

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALMO MUSIC CORPORATION,
NUAGES MUSIC, INC., LTD.,
UNIVERSAL POLYGRAM
INTERNATIONAL PUBLISHING, INC., and
WB MUSIC CORP.,

Plaintiffs,

v.

ISLAND FOOD & FUN, INC.,
JEFFREY MORRIS, and MARCI MORRIS,

Defendants.

ORDER

18-cv-429-jdp

Plaintiffs Almo Music Corporation, Nuages Music, Inc., LTD, Universal Polygram International Publishing, Inc., and WB Music Corp. have filed this copyright infringement lawsuit against defendants Island Food & Fun, Inc., Jeffrey Morris, and Marci Morris. Defendants Jeffrey Morris and Marci Morris have filed an answer to the complaint in this case. Dkt. 7. Jeffrey Morris signed the answer on behalf of defendant Island Food & Fun, Inc., but he does not appear to be a licensed attorney.

Under Federal Rule of Civil Procedure 11, every filing “must be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.” It is well established that a corporation may appear in the federal courts only through licensed counsel. *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 201–02 (1993); *Muzikowski v. Paramount Pictures Corp.*, 322 F.3d 918, 924 (7th Cir. 2003). Thus defendant Island Food & Fun, Inc.’s answer has not been properly filed because it is not signed by an attorney.

Kipp v. Royal & Sun Alliance Personal Ins. Co., 209 F. Supp. 2d 962 (E.D. Wis. 2002), involved a situation similar to this one. After the defendant limited liability company filed an answer that was signed by an individual who was not an attorney, the court gave the defendant a chance to file another answer signed by counsel and warned the defendant that failure to comply with its order would result in entry of default. *Id.* at 963. I agree that this is the appropriate course of action. Therefore, I will give Island Food & Fun, Inc., a short deadline to retain counsel and file a new answer. If Island Food & Fun, Inc., does not file an answer signed by counsel by the deadline, I will ask the clerk to enter default against it pursuant to Rule 55(a).

ORDER

IT IS ORDERED that defendant Island Food & Fun, Inc., may have until August 9, 2018, to file an answer that complies with Federal Rule of Civil Procedure 11(a). If defendant Island Food & Fun, Inc., fails to file a proper answer by the deadline, the court may, on its own motion or a motion from plaintiffs, order the clerk of court to enter default against defendant Island Food & Fun, Inc.

Entered July 19, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge