

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

STEVEN HOWALD, on his own
behalf and others similarly situated,

Plaintiff,

vs.

CASE NO.: 3:10cv174/MCR/MD

BAY SAND COMPANY, INC.,
a Florida Profit Corporation,

Defendant.

_____ /

ORDER

This matter is referred to the undersigned on the document entitled "Defendant's Answer" submitted for filing and signed by Eva M. Abrahamsen, as President of Bay Sand Company, Inc. "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." Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1385 (11th Cir. 1985). Accordingly, defendant shall be allowed thirty (30) days from the date of entry of this order to retain proper representation in this action. Should counsel fail to appear on behalf of defendant within the allotted time, the court will assume defendant has no intention of defending this action and default will be entered accordingly.

It is, therefore, ORDERED:

1. The document entitled "Defendant's Answer" and signed by Eva M. Abrahamsen, as President of Bay Sand Company, Inc., shall be returned by the clerk without filing. The clerk is directed to include a copy of this order with the returned document to Bay Sand Company, Inc., by regular U.S. mail to 1344 North Beal Extension, Fort Walton Beach, Florida 32547.

2. Defendant shall be allowed thirty (30) days from the date of entry of this order to retain proper representation in this action. Counsel must file a written notice of appearance within the prescribed time period. Failure to do so will result in entry of a default.

DONE and ORDERED this 6th day of July, 2010.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE