

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

3  
4 KUMAN BANQUE, LLC,

No. C 11-4472 CW

5                                    Plaintiff,

ORDER REGARDING  
ATTORNEY STEPHEN

6                                    v.

J. HASSING'S  
MOTION TO WITHDRAW  
AS COUNSEL FOR  
PLAINTIFF KUMAN  
BANQUE, LLC

7 BRYNEE K. BAYLOR; BAYLOR &  
8 JACKSON, PLLC; THE MILAN GROUP,  
9 INC.; SUSAN KEVRA-SHINER, as  
10 Executrix for the estate of Frank  
11 Lorenzo Pavlico III; GPH  
12 HOLDINGS, LLC; PATRICK LEWIS;  
13 BRETT A. COOPER; DAWN R. JACKSON;  
14 SUSAN C. KEVRA; MIA C.  
15 BALDASSARI; ELMO BALDASSARI; THE  
16 LAW OFFICE OF SUSAN C. KEVRA; and  
17 DOES 1-50,

18                                    Defendants.

19  
20 \_\_\_\_\_/

21                                    On April 7, 2013, attorney Steven J. Hassing filed a motion  
22 to withdraw as counsel for Plaintiff Kuman Banque, LLC and noticed  
23 it for hearing on May 16, 2013 at 2:00 p.m. Docket No. 136.  
24 Because Plaintiff was served with a copy of the motion by mail,  
25 its response to the motion must be filed no later than April 24,  
26 2013. See Civil Local Rule 7-3(a).

27                                    The motion to withdraw appears to be well-taken. Thus,  
28 Plaintiff is notified that, if it fails to file a written  
opposition by April 22, 2013 or to appear at the May 16, 2013  
hearing to oppose the motion, the motion to withdraw will be  
granted. Withdrawal may be subject to the condition that Mr.  
Hassing continues to accept service of papers for forwarding  
purposes until Plaintiff has obtained new counsel.

1 Further, as an LLC, Plaintiff cannot represent itself to  
2 prosecute this case. See Civil Local Rule 3-9(b) ("A corporation,  
3 unincorporated association, partnership or other such entity may  
4 appear only through a member of the bar of this Court."); D-Beam  
5 Ltd. P'ship v. Roller Derby Skates, Inc., 366 F.3d 972, 973-74  
6 (9th Cir. 2004) ("It is a longstanding rule that corporations and  
7 other unincorporated associations must appear in court through an  
8 attorney."). Accordingly, Plaintiff is notified that, if the  
9 motion to withdraw is granted, it must find substitute counsel to  
10 represent it. If Mr. Hassing's motion is granted, the Court will  
11 permit Plaintiff fourteen days in which to locate new counsel and  
12 have counsel make an appearance in this case. Plaintiff is  
13 forewarned that, if it does not find counsel to represent it and  
14 to make an appearance in this case within the time permitted, the  
15 Court will dismiss its case for failure to prosecute.

16 The Clerk is directed to serve a copy of this Order upon  
17 Plaintiff at the addresses listed on pages five to six of Mr.  
18 Hassing's motion. The Clerk is also directed to serve a copy of  
19 this Order upon Larry Kudla and Meilin Liu at the email addresses  
20 listed on those pages of the motion.

21 IT IS SO ORDERED.

22  
23 Dated: 4/8/2013

24  
25  
26  
27  
28  
  
CLAUDIA WILKEN  
United States District Judge