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5 Attorneys for Plaintiff
 Robert Kalani

8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

11 ROBERT KALANI,
 12 Plaintiff,
 13 vs.

14 LEONE B. WIEBE, TRUSTEE OF THE
 15 LEONE B. WIEBE FAMILY TRUST
 DATED JUNE 13, 1990; HOLLYWOOD
 16 CAFÉ LODI, A CALIFORNIA
 CORPORATION dba HOLLYWOOD
 17 FAMILY CAFÉ,
 18 Defendants.

) No. 2:12-cv-00959-LKK-DAD
)
) **STIPULATION FOR DISMISSAL OF**
) **ACTION; ORDER**

21 IT IS HEREBY STIPULATED by and between Plaintiff Robert Kalani and Defendant
 22 Leone B. Wiebe, Trustee of the Leone B. Wiebe Family Trust Dated June 13, 1990, the parties
 23 who have properly appeared in this action, by and through their respective counsel, that
 24 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action be
 25 dismissed with prejudice in its entirety. Each party is to bear its own attorneys' fees and costs.

26 Date: April 22, 2013

MOORE LAW FIRM, P.C.

27 /s/Tanya E. Moore
 28 Tanya E. Moore
 Attorney for Plaintiff Robert Kalani

1 Date: April 16, 2013

DOWNEY BRAND LLP

2
3 /s/ Elizabeth B. Stallard _____

4 Elizabeth B. Stallard

5 Attorneys for Defendant Leone B. Wiebe, Trustee
6 of the Leone B. Wiebe Family Trust Dated June
7 13, 1990

8
9 **ORDER**

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11 1. The Answer of “Hollywood Café Lodi, a California Corporation dba
12 Hollywood Family Café,” was submitted by Darlene Machado, who identifies herself as
13 “Defendant In Pro Per.” It appearing that Ms. Machado is not an attorney, she may not make
14 an appearance on behalf of defendant, nor file an Answer on its behalf. E.D. Cal. R. 183(a)
15 (“A corporation or other entity may appear only by an attorney”); C.E. Pope Equity Trust v.
16 U.S., 818 F.2d 696, 697 (9th Cir. 1987) (non-attorney “has no authority to appear as an
17 attorney for others than himself”). Accordingly, the Answer (ECF No. 28), is hereby stricken,
18 and defendant is deemed not to have made an appearance in this action.

19 2. The only other defendant, “Leone B. Wiebe, Trustee of the Leone B. Wiebe
20 Family Trust Dated June 13, 19990,” appearing by counsel, has stipulated with plaintiff to the
21 dismissal of this action with prejudice in its entirety, with each party to bear its own attorneys’
22 fees and costs. ECF No. 34.

23 Accordingly, the remaining parties having so stipulated,

24 IT IS HEREBY ORDERED that this action be dismissed with prejudice in its entirety.

25
26 **IT IS SO ORDERED.**

27 Dated: April 22, 2013

28 

LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT