UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAVINO DEL BENE U.S.A., INC.,

Plaintiff,

-v-

INTERNATIONAL PAPER SOLUTIONS CO.,

Defendant.

20 Civ. 8745 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

For the reasons stated on the record during the January 11, 2022 conference, Mark. D. Herman's unopposed request to withdraw as counsel for Defendant International Paper Solutions Co. is granted. Defendant is advised that, as a corporation, it cannot proceed *pro se* and that it must engage new counsel, who shall file a notice of appearance by February 10, 2022. *See Eagle Assocs. v. Bank of Montreal*, 926 F.2d 1305, 1308-10 (2d Cir. 1991) (holding that a corporation may not appear *pro se* or be represented by a non-lawyer). In the event that no attorney appears on behalf of Defendant, Plaintiff shall file a letter by February 10, 2022 advising the Court on proposed next steps, including whether Plaintiff intends to move for default judgment. Mr. Herman is ordered to provide a copy of this Order to Defendant and to advise Defendant that failure to engage new counsel by the February 10, 2022 deadline may result in a default judgment.

The Clerk of Court is respectfully directed to terminate Mark D. Herman as counsel for Defendant.

SO ORDERED.

Dated: January 11, 2022
New York, New York

JOHN P. CRONAN
United States District Judge

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