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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

No. 2:12-cv-0631 LKK CKD PS

vs.

THE LITTLE BELGIUM DELI, LLC,

Defendant.

ORDER

_____ /

This matter was referred to the undersigned under Local Rule 302(c)(21).¹ The answer filed on May 23, 2012 on behalf of the defendant corporation appears to have been signed by Eric Nordby, an officer of the corporation identified as a managing member. See *dk.* nos. 1-2, 11. There is no indication that this individual is an attorney. It is well established that “a corporation may appear in the federal courts only through licensed counsel.” Rowland v. California Men’s Colony, 506 U.S. 194, 202 (1993); see also In re America West Airlines, 40 F.3d 1058 (9th Cir. 1994) (non-attorney members of partnership cannot appear on behalf of partnership). Because the responsive pleading was not filed by an attorney, it will be stricken. Defendant will be afforded a limited amount of time in which to retain counsel.

_____ ¹ The four other defendants named in this action have been dismissed. The remaining defendant is proceeding pro se.

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Accordingly, IT IS HEREBY ORDERED that:

1. The answer filed May 23, 2012 (dkt. no. 11) is stricken.
2. No later than December 3, 2012, defendant shall obtain counsel. Failure to obtain counsel may result in the entry of default judgment against defendant.

Dated: October 30, 2012



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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