IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUNIPER NETWORKS, INC.,

Plaintiff,

v.

JUNIPER MEDIA, LLC,

Defendant.
_____/

No. C 11-03906 WHA

ORDER STRIKING IMPROPER MOTION TO DISMISS COMPLAINT

On September 15, 2011, Charles T. Schaeffer filed a "pro se" motion to dismiss the complaint on behalf of defendant Juniper Media, LLC (Dkt. No. 13). Mr. Schaeffer is the founder of Juniper Media, but he does not claim to be an attorney (Schaeffer Decl. ¶ 1). Plaintiff timely opposed the motion. No reply was filed. Plaintiff also moved to strike Mr. Schaeffer's motion "because it violates Civil L.R. 3-9(b), which prohibits a company from appearing before the Court other than through a member of the bar of this Court" (Dkt. No. 16 at 1). No opposition to plaintiff's motion to strike was filed.

"It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel." *Rowland v. Cal. Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 201–02 (1993). Civil Local Rule 3-9(b) codifies this law as follows: "A corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court." Accordingly, Mr. Schaeffer's "pro se" motion to dismiss on behalf of defendant Juniper Media, LLC was improper.

Plaintiff's motion to strike the motion to dismiss is **GRANTED**. The motion to dismiss is **STRICKEN**. In light of these rulings, plaintiff's motion for jurisdictional discovery is **DENIED AS MOOT**. The motion hearing previously set for November 3, 2011, is **VACATED**. The case management conference set for the same day will go forward as planned.

IT IS SO ORDERED.

Dated: October 24, 2011.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE