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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

THE BANK OF NEW YORK MELLON,

Plaintiff,

v.

LAS VEGAS DEVELOPMENT GROUP
LLC, et al.,

Defendants.

Case No. 2:16-cv-00478-JCM-GWF

ORDER

This matter is before the Court on Defendant Alessi & Koenig, LLC's failure to retain new counsel. On July 6, 2018, the Court granted Steven Loizzi, Jr. Esq.'s Motion to Withdraw as Counsel for Defendant Alessi & Koenig, LLC and instructed Defendant to retain new counsel no later than August 3, 2018. See ECF No. 43. On August 21, 2018, the Court issued an Order regarding Defendant's failure to retain new counsel and instructed Defendant to advise the Court if it will retain new counsel no later than September 3, 2018. See ECF No. 50. On August 23, 2018, the Court withdrew its Order (ECF No. 50) because there was no indication in this matter that Defendant's bankruptcy petition had been dismissed without discharge or that the automatic stay had been lifted. On August 31, 2018, Interested Party Shelley D. Krohn filed a Response informing the Court that the automatic stay in Defendant's bankruptcy case was terminated for all purposes, with the exception that collection of a judgment obtained against the debtor may only be pursued in the United States Bankruptcy Court for the District of Nevada. See ECF No. 54. Defendant, therefore, must retain new counsel if it intends to litigate this matter. A corporation or limited liability company may appear in federal court only through licensed counsel. *U.S. v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). To date, Defendant has failed to retain new counsel. Accordingly,

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IT IS HEREBY ORDERED that Defendant Alessi & Koenig, LLC shall have until **September 14, 2018** to advise the Court if it will retain new local counsel. Failure to comply shall result in the issuance of an order to show cause why sanctions should not be imposed.

Dated this 5th day of September, 2018.



GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE