

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

3
4 CRATERS & FREIGHTERS, a Colorado
5 Corporation, and CRATERS &
6 FREIGHTERS FRANCHISE COMPANY,

7 Plaintiff,

8 v.

9 DAISYCHAIN ENTERPRISES, a
10 California Corporation, dba
11 FREIGHT & CRATE; CATHY BENZ, an
12 individual; and FRED BENZ, an
13 individual,

14 Defendants.

No. C 09-4531 CW

ORDER CLARIFYING
DENIAL OF
APPLICATION FOR
ADMISSION OF
ATTORNEY PRO HAC
VICE

(Docket No. 241)

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Plaintiff requests that the Court clarify its denial of Plaintiff's application for attorney Andres Guevara to appear pro hac vice in this case. Docket No. 241. The Court based its denial on Civil Local Rule 11-3(a)(3), which provides that the applicant submit an oath certifying, in part, "[t]hat an attorney, identified by name and office address, who is a member of the bar of this Court in good standing and who maintains an office within the State of California, is designated as co-counsel." Mr. Guevara identified John Schmitz as local co-counsel. However, Mr. Schmitz does not maintain an office within the State of California. Mr. Guevara's assertion that Mr. Schmitz "uses virtual office space in the State of California when needed" is not sufficient. Docket No. 237. The Court notes that Mark Punzalan, an attorney who maintains an office in Redwood City, California is listed as an attorney of record for Plaintiff on the Court's docket. If Mr. Guevara resubmits his application,

1 certifying that Mr. Punzalan continues to act as local co-counsel
2 in this case, the Court will grant the application.

3 The Court also notes that Mr. Schmitz, who maintains an
4 office in Colorado, has not applied to appear pro hac vice.
5 However, Mr. Schmitz is a member of the bar of this Court.
6 Accordingly, he may appear in this Court without local co-counsel.

7 See Civ. Local R. 11-1

8 IT IS SO ORDERED.

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10 Dated: January 8, 2016



11 CLAUDIA WILKEN
12 United States District Judge
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