

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COASTAL TRANSPORTATION,
INC.,

Plaintiff,

v.

EAST WEST SEAFOODS LLC,

Defendant.

CASE NO. C17-1555JLR

ORDER

Plaintiff Coastal Transportation, Inc. (“Coastal”) brought this action against Defendant East West Seafoods LLC (“EWS”) for alleged failure to pay for freight services. (Compl. (Dkt. # 1) ¶¶ 4.1-4.5.) In its answer, EWS asserted various affirmative defenses (Ans. (Dkt. # 6) ¶¶ 6.1-6.4) and additionally brought a counter claim, alleging that Coastal wrongfully charged EWS’s credit card without EWS’s authorization (*id.* ¶¶ 7.1-7.5).

//

1 On January 17, 2018, EWS's counsel, Harold Thoreen, at the request of EWS's
2 Governor Christos Tsabouris, filed a motion to withdraw. (Mot. (Dkt. # 8); *see* 1st
3 Thoreen Decl. (Dkt. # 9) ¶¶ 3-4.) Mr. Thoreen provided Mr. Tsabouris with a copy of
4 Local Civil Rule 83.2(b)(4). (1st Thoreen Decl. ¶ 5.) Local Civil Rule 83.2(b)(4) states:

5 A business entity . . . must be represented by counsel . . . [F]ailure to obtain
6 a replacement attorney by the date the withdrawal is effective may result in
7 the dismissal of the business entity's claims for failure to prosecute and/or
8 entry of default against the business entity as to any claims of other parties.

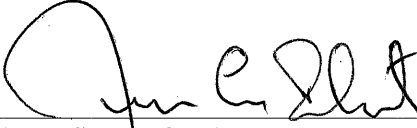
9 Local Rules W.D. Wash. LCR 83.2(b)(4).

10 The court granted Mr. Thoreen's motion to withdraw on January 26, 2018.
11 (Order (Dkt. # 11).) The court ordered Mr. Thoreen to provide EWS with a copy
12 of the order and stayed the action for 30 days—time for EWS to find replacement
13 counsel and have him or her file a notice of appearance to keep from running afoul
14 of Local Civil Rule 83.2(b)(4). (*See id.* at 1-2.) The court cautioned EWS that if
15 it failed to obtain a replacement attorney within the allotted time, the court would
16 enter default against it. (*Id.* at 2.) Mr. Thoreen emailed, sent via certified mail,
17 and subsequently, at Mr. Tsabouris's request, faxed a copy of the court's order to
18 EWS. (2d Thoreen Decl. (Dkt. # 12) ¶¶ 1-3, Exs. 1-2 (attaching email, fax cover
19 sheet and fax confirmation).) Mr. Thoreen subsequently filed a signed return
20 receipt of the certified mail, indicating that Mr. Tsabouris had received the order.
21 (3rd Thoreen Decl. (Dkt. # 14) ¶ 1, Ex. 1.)

22 More than 30 days have passed since the court's order, and no replacement
attorney has appeared on behalf of EWS. (*See* Dkt.) Accordingly, the court

1 DISMISSES EWS's counter claim against Coastal and further DIRECTS the clerk
2 to ENTER DEFAULT against EWS. See Local Rules W.D. Wash. LCR
3 83.2(b)(4).

4 Dated this th 13 day of March, 2018.


JAMES L. ROBERT
United States District Judge

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22