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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOLDEN GATE WAY, LLC,
Plaintiff,
v.
STEWART ET AL,
Defendants.

No. C-09-04458 DMR

**ORDER FOR DEFENDANT LEONARD
A. GROSS PROFESSIONAL
CORPORATION TO RETAIN
COUNSEL NO LATER THAN
DECEMBER 30, 2011 AND RESETTING
HEARING AND BRIEFING SCHEDULE
ON PLAINTIFF’S DISCOVERY
MOTIONS**

On January 26, 2011, the court issued an order permitting the withdrawal of Andrew Lloyd of the Lloyd Law Group and substitution of Leonard A. Gross, Esq. as counsel for Defendants Leonard A. Gross and Leonard A. Gross Professional Corporation. [Docket No. 149.] It has since come to the court’s attention that Leonard A. Gross’ status as an attorney with the California Bar is no longer active. In order to practice as an attorney in this Court, a lawyer must be in good standing with the State Bar of California. See Civil L.R. 11-1(b).

A corporation, unincorporated association, partnership or other such entity may appear only through a member of a bar of this court. Civil L.R. 3-9(b); *Rowland v. California Men’s Colony*, 506 U.S. 194, 201-02 (1993) (“It has been the law for the better part of two centuries, for example, that a corporation may appear in the federal courts only through licensed counsel.”). A corporate defendant that fails to appear in court through licensed counsel is in default, and the plaintiff is

1 entitled to entry of default against it. *United States v. High Country Broadcasting Co.*, 3 F.3d 1244,
2 1245 (9th Cir. 1993).

3 Accordingly, the court hereby ORDERS Defendant Leonard A. Gross Professional
4 Corporation to retain counsel **no later than December 30, 2011**. The court notes that if Defendant
5 Leonard A. Gross Professional Corporation fails to retain counsel, its Answer may be stricken and
6 default entered against it.

7 It is FURTHER ORDERED that Plaintiff Golden Gate Way, LLC's Motion to Compel
8 Responses to Discovery From Defendants Leonard A. Gross and Leonard A. Gross Professional
9 Corporation (Docket No. 192) and Motion for Sanctions Related to Discovery Abuses by
10 Defendants Leonard A. Gross and Leonard A. Gross Professional Corporation (Docket No. 194)
11 ("discovery motions") are re-set for hearing on **February 2, 2012 at 10:30 a.m.** at the U.S. District
12 Court, 1301 Clay Street, Oakland, California 94612. For courtroom number and floor information,
13 please check the court's on-line calendar at <http://www.cand.uscourts.gov> (click "Calendars" link on
14 left side, click link to Judge Ryu's calendar) or call Judge Ryu's Courtroom Deputy, Ivy Garcia, at
15 (510) 637-3639, one week prior to the scheduled hearing.

16 The deadline for filing oppositions to the discovery motions has long since passed.
17 However, in light of medical conditions that Mr. Gross has brought to the court's attention (*see, e.g.*,
18 Docket Nos. 200 and 207), the court finds that it is appropriate to grant Defendants Leonard A.
19 Gross and Leonard A. Gross Professional Corporation leave to file late opposition briefs to these
20 motions. Any oppositions to the motions shall be filed by **no later than January 13, 2012**. Any
21 replies shall be filed by **January 20, 2012**.

22
23 IT IS SO ORDERED.

24
25 Dated: December 7, 2011

