

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
2396

AARON GREENSPAN; THINK
COMPUTER FOUNDATION;
THINK COMPUTER
CORPORATION,

Plaintiffs,

vs.

ADMINISTRATIVE OFFICE OF
THE UNITED STATES COURTS;
MICHEL ISHAKIAN, in her official
capacity on behalf of the
Administrative Office of the United
States Courts; WENDELL SKIDGEL,
in his official capacity on behalf of the
Administrative Office of the United
States; UNITED STATES DISTRICT
COURT FOR THE NORTHERN
DISTRICT OF CALIFORNIA;
RICHARD WIEKING, in his official
capacity on behalf of the United States
District Court for the Northern District
of California, CLAUDIA WILKEN, in
her official capacity on behalf of the
United States District Court for the
Northern District of California; and
AMERICAN BAR ASSOCIATION,

Defendants.

CASE NO. 14cv0396 JTM

ORDER TO SHOW CAUSE WHY
PLAINTIFFS THINK COMPUTER
FOUNDATION AND THINK
COMPUTER CORPORATION
SHOULD NOT BE DISMISSED AS
PARTIES FOR FAILURE TO
OBTAIN COUNSEL


Plaintiffs Think Computer Foundation and Think Computer Corporation
(collectively "Plaintiffs") are ordered to show cause why they should not be dismissed

as parties for failure to obtain counsel. “It has been the law for the better part of two centuries, for example, that a corporation may appear in the federal courts only through licensed counsel.” Rowlan v. California Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 201-02 (1993) (quoting Osborn v. President of Bank of United States, 9 Wheat. 738, 829, 6 L.Ed. 204 (1824)). This well-established rule applies equally to corporations or to associations. See In re Highley, 459 F.2d 554, 555 (9th Cir. 1972) (corporations); McShane v. United States, 366 F.2d 286, 288 (9th Cir. 1996) (a non-attorney pro se plaintiff may not represent any other party). This same venerable common law rule exists in the State of California. “[A] corporation, unlike a natural person, cannot represent itself before courts of record in propria persona, nor can it represent itself through a corporate officer, director or other employee who is not an attorney. It must be represented by licensed counsel in proceedings before courts of record.” CLD Const., Inc. v. City of San Ramon, 120 Cal.App.4th 1141, 1145 (2004).

Plaintiffs are ordered to retain counsel by September 8, 2014 or, alternatively, file a written response to this Order to Show Cause. Defendants may file a response to any briefing filed by Plaintiffs Think Computer Foundation and Think Computer Corporation by September 15, 2014. Plaintiffs are advised that their failure to show cause or obtain counsel will result in their dismissal from this action without prejudice.¹

IT IS SO ORDERED.

DATED: August 21, 2014


Hon. Jeffrey T. Miller
United States District Judge

cc: All parties

¹ In the event Plaintiffs fail to obtain counsel and by written opposition oppose their dismissal as parties, the matter will be taken under submission and the court will issue a written ruling.