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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

United States District Court

12 BE IN, INC., a New York Corporation,) Case No.: 5:12-CV-03373-LHK
 13)
 14 Plaintiff,)
 15 v.) ORDER REQUIRING BE IN, INC. TO
 16) FILE A NOTICE OF SUBSTITUTION
 17 GOOGLE INC., a California corporation;) OF COUNSEL
 18 RICHARD ROBINSON, an individual, and)
 Does 1 through 3 inclusive,)
 Defendants.)

19 On February 19, 2013, counsel for Plaintiffs filed a Notice of Motion and Motion to
 20 Withdraw as Counsel for Plaintiff. See ECF No. 28 (“Mot.”). Plaintiff’s counsel contends that
 21 good cause exists to permit Movants’ withdrawal of counsel of record because “Be In has breached
 22 and remains in breach of agreements with or obligation to Movants as to expenses and fees.” Mot.
 23 at 2. Movants also assert that they have taken reasonable steps to avoid foreseeable prejudice to Be
 24 In. Id. at 4. Further, Movants state that Be In has “located replacement counsel, although the
 25 substitution has not yet been executed.” Id. On March 5, 2013, Defendants filed a Statement of
 26 Non-Opposition to Motion to Withdraw as Counsel for Plaintiff. ECF No. 29.
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1 Pursuant to Civil Local Rule 3-9(b), “[a] corporation, unincorporated association,
2 partnership or other such entity may appear only through a member of the bar of this Court.”
3 Therefore, Be In, Inc., a New York corporation, cannot represent itself in this matter. See Rowland
4 v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 202-03 (1993) (holding
5 that only natural persons can petition courts themselves and appear pro se); see also Licht v.
6 America West Airlines, 40 F.3d 1058, 1059 (9th Cir.1994) (“Corporations ... must appear in court
7 through an attorney.”). Thus, by March 13, 2013, Be In, Inc. shall file a Notice of Substitution of
8 Counsel.

9 **IT IS SO ORDERED.**

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11 Dated: March 6, 2013


LUCY H. KOH
United States District Judge