

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

<p>CAREY W. FRIX, M.D.,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>INTEGRITY MEDICAL SYSTEMS, INC.,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p>	<p>No. 1:16-cv-02559-STA-egb</p>
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**ORDER TO SHOW CAUSE WHY ENTRY OF DEFAULT SHOULD NOT BE
ENTERED AGAINST DEFENDANT**

On May 12, 2017, the Court held a hearing regarding the motion by defense counsel to withdraw from this case. (Minute (“Min.”) Entry, ECF No. 42; *see* ECF Nos. 29, 32, 38.) At the hearing, Defendant’s registered agent, David Denholtz, appeared, informed the Court that he intended to secure new counsel for Defendant, and requested at least thirty days’ time to do so. (ECF No. 42.) At the conclusion of the hearing, the Court orally granted counsel’s motion to withdraw. (*Id.*) On June 7, 2017, the Court granted Defendant’s motion for a time extension, giving Defendant thirty days in which to secure new counsel. (ECF No. 43.) That time period has now elapsed and no notice of appearance has been filed by new counsel retained by Defendant, as the order required. (*See id.* at 1.)

A corporation may not appear in this Court *pro se*. *Gerber v. Riordan*, 649 F.3d 514, 516 (6th Cir. 2011) (quoting *Bristol Petrol. Corp. v. Harris*, 901 F.2d 165, 166 n. 1 (D.C. Cir. 1990)). In this case, Defendant “must be represented in court by an attorney and may not be represented by an officer.” *Harris v. Akron Dep’t of Pub. Health*, 10 F. App’x 316, 319 (6th Cir.

2001). Failure by a corporation to retain counsel may result in an entry of default against it. *See Grainger v. Solomon*, No. 3:07-CV-91, 2008 WL 3823734, at *2 (E.D. Tenn. Aug. 12, 2008). Accordingly, Defendant is hereby DIRECTED to show cause, within eleven (11) days of the entry of this order, why the clerk should not enter default against it, pursuant to Federal Rule of Civil Procedure 55(a).

IT IS SO ORDERED this 11th day of July, 2017.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE