

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHERLIN JORGE,

Plaintiff,

-v-

JAIME ARACENA and URS MIDWEST INC. d/b/a
URS AUTO,

Defendants.

CIVIL ACTION NO. 23 Civ. 8573 (JHR) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The docket sheet in this case does not accurately reflect the counsel for the parties due to filing errors by Plaintiff's counsel. Counsel Timothy Jenks represents Defendants Jaime Aracena and URS Midwest Inc. d/b/a URS Auto in this action (ECF No. 2 at 2 (listing Mr. Jenks as counsel for Defendants in the Civil Cover Sheet); see ECF Nos. 1–2 (filings by Mr. Jenks on behalf of Defendants)), and his appearance has been recorded correctly.

While it appears that counsel Eric Goldman has attempted to enter an appearance on behalf of Plaintiff Sherlin Jorge, he has not succeeded in doing so. On November 6, 2023, attorney Noah Reiss filed a notice of appearance signed by Mr. Goldman. (ECF No. 3). Attorneys practicing in this Court must enter appearances from their own ECF accounts, and thus the notice of appearance was improperly filed. (ECF Rules & Instructions, Section 20, available at nysd.uscourts.gov/sites/default/files/pdf/ecf_rules/ECF%20Rules%2020230724%20FINAL.pdf (“an attorney may use his or her ECF account to electronically file a Notice of Appearance on his or her own behalf but not on behalf of another attorney”) (last visited November 14, 2023)). Further, the docket text Mr. Reiss entered to accompany the deficient filing indicated that

Mr. Reiss was appearing for Defendant Jaime Aracena, rather than the Plaintiff. (Id.) On the same day, Mr. Reiss filed a demand for a jury trial signed by Mr. Goldman on behalf of Defendant Jaime Aracena, whom neither he nor Mr. Goldman represent. (ECF No. 4). On November 7, 2023, the following day, Mr. Reiss filed another notice of appearance and demand for a jury trial signed by Mr. Goldman (ECF Nos. 5–6), which, although this time indicating in the docket text that they were filed on behalf of Plaintiff, are deficient for the same reasons; namely, that Mr. Reiss cannot enter an appearance for another attorney, and Mr. Reiss has not himself appeared in the action. These mistaken filings have led to Mr. Reiss—not Mr. Goldman—being listed as counsel for Defendant Jaime Aracena and for “All Plaintiffs,” but not as counsel for Plaintiff. These four filings (ECF Nos. 3–6) are deficient and are STRICKEN.

By **November 16, 2023**, Mr. Goldman shall enter an appearance for Plaintiff from his own ECF account. If Mr. Reiss wishes to also enter an appearance for Plaintiff, he may also do so from his own ECF account. Thereafter, counsel of record for Plaintiff may file a demand for a jury trial. By **November 15, 2023**, Defendants’ counsel shall serve a copy of this Order on Mr. Goldman and file proof of service on the docket. Mr. Goldman and Mr. Reiss are advised to familiarize themselves with this Court’s rules and filing procedures.

The Clerk of Court is respectfully directed to strike ECF Nos. 3–6 and to terminate Mr. Reiss as counsel.

Dated: New York, New York
November 14, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge