of Appearance of Counsel has been filed on behalf of Defendant Tax
19 Breaks, Inc.

20 “A corporation may appear in the federal courts only through licensed counsel.”
21 *Rowland v. California Men’s Colony*, 506 U.S. 194, 201-02 (1993). Federal Rule of
22 Civil Procedure 16(f) provides that sanctions may be imposed when a party fails to abide
23 by a Court’s pre-trial order. Rule 37(b)(2)(A), Fed. R. Civ P., allows the Court to strike a
24 party’s pleading and enter default judgment against the party who fails to comply.

25 “Default against a corporation, or dismissal of its claims, is a permissible sanction
26 for its failure to comply with the requirement that it be represented by counsel.” *SEC v.*
27 *Graham II*, No. 2:09-CV-250JCM(LRL), 2010 WL 2802733, at *1 (D. Nev. July 15,
28 2010) (citing *United States v. High Country Broadcasting Co.*, 3 F.3d 1244, 1245 (9th

1 Cir. 1993)). Plaintiffs have filed an Application for Entry of Default against Tax Breaks,
2 Inc. (Doc. 56).

3 IT IS ORDERED striking Defendant Tax Breaks, Inc.'s Answer (Doc. 36) to
4 Plaintiffs' Amended Complaint (Doc. 34) pursuant to Federal Rules of Civil Procedure
5 16(f) and 37(b)(2)(A).

6 IT IS FURTHER ORDERED granting the Application for Entry of Default against
7 Tax Breaks, Inc. (Doc. 56) pursuant to Federal Rules of Civil Procedure 55(a). Default is
8 hereby entered against Defendant Tax Breaks, Inc. The issue of damages remains
9 pending, and the Court will set a default damages hearing upon completion of
10 consideration of dispositive motions.

11 IT IS FURTHER ORDERED that the Stipulation to Extend Deadline to File
12 Dispositive Motions (Doc. 55) is granted. The parties shall file dispositive motions no
13 later than February 1, 2016.

14 Dated this 20th day of January, 2016.

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19 Honorable Eileen S. Willett
20 United States Magistrate Judge
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