

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IO GROUP, INC., et al.,

Plaintiff,

v.

GLBT, LTD., et al.,

Defendants.

No. C-10-1282 MMC

**ORDER GRANTING JONATHAN CAPP'S
MOTION TO WITHDRAW AS ATTORNEY
OF RECORD FOR DEFENDANTS;
VACATING HEARING; DIRECTIONS TO
CLERK; DIRECTIONS TO CORPORATE
DEFENDANTS**

Before the Court is Jonathan Capp's ("Capp") "Motion to Withdraw as Attorney of Record," filed November 4, 2011, by which he seeks leave to withdraw as attorney of record for defendants David Compton, Steven Compton, GLBT, Ltd., Mash and New, Ltd., and Port 80, Ltd. (collectively, "defendants"). Defendants have not filed a response to the motion. Plaintiffs have filed a response, in which they seek imposition of two conditions if the motion is granted. Having read and considered the papers filed in support of and in response to the motion, the Court deems the matter suitable for decision on the above-referenced written submissions, VACATES the hearing scheduled for December 23, 2011, and rules as follows.

1. Good cause appearing, Capp's motion to withdraw is hereby GRANTED. See Cal. Rules Prof. Conduct R. 3-700(C)(1)(d) (providing counsel may withdraw where client's "conduct renders it unreasonably difficult for [counsel] to carry out the employment

1 effectively”).

2 2. Plaintiff’s request for the imposition of conditions is hereby DENIED. First,
3 plaintiffs have failed to show a need for an order requiring Capp to continue to accept
4 service of behalf of any defendant; plaintiffs may accomplish service on all defendants by
5 mailing copies of plaintiffs’ filings to the address set forth below. Second, as to the
6 corporate defendants, plaintiffs have failed to show they are entitled to immediate entry of
7 default; as set forth below, the corporate defendants first will be afforded leave to obtain
8 new counsel.

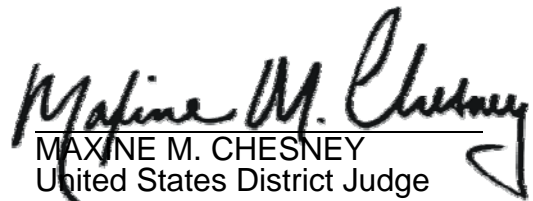
9 3. The Clerk is hereby DIRECTED to amend the docket to reflect the following
10 contact information for defendants:

11 Office 44
12 151 High Street
13 Southampton, Hampshire
SO14 2BT
United Kingdom

14 4. Defendants GLBT, Ltd., Mash and New, Ltd., and Port 80, Ltd. are hereby
15 ADVISED that they may not appear in court without counsel. See United States v. High
16 Country Broadcasting Company, Inc., 3 F.3d 1244, 1245 (9th Cir. 1993) (affirming entry of
17 default judgment against corporation where corporation failed to retain counsel).
18 Accordingly, said corporate defendants are hereby DIRECTED to cause new counsel to file
19 a notice of appearance no later than December 30, 2011; failure to comply will result in
20 entry of default as to any corporate defendant for which a notice of appearance is not
21 timely filed. See id.

22 **IT IS SO ORDERED.**

23
24 Dated: December 2, 2011

25 
26 MAXINE M. CHESNEY
27 United States District Judge
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