

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMERICAN DAIRY QUEEN
CORPORATION,

Plaintiff,

v.

ASARA 12458 LLC, et al.,

Defendants.

CASE NO. C18-66 MJP

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable Marsha J. Pechman, United States District Judge:

Upon review of the record and pleadings in this matter, procedural concerns have arisen which the Court wishes to address.

Although the Acceptance of Service of Summons and Complaint filed in this case (Dkt. No. 7) was executed by an attorney, no attorney has filed a notice of appearance on behalf of Defendants, which means that they are currently *pro se* parties; i.e., unrepresented by counsel.

1 Parties have the right to personally plead and conduct their own cases. *See* 28 U.S.C.
2 §1654. However, corporations, LLCs and partnerships may not be represented by unlicensed
3 laypersons, even if those persons own or partly own the business entities. Berrios v. New York
4 City Housing Authority, 564 F.3d 130, 132-33 (2nd Cir. 2009). In order to plead its position
5 before this Court, Defendant ASARA 12458, LLC, must appear through an attorney.

6 Furthermore, two pleadings which have been submitted by Defendants have been signed
7 by “Shyna Dhanani, on behalf of Defendants, pro se.” (*See* Dkt. No. 12, Answer to Complaint at
8 p. 13; and Dkt. No. 13, Defendants’ Objections to Plaintiff’s Motion at p. 19.) The Court does
9 not know who Ms. Dhanani (she identifies herself as a “she” in the Declaration of Shyna
10 Dhanani; *see id.* at 20) is, but she does not identify herself as an attorney and she is not a named
11 party to the complaint. Therefore, she is not entitled to practice law by filing legal documents on
12 behalf of Defendants.

13 The Court intends to address these procedural irregularities as follows:

- 14 1. The documents filed with Shyna Dhanani’s signature (the Defendants’ Answer to
15 Complaint at Dkt. No. 12 and Defendants’ Objections to Plaintiff’s Motion at Dkt.
16 No. 13) will be STRICKEN.
- 17 2. Defendant Rizwan Dhanani will be permitted to re-submit the stricken documents on
18 his own behalf as an individual defendant representing himself *pro se*; however, he
19 will not be permitted to file anything on behalf of Defendant ASARA 12458, LLC.
20 He will be given seven (7) days from the date of this order to do so.
- 21 3. Defendant ASARA 12458, LLC must appear through counsel or risk taking a default
22 in this litigation.

1 4. Plaintiff's pending Motion for Preliminary Injunction (Dkt. No. 8) will be re-noted to
2 March 6, 2018.

3
4 The clerk is ordered to provide copies of this order to Defendants and to all counsel.

5 Filed: February 22, 2018.

6 William M. McCool

7 Clerk of Court

8 s/Paula McNabb

9 Deputy Clerk
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24