

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Eric Kohli,

Plaintiff

V.

Pacific Bay Lending Group and Miss Elegant Expo,

Defendants

Case No. 2:20-cv-00538-CDS-NJK

**Order Granting Plaintiff's Motion for
Default and Striking Plaintiff's Motion for
Summary Judgment**

[ECF Nos. 152, 153]

10 Plaintiff Eric Kohli moves for default against defendants Pacific Bay Lending Group and
11 Miss Elegant Expo (collectively “the unrepresented defendants”). Magistrate Judge Koppe
12 previously issued a Report and Recommendation (R&R) recommending that I issue default
13 against the unrepresented defendants.¹ After the time period for filing objections to the R&R
14 passed with no objections filed, I adopted the R&R in its entirety and directed Kohli to file a
15 motion for default.²

Having reviewed the motion for default,³ I grant Kohli's motion and enter default against Pacific Bay Lending Group and Miss Elegant Expo. The unrepresented defendants never responded to Magistrate Judge Koppe's order to show cause addressing the requirement that corporate entities be represented by counsel in federal court, *see* ECF No. 118, nor have they responded to Kohli's motion for default.

23 ¹ See R&R, ECF No. 134.

||² Order, ECF No. 138.

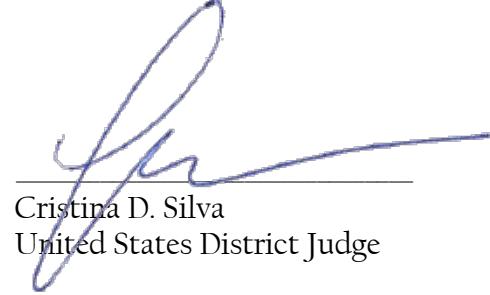
24 ³ Kohli filed a motion for default judgment, which was consistent with my order. See ECF No. 138.
25 However, the court inadvertently directed Kohli to file a motion for default judgment instead of a motion
26 for default. Accordingly, the court will not require Kohli to refile his motion and instead grants default,
consistent with the Magistrate Judge's R&R recommending entry of *default*, not *default judgment*. Further,
the court sua sponte strikes the duplicative filing, docketed as a motion for summary judgment, at ECF
No. 152.

1 Accordingly, because corporate entities cannot proceed in federal court without licensed
2 counsel, entry of default against the unrepresented defendants is appropriate and I grant Kohli's
3 motion. However, for the reasons set forth in the R&R, the court will not enter default
4 judgment against Pacific Bay Lending Group and Miss Elegant Expo at this time. *See* ECF No.
5 134 at 2. Judgment against the unrepresented defendants will be addressed at the conclusion of
6 this case.

7 IT IS HEREBY ORDERED that Kohli's motion for default [ECF No. 153] is
8 **GRANTED.**⁴

9 IT IS FURTHER ORDERED the duplicative filing, docketed as a motion for summary
10 judgment [ECF No. 152] is stricken.

11 DATED: November 15, 2023



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13 Cristina D. Silva
14 United States District Judge
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26 ⁴ The Clerk of Court already entered default against Pacific Bay Lending Group and Miss Elegant Expo.
See ECF No. 139.