

UNITED STATES DISTRICT COURT
District of Kansas

BROOKE CREDIT CORPORATION,

Plaintiff/
Counter Defendant

Case No.: 6:07-cv-01322-JTM-DWB

v.

BUCKEYE INSURANCE CENTER, LLC

Defendant/Counter Claimant/Cross Claimant

and

BROOKE FRANCHISE CORPORATION,

Counter Defendant

ORDER

The requirements of D. Kan. Rule 83.5.5 having been met, the Motion to Withdraw filed by Attorney Kasey Rogg (Doc. 42), is hereby GRANTED.

With Plaintiff's sole counsel of record now having been allowed to withdraw, the plaintiff corporation has no attorney representing it in this case. It is well-established in this circuit that a corporation or partnership may only appear in a court by a licensed attorney. *Flora Constr. Co. v. Fireman's Fund Ins. Co.*, 307 F.2d 413, 414, 414 n.1 (10th Cir. 1962) (citing a score of cases in support of this proposition); *Nato Indian Nation v. Utah*, No. 02-4062, 2003 WL 21872551, at *1 (10th Cir. Aug. 8, 2003); *c.f. Harrison v. Wahatoyas, L.L.C.*, 253 F.3d 552, 556 (10th Cir. 2001) (reiterating the general rule in the

circuit, but holding that a notice of appeal may be signed by a corporate officer as long as a lawyer “promptly” enters a formal appearance on behalf of the corporate entity).

Plaintiff, Brooke Credit Corporation, is hereby given until **November 17, 2008** within which time to obtain counsel to appear of record on its behalf in this case. **Failure to obtain counsel may result in a dismissal of plaintiff’s claims in this case.**

The Clerk of the Court shall send a copy of this Order to Plaintiff, Brooke Credit Corporation, by certified mail, return receipt requested.

IT IS SO ORDERED

Dated this 24th day of October 2008, at Wichita, Kansas.

s/ DONALD W. BOSTWICK
DONALD W. BOSTWICK
U.S. MAGISTRATE JUDGE