

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

KUMAN BANQUE, LLC,

No. C 11-4472 CW

Plaintiff,

ORDER DISMISSING  
CASE FOR FAILURE  
TO PROSECUTE AND  
TERMINATING  
PENDING MOTIONS  
MOOT

v.

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

Defendants.

On May 17, 2013, the Court granted attorney Steven J. Hassing's motion to withdraw as counsel for Plaintiff Kuman Banque, LLC. Docket No. 144. The Court noted in the order that, because Plaintiff is an LLC, it cannot represent itself in this matter and, if it wishes to prosecute this case, it must locate new counsel to represent it. The Court permitted Plaintiff fourteen days to locate new counsel and have that counsel make an appearance in the case. Plaintiff was warned that, if it did not find counsel to represent it and to make an appearance within the time permitted, the Court would dismiss its case based on its failure to prosecute.<sup>1</sup>

<sup>1</sup> On April 8, 2013, the Court cautioned Plaintiff that it would need to locate new counsel if the motion to withdraw were granted and warned Plaintiff of the consequences if it failed to do so. Docket No. 137.

1       As of the date of this Order, no new attorney has entered an  
2 appearance on behalf of Plaintiff. Plaintiff also has not sought  
3 additional time to locate new counsel. Accordingly, the Court  
4 dismisses this case in its entirety for failure to prosecute.

5       Because this case is dismissed, Defendants Dawn Jackson and  
6 Mia Baldassari's motions to set aside entry of default and  
7 Jackson's motion to quash service and dismiss are terminated as  
8 moot. Docket Nos. 110, 127, 129 and 135.<sup>2</sup>

9       IT IS SO ORDERED.

10      Dated: 6/3/2013

  
CLAUDIA WILKEN  
United States District Judge

27       <sup>2</sup> Because several of the pro se Defendants appear to believe  
28 that default judgment has been entered against them in this case,  
the Court clarifies that no such judgment has been issued.