

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02604-CMA-KLM

CELLECT LLC, a Colorado limited liability company,

Plaintiff,

v.

HTC AMERICA, INC., a Washington corporation,

Defendant.

ORDER DISCHARGING ORDER TO SHOW CAUSE

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the **Order to Show Cause** [#30] issued on March 27, 2014. On February 21, 2014, Plaintiff's former counsel sought to withdraw from representing Plaintiff, explaining that a potential conflict of interest had arisen between Plaintiff and its attorneys and that Plaintiff had asked its attorneys to withdraw. *Motion to Withdraw Appearance* [#26] at 1. The Court granted this request on February 24, 2014. *Minute Order* [#28]. The Court warned Plaintiff, which is a Colorado limited liability company, that a corporation, partnership, or other legal entity "may not appear without counsel admitted to the bar of this court" *Id.* (quoting D.C.COLO.LAttyR 6). The Court therefore ordered Plaintiff to obtain new counsel and have counsel enter an appearance no later than March 18, 2014. *Minute Order* [#28]. The Court warned Plaintiff that "absent prompt appearance of substitute counsel, pleadings and papers may be stricken, and default judgment or other sanctions may be imposed against the entity." *Id.* (quoting

D.C.COLO.LAttyR 6). Prior to the Order to Show Cause [#30], Plaintiff's non-legal representative had not contacted the Court for any purpose and new counsel had not timely entered an appearance on Plaintiff's behalf. Accordingly, the Court issued the Order to Show Cause requiring Plaintiff to show cause why this Court should not recommend that this case be dismissed pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute and failure to comply with a Court Order [#28]. On April 11, 2014, Plaintiff's new counsel entered an appearance [#31] and filed a Response [#32] to the Order to Show Cause. Based on the Response,

IT IS HEREBY **ORDERED** that the Order to Show Cause [#30] issued on March 27, 2014 is **DISCHARGED**.

Dated: April 11, 2014

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kristen L. Mix".

Kristen L. Mix
United States Magistrate Judge