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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Horizon Community Bank,  
Plaintiff,  
vs.  
Land Bridge, LLC, et al.,  
Defendants.

No. CV-11-8017-PCT-GMS

ORDER

In an Order (Doc. 28) entered on April 4, 2011, the Court permitted counsel for defendant Land Bridge, LLC to withdraw without concurrent substitution of new counsel and warned Land Bridge that, as a limited liability company which could only appear in federal court through licensed counsel, it was subject to having its answer stricken and default and default judgment entered against it if it failed to substitute new counsel by May 16, 2011. Since a review of the record establishes that Land Bridge has to date failed to obtain new counsel, the Court finds that Land Bridge's answer (Doc. 13) should be stricken and that default should be entered against it.<sup>1</sup>

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<sup>1</sup>

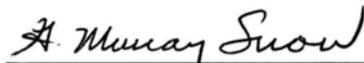
The Court notes that counsel representing all of Land Bridge's members informed the Court at the Scheduling Conference held on April 18, 2011, that the members consented to the withdrawal of Land Bridge's counsel, that Land Bridge would not be obtaining new counsel, and that they understood that Land Bridge would be defaulted.

1 See Employee Painters' Trust v. Ethan Enterprises, Inc., 480 F.3d 993, 998 (9<sup>th</sup>  
2 Cir.2007); United States v. High Country Broadcasting Co., Inc., 3 F.3d 1244, 1245  
3 (9<sup>th</sup> Cir.1993), *cert. denied*, 513 U.S. 826 (1994). The Court will not resolve the issue  
4 of whether default judgment should be entered against Land Bridge until the  
5 resolution of claims in this action against the individual defendants. See In re First  
6 T.D. & Investment, Inc., 253 F.3d 520, 532 (9<sup>th</sup> Cir.2001). Therefore,

7 IT IS ORDERED that defendant Land Bridge, LLC's Answer (Doc. 13) is  
8 stricken and that the Clerk of the Court shall enter default against defendant Land  
9 Bridge, LLC.

10 IT IS FURTHER ORDERED that the Motion to Withdraw as Counsel for  
11 Defendants Bobby and Kristen Shomer (With Consent) (Doc. 38) is granted pursuant  
12 to LRCiv 83.3(b)(1) and that Roger C. Decker and Robert Scott Currey and the law  
13 firm of Udall, Shumway & Lyons, P.L.C. are withdrawn as counsel solely for  
14 defendants Bobby Shomer and Kristen L. Shomer.<sup>2</sup>

15 DATED this 6th day of June, 2011.

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19 G. Murray Snow  
20 United States District Judge

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25 <sup>2</sup>

26 The Clerk of the Court is advised that the contact information for the  
defendants Shomer, who are now representing themselves, is set forth in  
document 38.