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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 TERRI HAYNES ROACH,,

11 Plaintiff,

12 v.

13 TATE PUBLISHING & ENTERPRISES,
14 LLC, et al.,

15 Defendants.

Case No. 1:15-cv-00917-SAB

ORDER REQUIRING DEFENDANTS'
APPEARANCE AT MARCH 22, 2017
HEARING AND DIRECTING
DEFENDANTS' COUNSEL TO FILE AN
AFFIDAVIT SUPPLEMENTING THE
MOTION TO WITHDRAW AS COUNSEL

(ECF No. 45)

16 Plaintiff filed this copyright infringement action on June 15, 2015, against Defendants
17 Tate Publishing & Enterprises, LLC, Tate Music Group, and Richard Tate. On February 16,
18 2017, Defendants' counsel filed a motion to withdraw as counsel. The motion to withdraw is
19 currently set to be heard on March 22, 2017, at 10:00 a.m.¹

20 Upon review of the motion to withdraw, the Court determines that it is necessary to have
21 Defendant Richard Tate and representatives for Defendants Tate Publishing & Enterprises, LLC,
22 and Tate Music Group personally appear at the March 22, 2017 hearing. However, Defendant
23 Richard Tate and representatives for Defendant Tate Publishing & Enterprises, LLC, and/or
24 Defendant Tate Music Group may request to appear by video or telephonically. Any request to
25 appear by video or telephonically should be made to the Court by and through Defendants'
26 counsel. Defendants' counsel shall be required to personally serve all Defendants with a copy of
27 this order.

28 ¹ Plaintiff's motion to lift the stay in this action is also set to be heard on March 22, 2017, at 10:00 a.m.

1 Upon a review of Defendants' counsel's motion to withdraw and the attached declaration
2 of John L. Migliazzo, the Court finds that Defendants' counsel shall file an affidavit
3 supplementing their motion to withdraw. Local Rule 182(d) provides that "[t]he attorney shall
4 provide an affidavit stating the current or last known address or addresses of the client and the
5 efforts made to notify the client of the motion to withdraw." L.R. 182(d).

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. Defendant Richard Tate and representatives for Defendants Tate Publishing &
8 Enterprises, LLC, and Tate Music Group, SHALL APPEAR **at the Robert Coyle
9 Federal Courthouse, 2500 Tulare Street, Fresno, CA on March 22, 2017, at
10 10:00 a.m. in Courtroom 9;**
- 11 2. Personal appearance is required by Defendant Richard Tate and representatives
12 for Defendants Tate Publishing & Enterprises, LLC, and Tate Music Group,
13 unless the Court grants their request by and through their counsel to appear by
14 video or telephonically;
- 15 3. Defendants' counsel shall personally serve a copy of this order on Defendants
16 Richard Tate, Tate Publishing & Enterprises, LLC, and Tate Music Group, and
17 file proof of service on or before March 17, 2017;
- 18 4. Defendants' counsel shall file an affidavit in compliance with Local Rule 182(d)
19 on or before March 17, 2017; and
- 20 5. Defendants are forewarned that failure to appear at the March 22, 2017 hearing in
21 compliance with this order may result in the issuance of sanctions, up to and
22 including entry of default.

23 IT IS SO ORDERED.

24 Dated: March 9, 2017

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27 UNITED STATES MAGISTRATE JUDGE
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