

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LARRY J AUSTIN, et al.,
Plaintiffs,
v.
GRAHAM TAYLOR, et al.,
Defendants.

Case No. 15-cv-00162-JSC

**ORDER DENYING PLAINTIFFS’
SUBSTITUTION OF ATTORNEY**

Re: Dkt. Nos. 18 & 19

Plaintiffs Larry Austin, Furama Los Angeles, Inc., and Dragon Charm, LLC filed this civil action in January 2015. The Court has granted Plaintiffs three extensions of time to serve the complaint. On the deadline to file their amended complaint, Plaintiffs instead filed a notice of substitution of attorney seeking to replace attorney James Braden with themselves in pro se and a further motion for extension of time to amend and serve their complaint. (Dkt. Nos. 18 & 19.) Plaintiffs’ notice of substitution is DENIED for failure to comply with the local rules and the motion for an extension of time is STRICKEN as it was improperly filed by Plaintiffs pro se.

Civil Local Rule 11-5 sets forth the requirements whereby counsel can seek leave to withdraw. Plaintiffs’ counsel must file a motion that complies with the Local Rules. Further, two of the Plaintiffs here are corporations and a corporation cannot proceed pro se. See Civ. L.R. 3-9(b) (“A corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court.”); see also *Rowland v. California Men’s Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993) (“a corporation may appear in the federal courts only through licensed counsel”). Plaintiffs Furama Los Angeles, Inc., and Dragon Charm, LLC, thus must obtain alternate legal counsel to proceed with this action.

Accordingly Plaintiffs’ counsel, James Braden, shall file a motion which complies with

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this Order and the Local Rules **on for before November 12, 2015**. Failure to do so may result in the dismissal of this action without prejudice for failure to prosecute.

This Order disposes of Docket Nos. 18 and 19.

IT IS SO ORDERED.

Dated: November 4, 2015


JACQUELINE SCOTT CORLEY
United States Magistrate Judge