

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:20-CV-00070-KDB-DSC**

SUNBELT RENTALS INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
MICHAEL GUZMAN, JESSICA GUZMAN AND SECOND LIFE EQUIPMENT LLC,)	
)	
Defendants.)	

ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion to Compel Discovery from Defendants Michael Guzman and Jessica Guzman” (document #62), Defendants’ “Consent Motion for Extension of Time to File Joint Proposed Pretrial Schedule” (document #85), Terry C. Frank and Terry Frank Law’s “Motion to Withdraw as Counsel for Michael Guzman, Jessica Guzman and Second Life Equipment LLC” (document #86) and James S. Bell and James S. Bell P.C.’s “Motion to Withdraw as Counsel for Michael Guzman” (documents #87 and #88).

Having carefully considered the Motions, the record, and applicable authority, and for good cause shown, **IT IS HEREBY ORDERED** that Terry C. Frank and Terry Frank Law’s “Motion to Withdraw as Counsel for Michael Guzman, Jessica Guzman and Second Life Equipment LLC” (document #86) is **GRANTED**, and Terry C. Frank and Terry Frank Law are hereby terminated as counsel for Michael Guzman, Jessica Guzman and Second Life Equipment LLC in this matter.

The Court warns Defendant Second Life Equipment LLC that it must immediately retain substitute counsel. Indeed, “[i]t has been the law for the better part of two centuries ... that a

corporation may appear in federal courts only through licensed counsel.” Rowland v. California Men’s Colony, 506 U.S. 194, 201-02 (1993). Accord Gilley v. Shoffner, 345 F. Supp. 2d 563, 566 (M.D.N.C. 2004) (dismissing complaint of pro se limited liability company plaintiff); Microsoft Corp. v. Computer Serv. & Repair, Inc., 312 F. Supp. 2d 779, 780 (E.D.N.C. 2004) (same); Lexis-Nexis v. TraviShan Corp., 155 N.C. App. 205, 208, 573 S.E.2d 547, 549 (2002) (same).

Accordingly, **IT IS FURTHER ORDERED** that Defendant Second Life Equipment LLC shall secure replacement counsel, who shall file an entry of appearance within thirty days from the date of this Order. In the event Defendant Second Life Equipment LLC does not secure replacement counsel within this period of time, Plaintiff may submit a motion requesting appropriate relief based upon Defendant’s failure to retain counsel.

IT IS FURTHER ORDERED that James S. Bell and James S. Bell P.C.’s “Motion to Withdraw as Counsel for Michael Guzman” (documents #87 and #88) is **GRANTED**, and James S. Bell and James S. Bell P.C. are hereby terminated as counsel for Michael Guzman in this matter.

IT IS FURTHER ORDERED that Defendants’ “Consent Motion for Extension of Time to File Joint Proposed Pretrial Schedule” (document #85) is **GRANTED**. The parties are **ORDERED** to file a joint proposed scheduling order within fourteen days after new counsel for Defendants has made an appearance.

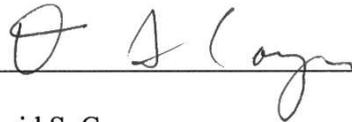
IT IS FURTHER ORDERED that Plaintiff’s “Motion to Compel Discovery from Defendants Michael Guzman and Jessica Guzman” (document #62) is **DENIED without prejudice** to being refiled once the parties have addressed discovery issues with new counsel for Defendants.

The Clerk is directed to send copies of this Order to Defendant Second Life Equipment LLC, 3593 Denver Drive, Suite 1361, Charlotte, North Carolina 28037-7373; Defendants Michael

Guzman and Jessica Guzman, 7954 Bay Point Drive, Denver, North Carolina 28037; to counsel for Plaintiff; and to former counsel. Former counsel is also directed to send a copy of this Order to Defendants by facsimile or electronic mail.

SO ORDERED.

Signed: September 7, 2021



David S. Cayer
United States Magistrate Judge

