

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PEDRO CERRITOS, on his own behalf
and others similarly situated

Plaintiff,

v.

Case No: 2:14-cv-342-FtM-38DNF

PERFORMANCE PLUMBING OF
SOUTHWEST FLORIDA, INC.,
LARRY LANGLEY and RANDAL
LANGLEY,

Defendants.

ORDER¹

This matter comes before the Court on Plaintiff's Motion to Strike Defendant, Performance Plumbing of Southwest Florida, Inc.'s, Pro Se Answer to Complaint ([Doc. #14](#)) filed on August 21, 2014. Although given the opportunity, Defendants did not timely file a response. This matter is now ripe for review.

On June 23, 2014, Plaintiff Pedro Cerritos initiated an action against Defendants Performance Plumbing of Southwest Florida, Inc., Larry Langley and Randal Langley. ([Doc. #1](#)). Thereafter, the three Defendants jointly filed a *pro se* response to the Complaint. ([See Doc. #12](#)). Now, Cerritos moves to strike the response to the Complaint with respect to Performance Plumbing of Southwest Florida, Inc. because this particular

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defendant is a corporation that must be represented by an attorney. In addition, Cerritos requests that Performance Plumbing of Southwest Florida, Inc. be given 30 days to obtain legal counsel. Upon consideration, the Court finds the motion is due to be granted. As argued by Cerritos, corporations must be represented by an attorney. [Palazzo v. Gulf Oil Corp.](#), 764 F.2d 1381, 1385 (11th Cir. 1985) (“The rule is well established that a corporation is an artificial entity that can act only through agents, cannot appear *pro se*, and must be represented by counsel.”) (citations omitted). Thus, a corporation like Performance Plumbing of Southwest Florida, Inc. must appear and be heard in this Court only through legal counsel admitted to the court pursuant to Local Rules 2.01 or 2.02. See M.D. Fla. 2.03(d).

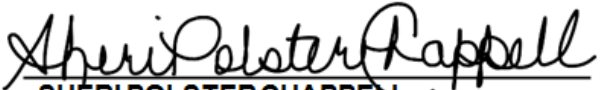
Accordingly, it is now

ORDERED:

1. Motion to Strike Defendant, Performance Plumbing of Southwest Florida, Inc.'s, Pro Se Answer to Complaint ([Doc. #14](#)) is **GRANTED**. The response to the Complaint ([Doc. #12](#)) is **STRICKEN** with respect to Defendant Performance Plumbing of Southwest Florida, Inc. *only*.
2. Defendant Performance Plumbing of Southwest Florida, Inc. is directed to obtain an attorney. Its attorney should appear on the docket no later than **October 9, 2014**. Otherwise, Defendant Performance Plumbing of Southwest Florida, Inc. is directed to file a motion for additional time to obtain counsel. Defendant Performance Plumbing of Southwest Florida, Inc. is hereby warned that failure to obtain an attorney in a timely manner may result in default against Defendant Performance Plumbing of Southwest Florida, Inc.

3. The Clerk is directed to mail a copy of this Order to Defendants.

DONE and **ORDERED** in Fort Myers, Florida this 9th day of September, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record