

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

13 This matter is before the court on the Motion to Withdraw as Counsel of Record (Dkt. #31) filed
14 June 12, 2013. Gabriel L. Grasso seeks to withdraw as counsel of record for Defendants Michael
15 Calcaterra and Intercellular Sciences, LLC. The Motion represents that these Defendants have failed to
16 pay for legal services rendered, and further representation would be an unreasonable financial burden
17 on counsel. Additionally, Defendants have not been in contact with counsel since May 17, 2013,
18 despite counsel's efforts to contact them. Local Rule IA 10-6 provides that "no withdrawal . . . shall be
19 approved if delay of discovery, the trial or any hearing in the case would result." The Complaint (Dkt.
20 #1) was filed in this case on February 26, 2013. The parties have not yet filed a proposed discovery
21 plan and scheduling order and a number of Defendants have been defaulted.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw (Dkt. #31) is GRANTED.
 2. A corporation cannot appear except through counsel. *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Therefore, Defendant Intercellular Sciences, LLC, shall

1 have until **July 19, 2013**, in which to retain new counsel who shall file a notice of
2 appearance in accordance with the Local Rules of Practice.

- 3 3. Defendant Michael Calcaterra shall have until **July 19, 2013**, in which to either retain
4 new counsel who shall file a notice of appearance in accordance with the Local Rules of
5 Practice or file a notice that he will appear pro se.
6 4. Failure to comply with this order may result in a recommendation to the District Judge
7 for sanctions, including case-dispositive sanctions.
8 5. The Clerk of Court shall serve a copy of this Order on Defendants at:

9 Michael Calcaterra
10 Intercellular Sciences, LLC
11 13092 Sandy Key Bend #4
N. Fort Meyers, FL 33903

12 Dated this 19th day of June, 2013.

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14 PEGGY A. LEEN
15 UNITED STATES MAGISTRATE JUDGE
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