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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARIA G. MORENO, *et al.*

Plaintiffs,

v.

CASTLEROCK FARMING AND  
TRANSPORT, INC., *et al*

Defendants.

Case No. 1:12-cv-00556-JLT-CDB

ORDER DENYING WITHOUT PREJUDICE  
PROPOSED SUBSTITUTION OF  
ATTORNEY

(Doc. 137)

On April 10, 2012, Plaintiffs filed a class action complaint against Defendants Castlerock Farming and Transport, Inc., J.L. Padilla & Sons Labor Service, Inc., Albert L. Good, and Melba Nunez Contracting. (Doc. 1). According to the operative complaint and other pleadings, Defendant Melba Nunez Contracting (form unknown) is a business entity and farm labor contractor. (Docs. 45, 86-1). Defendant Melba Nunez Contracting owned, controlled, or operated a business or establishment that employed class members in this case. (Doc. 45).

Pending before the Court is the application of Defendant Melba Nunez Contracting for substitution of attorney. (Doc. 137). Although Defendant purports to substitute “Itself (In proper)” in the place and stead of its current law firm (Raimondo Miller ALC), an entity may appear only by an attorney. *See* Local Rule 183(a). Unlicensed layerpersons, including the owners of companies, officers of a corporation, partners of a partnership, and members of association may

1 not represent their entities “pro se.” *Rowland v. California Men’s Colony, Unit II Men’s Advisory*  
2 *Council*, 506 U.S. 194, 201-02 (1993) (“It has been the law for the better part of two  
3 centuries...that a corporation may appear in the federal courts only through licensed  
4 counsel....[T]hat rule applies equally to all artificial entities.”); *United States v. High Country*  
5 *Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (same); *In re Bigelow*, 179 F.3d 1164,  
6 1165 (9th Cir. 1999) (same).

7 Here, it appears Defendant Melba Nunez Contracting’s request, if granted, would leave it  
8 without counsel and in violation of Local Rule 183(a).

9 Accordingly, it is HEREBY ORDERED that Defendant Melba Nunez Contracting’s  
10 application for substitution of attorney (Doc. 137) is DENIED WITHOUT PREJUDICE.

11 IT IS SO ORDERED.

12 Dated: December 11, 2023

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15 UNITED STATES MAGISTRATE JUDGE  
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