

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PHILLIP GILMAN,	)	
<i>Plaintiff,</i>	)	
	)	
vs.	)	1:13-cv-1465-JMS-MJD
	)	
HAMILTON ACCOUNTS SERVICES, INC.,	)	
<i>Defendant.</i>	)	

**ORDER**

Plaintiff Phillip Gilman filed a Complaint against Defendant Hamilton Accounts Service, Inc. (“Hamilton Accounts”), on September 13, 2013. [Dkt. 1.] On October 9, 2013, Todd Luedeke, the President of Hamilton Accounts, filed a letter in response to the Complaint. [Dkt. 8.]

Hamilton Accounts is a corporation and corporations are “legally incapable of appearing in court unless represented by counsel.” *Philos Techs., Inc. v. Philos & D, Inc.*, 645 F.3d 851, 858 (7th Cir. 2011). Therefore, “corporations must appear by counsel or not at all.” *Id.* “[I]t is well-established that a non-lawyer cannot represent or appear on behalf of a corporation in federal court . . . even when the person seeking to represent the corporation is its president.” *Lewis v. Lenc-Smith Mfg. Co.*, 784 F.2d 829, 831 (7th Cir. 1986).

**Because there is no indication that Mr. Luedeke is a lawyer, he cannot represent or appear on behalf of Hamilton Accounts as counsel in this litigation. Accordingly, his letter, [dkt. 8], has no legal effect and must be STRICKEN from the docket. The Court extends Hamilton Accounts’ time to answer or otherwise respond to Mr. Gilman’s Complaint pursuant to the Federal Rules of Civil Procedure until November 15, 2013. Any subsequent filings on behalf of Hamilton Accounts must be made by counsel.**

10/11/2013



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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