

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<p>ALEX F. ISAAC, ET AL., Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>FERNANDO ABAD, Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 16-10330-NMG</p>
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MEMORANDUM AND ORDER

GORTON, J.

On March 31, 2016, this Court issued a Memorandum and Order (Docket No. 4) granting plaintiff Alex Isaac's ("Isaac") Motion for Leave to Proceed *in forma pauperis*, but denying permission for the co-plaintiff, Para Sports & Entertainment ("PSE"), to proceed *in forma pauperis* because an artificial entity is not eligible to proceed *in forma pauperis*. Additionally, this Court directed PSE to pay, by April 21, 2016, the apportioned filing and administrative fee of \$200.00 if it wished to proceed with this action. Further, this Court ordered that all claims of PSE would be dismissed by April 21, 2016 unless a Notice of Appearance was filed by duly-licensed counsel because the company could not proceed *pro se*, nor could Isaac represent the company as a non-attorney. This Court noted that if no duly-licensed counsel appeared, a further Order would issue permitting only the claims of Isaac to proceed.

To date, PSE has failed to pay the \$200.00 filing fee as directed, and no duly-licensed counsel has appeared for PSE.<sup>1</sup>

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<sup>1</sup>On April 26, 2016, Isaac contacted the Clerk's Office to advise that he would not be paying the \$200.00 filing fee for

Accordingly, for the reasons set forth in the Memorandum and Order (Docket No. 4) and for the reasons stated herein, it is hereby Order that all claims of PSE are DISMISSED.

Next, with respect to the remaining plaintiff (Alex Isaac), this Court previously questioned whether it has diversity jurisdiction under 28 U.S.C. § 1332(a)(2) insofar as it appeared that the claims concerning unpaid loans by the defendant inured to PSE and not to Isaac individually, and thus Isaac's amount in did not appear to exceed \$75,000.00.

In light of this, Isaac is directed to file an Amended Complaint within 35 days of the date of this Memorandum and Order. The Amended Complaint must set forth plausible claims upon which relief may be granted based on alleged wrongdoings to him and not to PSE. Isaac must also demonstrate a good faith basis for asserting that the amount in controversy, based on his individual claims, exceeds \$75,000.00. Failure to comply with this directive will likely result in a dismissal of this action.

**So ordered.**

Dated: May 10, 2016

/s/ Nathaniel M. Gorton  
Nathaniel M. Gorton  
United States District Judge

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PSE. On May 2, 2016, Isaac sent an Update (Docket No. 6) indicating that he agrees to the dismissal of the claims of PSE and that no attorney will be hired for it. He also indicated he intends to pursue his individual claims.