

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

PROGRESSIVE BUYERS & SELLERS,)
LLC and JULIE CARPER,)
)
 Plaintiffs,)
)
 vs.)
)
 COLDWELL BANKER TOWN &)
 COUNTRY REALTY OF KEARNEY,)
 LLC, et al.,)
)
 Defendants.)

4:09CV3232

**ORDER AND
NOTICE OF HEARING**

This matter is before the magistrate judge on the Motion to Withdraw (Doc. 120) filed by plaintiffs' remaining attorney, David G. Sigale. The "Certificate of Attorney and Notice of Electronic Filing" attached to the motion indicates that a copy of the motion was sent "to Julie Carper's (in her individual capacity and as manager of Progressive Buyers & Sellers, LLC) last known address and e-mail address" on July 8, 2010.

Plaintiff, Progressive Buyers & Sellers, LLC, is an artificial entity. The law permits corporations and other artificial entities to appear in federal courts only through licensed counsel. See, e.g., *Ackra Direct Mktg. Corp. v. Fingerhut Corp.*, 86 F.3d 852, 857 (8th Cir. 1996). The claims asserted by Progressive Buyers & Sellers, LLC may be dismissed for failure to prosecute, pursuant to Fed. R. Civ. P. 41(b), if it is not represented by counsel.

Individuals who are parties to federal proceedings have the right to represent themselves personally without a lawyer. 28 U.S.C. § 1654. That right does not extend to permit them to represent other people or entities because by doing so they would be engaging in the unauthorized practice of law. Thus, a layperson may not represent a separate legal entity such as a corporation or a limited liability company. See, e.g., *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007); *In re ICLNDS Notes Acquisition, LLC*, 259 B.R. 289, 293 (Bankr. N.D. Ohio 2001). While plaintiff, Julie Carper, may represent herself, she cannot represent Progressive Buyers & Sellers, LLC in this litigation unless she is a licensed attorney.

IT IS ORDERED:

1. The motion to withdraw (#120) is set for evidentiary hearing on the record before Magistrate Judge F. A. Gossett on **Monday, August 2, 2010 at 10:30 AM** in Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.

2. Julie Carper and David G. Sigale are required to attend the hearing.

3. Moving counsel shall serve a copy of this Order and Notice of Hearing on Julie Carper and Progressive Buyers & Sellers, LLC **by certified mail, return receipt requested.**

4. On or before **July 20, 2010**, moving counsel shall file a certificate of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.

5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if Progressive Buyers & Sellers, LLC retains substitute counsel and substitute counsel enters a written appearance by the **close of business (4:30 PM) on Friday, July 30, 2010.** The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not suffice to satisfy the requirement of a written appearance.

DATED July 9, 2010.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**