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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 ARMANDO JOACHIN, on his behalf and on,)
9 behalf of others similarly situated,)

10 Plaintiff,)

11 vs.)

12 HOMETOWN EATS, INC., et al.,)

13 Defendants.)

Case No. 2:18-cv-00793-GMN-DJA

ORDER

14 This matter is before the Court on Defense Counsel Scott A. Knight's Motion to Withdraw
15 (ECF No. 52), filed on September 16, 2019. Pursuant to Local Rule ("LR") IA 11-6, "[n]o attorney
16 may withdraw after appearing in a case except by leave of Court after notice has been served on the
17 affected client and opposing counsel." See LR IA 11-6(b). Having reviewed the motion, the Court
18 finds that requirements of LR IA 11-6(b) have been met. Mr. Knight indicates that communication with
19 Defendants has ceased and Defendants have failed to make timely payment of money owed to the firm
20 necessitating his withdrawal. The Court will require that Defendants Rex F. Henriott and Alejandra
21 Meza-Cervantes notify the Court by October 16, 2019 as to their intent to proceed pro se or with other
22 representation. Failure to do so may result in dispositive sanctions.

23 Further, the Court will require Defendant Hometown Eats, Inc. to advise the Court if it will
24 retain new counsel by October 16, 2019 as it must retain new counsel if it intends to continue to litigate
25 this matter. See *United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam);
26 *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that "[c]orporations and other
27 unincorporated associations must appear in court through an attorney."). Filing a notice of new counsel
28 on or before October 16, 2019 is sufficient to comply with the Court's order. Failure to respond may

1 result in a recommendation to the United States District Judge assigned to this case that dispositive
2 sanctions be issued against Defendant Hometown Eats, Inc.

3 **IT IS HEREBY ORDERED** that Defense Counsel Scott A. Knight's Motion to Withdraw
4 (ECF No. 52) is **granted**.

5 **IT IS FURTHER ORDERED** that Defendants Rex F. Henriott and Alejandra Meza-Cervantes
6 shall notify the Court as to whether they intend to proceed pro se or retain counsel by **October 16,**
7 **2019**. Failure to notify the Court as to their representation status may subject them to dispositive
8 sanctions, including a recommendation for dismissal of this action.

9 **IT IS FURTHER ORDERED** that Defendant Hometown Eats, Inc. shall have until **October**
10 **16, 2019** to advise the Court if it will retain new counsel. Failure to notify the Court as to their new
11 representation may subject it to dispositive sanctions, including a recommendation for dismissal of this
12 action.

13 **IT IS FURTHER ORDERED** that the Clerk of the Court shall add the last known addresses of
14 Defendants to the civil docket and send a copy of this Order to Defendants' last known addresses:

15 Rex F. Henriott

16 1801 North Green Valley Parkway, #2211

17 Henderson, NV 89074

18 702-763-0836

19 rexhenriott@yahoo.com

20 Alejandra Meza-Cervantes

21 1801 North Green Valley Parkway, #2211

22 Henderson, NV 89074

23 702-763-0831

24 alemessages31@yahoo.com

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1 Hometown Eats, Inc.
2 c/o Registered Agent, Alejandra Meza-Cervantes
3 5715 South Pecos Road
4 Las Vegas, NV 89120
5 702-763-0831
6 Alemessages31@yahoo.com

7 Dated this 18th day of September, 2019.

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11 **Daniel J. Albregts**
12 **United States Magistrate Judge**

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