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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

	* * *	
WENDY J. PAULUK, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	2:07-cv-01681-PMP -VCF
v.	)	
	)	<b>ORDER</b>
CLARK COUNTY HEALTH DISTRICT,	)	
	)	
Defendant.	)	
	)	

Before the court is the action of *Wendy J. Pauluk, et al. v. Clark County Health District*, (Case No. 2:07-cv-01681-PMP -VCF).

*Pro se* plaintiff Dr. Pauluk filed a motion to compel production of decedent’s tissues on March 16, 2011. (#71). On April 4, 2011, plaintiff Dr. Pauluk filed a motion to stay the action due to her “chronic medical condition.” (#73). The court granted the stay on April 7, 2011, and stayed the action until further order from the court. (#74). Defendant Clark County Health District filed an opposition to the motion to compel on April 12, 2011. (#75). Plaintiff’s reply was due on April 22, 2011. *Id.* In light of the stay, plaintiff Dr. Pauluk did not file a reply in support of her motion to compel. The court held a status conference on February 2, 2012, regarding the stay of the action and the status of plaintiff Dr. Pauluk’s medical condition. (#87).

During the status conference, the court held that plaintiff Estate of Daniel Pauluk must retain counsel<sup>1</sup>, and that on or before April 2, 2012, counsel for the Estate shall enter an appearance in this action. *Id.* The court also held that the Estate’s counsel and any non-represented plaintiffs shall meet with defense counsel on or before May 2, 2012, to set a discovery plan and scheduling order. *Id.* In

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<sup>1</sup> Estates may not proceed *pro se* in Federal Court, and must be represented by counsel. *Simon v. Hartford Life and Accident Ins. Co.*, 546 F.3d 661, 664-65 (9th Cir.2008) (holding that “courts have routinely adhered to the general rule prohibiting *pro se* plaintiffs from pursuing claims on behalf of others in a representative capacity.”)

1 addition to the rulings made during the status conference, the court hereby orders the Estate's counsel  
2 and any non-represented plaintiffs to file a reply in support of the motion to compel (#71) within thirty  
3 (30) days from the Estate's counsel entering an appearance in this action.

4 Accordingly, and for good cause shown,

5 IT IS ORDERED that counsel for plaintiff Estate of Daniel Pauluk shall enter an appearance in  
6 this action on or before April 2, 2012. Failure to retain counsel will result in the court issuing an order  
7 to show cause as to why the court shouldn't recommend that the action be dismissed for failure to  
8 prosecute.

9 IT IS FURTHER ORDERED that counsel for the Estate and any non-represented plaintiffs shall  
10 meet with defense counsel on or before May 2, 2012, to set a discovery plan and scheduling order.

11 IT IS FURTHER ORDERED that counsel for the Estate and any non-represented plaintiffs shall  
12 file a reply in support of the motion to compel (#71) within thirty (30) days from the Estate's counsel  
13 entering an appearance in this action.

14 DATED this 2nd day of February, 2012.

15  
16 

17 **CAM FERENBACH**  
18 **UNITED STATES MAGISTRATE JUDGE**