

United States District Court  
For the Northern District of California

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E-FILED on 10/22/09

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

STEVE TRACHSEL; SUN CITY TOWERS, a  
California corporation, LLC; THOMAS  
CIRRITO; ATOCHA LAND, LLC, a Delaware  
limited liability company; MICHAEL  
CIRRITO; and CIRRITO HOLDINGS, LLC, a  
Delaware limited liability company,

Plaintiffs,

v.

RONALD BUCHHOLZ; CHARICE  
FISCHER; RDB DEVELOPMENT, LLC, a  
Nevada limited liability company; SOLOMON  
CAPITAL, INC., a Nevada corporation;  
JONATHON VENTO; GRACE CAPITAL,  
LLC dba GRACE COMMUNITIES, an  
Arizona limited liability company; DONALD  
ZELEZNAK; Z-LOFT, LLC, an Arizona  
limited liability company; ZELEZNAK  
PROPERTY MANAGEMENT, LLC, an  
Arizona limited liability company; KELLER  
WILLIAMS REALTY, INC., a Texas  
corporation; and DOES 1 through 50,

Defendants.

No. C-08-02248 RMW

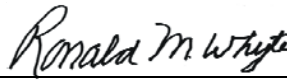
ORDER TO SHOW CAUSE

Plaintiffs Thomas Cirrito, Steve Trachsel, and Michael Cirrito, individuals, Atocha Land, LLC and Cirrito Holdings, LLC, Delaware limited liability companies, and Sun City Towers, LLC, a California corporation, brought this action relating to investments in a real estate project. On July

1 31, 2009, the court granted plaintiffs' then-counsel's motion to withdraw. The court ordered Sun  
2 City Towers, LLC, Atocha Land, LLC, and Cirrito Holdings, LLC to retain new counsel and file a  
3 notice of appearance by August 14, 2009 because as corporations they may only appear through a  
4 member of the bar of this court. Civ. L. R. 3-9(b). Failure to comply with this order is an  
5 appropriate ground for dismissal. *See Multi Denominational Ministry of Cannabis and Rastafari,*  
6 *Inc. v. Gonzales*, 474 F. Supp. 2d 1133, 1141 (N.D. Cal. 2007) (dismissing claims brought by a  
7 corporate plaintiff without attorney representation).

8 The court therefore orders Sun City Towers, LLC, Atocha Land, LLC, and Cirrito Holdings,  
9 LLC to appear on November 20, 2009, and show cause why their complaint should not be dismissed  
10 with prejudice for failure to retain new counsel by the court ordered deadline of August 14, 2009.

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13 DATED: 10/22/09

  
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RONALD M. WHYTE  
United States District Judge

1 **A copy of this document has been mailed to:**

2 **Plaintiffs:**

3 Steve Trachsel  
4 1225 Koch Lane  
5 San Jose, CA 95125

6 Thomas Cirrito  
7 9163 Old Dominion Drive  
8 McLean, VA 22102

9 Michael Cirrito  
10 3314 R Street NW  
11 Washington, DC 20007

12 Sun City Towers, LLC  
13 Steve Trachsel  
14 1225 Koch Lane  
15 San Jose, CA 95125

16 Atocha Land, LLC  
17 Thomas Cirrito  
18 9163 Old Dominion Drive  
19 McLean, VA 22102

20 Cirrito Holdings, LLC  
21 Michael Cirrito  
22 3314 R Street NW  
23 Washington, DC 20007

24 **Notice of this document has been electronically sent to:**

25 **Counsel for Defendants:**

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29 Counsel are responsible for distributing copies of this document to co-counsel that have not  
30 registered for e-filing under the court's CM/ECF program.

31 **Dated:** 10/22/09

JAS  
Chambers of Judge Whyte