

United States District Court  
For the Northern District of California

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

AMERICAN PRESIDENT LINES, LTD., et al.,

Petitioners,

v.

CBI INDUSTRIES, INC.,

Respondent

No. C-08-5110 MMC

**ORDER RE: ROBERT FRANCIS'S LETTER DATED DECEMBER 23, 2008; EXTENDING DEADLINE FOR RESPONDENT TO FILE RESPONSE TO PETITION; CONTINUING CASE MANAGEMENT CONFERENCE AND CORRESPONDING DEADLINES**

Before the Court is a letter, written by Robert Francis ("Francis"), dated December 23, 2008 and filed by the Clerk of the Court on December 30, 2008. In his letter, Francis states that "the papers were served" on his home in Miami, Florida on December 5, 2008, that he learned of such serve on December 11, 2008, and that he has been unsuccessful in locating California counsel; Francis requests a "continuance in this case" in order to afford respondent time to located California counsel.

The only respondent herein is a corporation.<sup>1</sup> "A corporation may appear in federal court only through licensed counsel." See United States v. High Country Broadcasting Co., 3 F.3d 1244, 1245 (9th Cir. 1993) (affirming entry of default, where corporation failed to appear by counsel). Consequently, the Court will afford respondent a short continuance in

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<sup>1</sup>Because petitioners have served Francis, it would appear Francis is an agent for respondent.

1 order to locate counsel, and, accordingly, extends the following deadlines and dates:

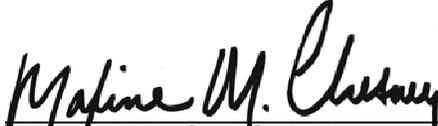
2 1. The deadline for respondent to file a response to the Petition for Order  
3 Confirming Arbitration is hereby EXTENDED to January 30, 2009. If, as of said date,  
4 respondent has not, through counsel, filed a response, petitioners may move for entry of  
5 default. See id.

6 2. The Case Management Conference is hereby CONTINUED from February 13,  
7 2009 to March 13, 2009; the other deadlines set forth in the Order Setting Initial Case  
8 Management Conference and ADR Deadlines are hereby CONTINUED accordingly.

9 Any request for a further continuance must be supported by a specific showing of  
10 good cause. See Fed. R. Civ. P. 6(b)(1), 16(e)(4).

11 **IT IS SO ORDERED.**

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13 Dated: January 13, 2009

  
MAXINE M. CHESNEY  
United States District Judge

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