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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FOX HOLLOW OF TURLOCK OWNERS' ASSOCIATION, et al.,)	1:03cv5439 OWW DLB
)	
)	
Plaintiffs,)	ORDER REQUIRING FURTHER BRIEFING
)	
v.)	
)	
RICHARD SINCLAIR, et al.,)	
)	
)	
Defendants.)	

On June 6, 2011, Plaintiffs/Defendants/Cross-Defendants Fox Hollow of Turlock Owners' Association, California Equity Management Group, Inc., and Andrew Katakis filed a motion to compel against Defendants Mautrst, LLC, Lairtrust, LLC, and Capstone, LLC. The motion was withdrawn as to Mautrst, LLC. According to the certificate of service, the motion was served on Defendant Brandon Sinclair, "c/o Law Offices of Richard C. Sinclair."

On June 8, 2011, this Court granted Steven Stoker's motion to withdraw as counsel for Mautrst, LLC, Capstone, LLC and Lairtrust, LLC. The Court ordered the entities to file proof of attorney representation within 10 days. On June 17, 2011, Douglas Thornton filed a notice of appearance on behalf of Mautrst, LLC. Neither Capstone, LLC, nor Lairtrust, LLC, have provided proof of representation.

On June 24, 2011, Defendant Richard Sinclair, who is representing himself pro se in this action, filed an opposition to the motion to compel purportedly on behalf of Capstone, LLC, and

1 Lairtrust, LLC. The caption states that he is “specially appearing” on behalf of Capstone, LLC,
2 and “appearing” on behalf of Lairtrust, LLC.¹

3 This Court has previously cautioned Mr. Sinclair against representing other Defendants in
4 this action. On February 8, 2010, in granting a prior motion to withdraw as attorney of record for
5 Capstone, LLC, and Lairtrust, LLC, the Court stated:

6 Mr. Sinclair shall not represent any of the Defendants in the within action other
7 than himself, individually, and other than a non-individual Defendant in which he is and
8 at all times has been the sole owner.

9 Therefore, it is not clear who, if anyone, is properly acting on behalf of Defendants
10 Capstone, LLC, and Lairtrust, LLC, and received notice of this motion. Accordingly, the Court
11 orders the parties to submit further briefing to address this issue within ten (10) days of service of
12 this order. If Mr. Sinclair contends that he is qualified to represent the entities in this matter, his
13 additional briefing should address this issue.

14 IT IS SO ORDERED.

15 Dated: July 12, 2011

16 /s/ Dennis L. Beck
17 UNITED STATES MAGISTRATE JUDGE

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¹ The caption also states that he is “specially appearing for Plaintiff Mautrst, LLC if not answered by new counsel.” Mr. Sinclair is not attorney of record for Mautrst and has no authority to appear on its behalf. The Court cautions Mr. Sinclair against attempts to appear on behalf of Mautrst in the future.