NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
SUSAN D. WIGENTON
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING COURTHOUSE
50 WALNUT ST.
NEWARK, NJ 07101
973-645-5903

May 4, 2018

Jeff Storey
Digital Advertising Displays Inc.
P.O. Box 63
Larkspur, CO 80118
Plaintiff

LETTER OPINION FILED WITH THE CLERK OF THE COURT

Re: Digital Advertising Displays Inc. v. Dhando Investments Inc. et al.
Civil Action No. 18-2171 (SDW) (CLW)

Mr. Storey:

Before this Court is Plaintiff Digital Advertising Displays, Inc.'s ("Plaintiff") Motion for Extension of Time to Serve Defendants and Retain Counsel. This Court having considered Plaintiff's submission, having reached its decision without oral argument pursuant to Federal Rule of Civil Procedure 78, for the reasons discussed below, **DENIES** Plaintiff's motion and **DISMISSES** Plaintiff's Complaint without prejudice.

BACKGROUND & PROCEDURAL HISTORY

On February 14, 2018, Plaintiff filed suit against Defendants in this Court. (Dkt. No. 1.) Plaintiff, a "corporation organized in the State of Colorado, having its principle place of business at 9200 East Mineral Ave., Centenniel, CO 80112" filed its Complaint "acting Pro Se." (*Id.* at 1-2). On March 1, 2018, the Clerk of the Court entered a Quality Control Message on the electronic docket, informing Plaintiff that "although an individual is entitled to proceed pro se, a corporation must be represented by counsel." On April 2, 2018, Plaintiff informed the Court that it "plans to have legal counsel in place for this case and we are currently in the process of interviewing legal counsel now." (Dkt. No. 3.) On April 30, 2018, Plaintiff moved for an extension of time to serve defendants and to retain counsel. (Dkt. No. 4.)

DISCUSSION

"It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel." *Rowland v. Cal. Men's Colony, Unit II*

Men's Advisory Council, 506 U.S. 194, 201-02 (1993); *see also United States v. Cocivera*, 204 F.3d 566, 572-73 (3d Cir. 1996); *In re 69 N. Franklin Tpk., LLC*, 693 Fed. Appx. 141, 144 (3d Cir. 2017). Plaintiff was informed of this requirement on March 1, 2018, but has not yet hired an attorney. Plaintiff has had ample time to cure this deficiency and allowing this matter to proceed any longer would "eviscerate the requirement that corporations and other entities by represented by counsel." *In re 69 N. Franklin Tpk.*, 693 Fed. Appx. at 144 (internal citations omitted). Therefore, Plaintiff's motion will be denied and its Complaint dismissed without prejudice.

CONCLUSION

For the reasons set forth above, Plaintiff's Motion for Extension of Time to Serve Defendants and Retain Counsel is **DENIED** and this matter is **DISMISSED without prejudice**. An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
Cathy L. Waldor, U.S.M.J.