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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ZONE SPORTS CENTER, LLC, et al.,
Plaintiffs,
v.
BEN RODRIGUEZ,
Defendant.

Case No. 1:11-cv-00622-SKO

**ORDER THAT PLAINTIFF ZONE
SPORTS CENTER, LLC, ENTER THE
APPEARANCE OF ITS COUNSEL
WITHIN 30 DAYS**

On August 15, 2013, this matter was stayed pending appeal, and it currently remains stayed.¹ On October 22, 2014, Plaintiffs' counsel filed a motion to withdraw, which was unopposed. On December 2, 2014, the motion was granted, but the Court noted Plaintiff Zone Sports Center, LLC ("Zone Sports") is an artificial entity which must retain counsel to pursue its claims in federal court. As such, Plaintiff Zone Sports was ordered to retain counsel within 30 days from the date of that order. Since that time, no appearance of counsel for Plaintiff Zone Sports has been made, and Plaintiff Zone Sports is currently unrepresented.

Because federal law requires any artificial entity to retain counsel to pursue claims in federal court, Plaintiff Zone Sports *must* obtain counsel to pursue its claims. *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 202 (1993); *United States v. High Country Broad. Co.*, 3 F.3d 1244,

¹ All claims of Plaintiffs Fresno Rock Taco, LLC, and The Fine Irishman, LLC, were dismissed as judicially estopped in the Court's March 6, 2013, order.

1 1245 (9th Cir. 1993) (per curiam).²

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The Clerk of Court is DIRECTED to serve this order on Zone Sports Center, LLC's
4 Agent for Service of Process, Milton Barbis, at 1044 E. Herndon Ave, Suite 106,
5 Fresno, California, 93720;
- 6 2. Plaintiff Zone Sports Center, LLC shall retain counsel who shall file a notice of
7 appearance within 30 days from the date of this order; and
- 8 3. If Plaintiff Zone Sports Center, LLC fails to retain counsel within 30 days, an order
9 to show cause will issue why Plaintiff Zone Sports' claims should not be dismissed
10 as an artificial entity pursuing claims without representation.

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IT IS SO ORDERED.

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Dated: May 7, 2015

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/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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² The Court notes that the California Secretary of State website identifies Plaintiff Zone Sports' agent for service of process as Milton Barbis. The Court also notes the California Secretary of State website indicates Plaintiff Zone Sports' status with the Secretary of State is "suspended."