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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

NETCIRQ, LLC,

Defendant.

Case No. [15-mc-80289-KAW](#)

**ORDER STRIKING RESPONDENT'S
REPLY TO THE APPLICATION TO
ENFORCE COMPLIANCE WITH
ADMINISTRATIVE SUBPOENA**

Re: Dkt. No. 8

On November 25, 2015, the Securities and Exchange Commission (the “Commission”) applied for a court order commanding Respondent NetCirq, LLC’s (“NetCirq”) compliance with the Commission’s administrative subpoena issued in the course of its ongoing, nonpublic investigation. (Dkt. No. 1.) Pursuant to an agreement of the parties, the deadline for Respondent to file an opposition was January 27, 2016, and the hearing was continued to February 18, 2016. (Dkt. No. 5 at 2 n. 2.) NetCirq did not file a timely opposition.

On February 16, 2016, Kristen Wade,¹ CEO of NetCirq, filed a reply brief on behalf of the corporation. At the February 18, 2016 hearing, Ms. Wade admitted that she is not an attorney. Corporations must appear through an attorney licensed to practice in the jurisdiction. *See, e.g., D-Beam Ltd. P'ship v. Roller Derby Skates, Inc.*, 366 F.3d 972, 973 (9th Cir. 2004). Since NetCirq cannot represent itself, and Ms. Wade is not licensed to practice in the Northern District of California, her reply brief must be stricken, and the Court does so on its own motion. *See Dr. JKL Ltd. v. HPC IT Educ. Ctr.*, 749 F. Supp. 2d 1038, 1048 (N.D. Cal. 2010).

¹ At the hearing, Ms. Wade informed the Court that her name was now Kristen Ayer. Notwithstanding, she filed the reply brief as “Kristen Wade,” so, for the purposes of this order, the undersigned will refer to her as Ms. Wade.

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The Government shall serve a copy of this order on Ms. Wade.

IT IS SO ORDERED.

Dated: February 22, 2016


KANDIS A. WESTMORE
United States Magistrate Judge