

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ADVANTAIRA TRUST, LLC, FBO Eric
Honcharenko IRA #XXXX401, a
Florida limited liability company

Plaintiff,

v.

Case No: 2:14-cv-76-FtM-38DNF

G SQUARE INVESTMENTS, INC.
and GLENN GREEN,

Defendants.

ORDER¹

This matter comes before the Court on the Magistrate Judge Douglas N. Frazier's Order Allowing Plaintiff's Counsel, The Absolute Law Firm, to Withdraw ([Doc. #25](#)) filed on June 18, 2014. In his Order allowing Counsel to withdraw, Judge Frazier directed the Plaintiff, Advantaira Trust, LLC, to obtain new counsel within thirty (30) days of the date of the Court's Order. The Court issued an Order to Show Cause ([Doc. #29](#)) on August 7, 2014, requiring the Plaintiff to show cause in writing why it had failed to obtain counsel as directed by the Court. On August 20, 2014, Judge Frazier re-issued his Order to insure that the Plaintiff was properly notified that the case would be dismissed unless it retain counsel within thirty (30) days.

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.

Judge Frazier directed the Plaintiff to obtain counsel because the Plaintiff is an LLC and cannot appear *pro se*. Under Local Rule 2.03(e), a corporation may appear and be heard only through counsel admitted to the Court pursuant to Local Rule 2.01 or 2.02. The rule is well established that a corporation is an artificial entity that can only be represented through its agents. [Palazzo v. Gulf Oil Corp.](#), 764 F.2d 1382, 1385 (11th Cir. 1985). It cannot appear in judicial proceedings *pro se* but must instead be represented by licensed counsel. [Id.](#) The general rule that corporations must be represented by an attorney in judicial actions applies even where the person seeking to represent the corporation is its president and/or major stock holder. [Id.](#)


The Plaintiff was warned that it had up to and including September 19, 2014, to obtain new counsel or have the case dismissed. To date no attorney has made an appearance on behalf of the Plaintiff. Therefore, the Plaintiff's case is due to be dismissed.

Accordingly, it is now

ORDERED:

The Plaintiff Advantaira Trust, LLC's Complaint is hereby **DISMISSED** without prejudice. The Clerk of the Court is directed to enter judgment accordingly, terminate any pending motions and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 23rd day of September, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record