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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAMSES GUTIERREZ, individually
and on behalf of all others similarly
situated, et al.,

Plaintiffs,

v.

CARTER BROTHERS SECURITY
SERVICES, LLC; AT&T DIGITAL LIFE,
INC.; PACIFIC BELL TELEPHONE
COMPANY dba AT&T DATACOMM,
INC.; AT&T CORP.; and DOES 1
through 10, inclusive,

Defendants.

No. 2:14-cv-00351-MCE-CKD

MEMORANDUM AND ORDER

On June 27, 2017, this Court denied a motion to withdraw from Gordon & Rees LLP, the law firm representing Defendant Carter Brothers Security Services, LLC. Because Carter Brothers is not a natural person and therefore cannot represent itself in propria persona, see E.D. Cal. L.R. 183(a), the Court exercised its discretion to deny the motion and to grant Carter Brothers sixty (60) days to retain new counsel, ECF No. 97. The Court also stated that “[i]f new counsel is not retained within sixty (60) days, the Court will grant the Motion to Withdraw, strike Carter Brothers’s Answer, and enter default judgment against it.” Id. at 2.

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1 On August 25, 2017—the last day of the 60-day deadline—John Carter, the
2 president of Carter Brothers sent a letter to chambers requesting an additional two
3 weeks to obtain counsel, which was filed on the docket. ECF No. 99. Because Gordon
4 & Rees LLP, however, was still counsel of record for Carter Brothers, and Carter
5 Brothers could only appear before this Court through an attorney, see E.D. Cal. L.R.
6 183(a) (“A corporation or other entity may appear only by an attorney.”), the letter could
7 not be construed as a motion. The Court then ordered that Carter Brothers have until
8 September 8, 2017 to seek—through counsel—any modification of the Court’s June 27,
9 2017 Memorandum and Order.

10 No motion having been filed by Carter Brothers, Gordon & Rees LLP’s Motion to
11 Withdraw, ECF No. 88, is now GRANTED. Furthermore, Carter Brothers’s Answer, ECF
12 No. 64, is STRICKEN, and default judgment is entered against Carter Brothers.

13 IT IS SO ORDERED.

14 Dated: September 14, 2017

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16 MORRISON C. ENGLAND, JR.
17 UNITED STATES DISTRICT JUDGE
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