

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DANYALE YARGER, <i>on behalf of herself</i>)	
<i>and those similarly situated,</i>)	
)	
)	
Plaintiff,)	
)	
v.)	
)	
FARM FRESH, LLC,)	Case No. 2:19-cv-2767-JAR
)	
)	
Defendant.)	

NOTICE AND ORDER TO DEFENDANT

On June 18, 2020, the court entered an order permitting counsel for Fresh Farms, LLC to withdraw (ECF No. 18). Fresh Farms, LLC was then left without counsel, and new counsel has not entered an appearance on its behalf.

Limited liability companies, like other corporate entities, may not proceed pro se nor be represented by a non-attorney corporate officer.¹ Thus, by **August 3, 2020**, new counsel must enter an appearance for Fresh Farms, LLC. Fresh Farms, LLC is warned that if it fails to obtain counsel to represent it in this action by the set date, default judgment likely will be entered against it.

¹ See *Am. Contractors Indem. v. Boeding*, 490 F. App'x. 141, 145 (10th Cir. 2012) (appellant "is not an attorney . . . and may not represent New Image [a limited liability company] on appeal"); *Roscoe v. United States*, 134 F. App'x 226, 227 (10th Cir. 2005) (dismissing the limited liability company as a pro se plaintiff); *Tal v. Hogan*, 453 F.3d 1244, 1254 (10th Cir. 2006) (citing cases); *Eberth v. Corey Galyean Trucking, LLC*, No. 12-2289, 2013 WL 5255636, at *3 (D. Kan. Sept. 17, 2013) (holding that non-attorney individual could not represent a limited liability company).

IT IS SO ORDERED.

Dated July 7, 2020, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge