

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

LARA JADE COTON,

Plaintiff,

v.

Case No: 8:07-cv-1332-T-23TGW

TELEVISED VISUAL X-OGRAPHY, et al.,

Defendants.

\_\_\_\_\_ /

**ORDER**

On January 30, 2008, the Clerk terminated John T. Jenkins, Jr., Esq., the Florida counsel for the defendants Televised Visual X-Ography ("TVX") and Robert Augustus Burge ("Burge"), because Jenkins is not a member of the bar of this court. A January 31, 2008, order (Doc. 36) directs Steve T. Skivington, Esq. ("Skivington"), the Nevada counsel for TVX and Burge, to file a written designation and consent-to-act on the part of some member of the bar of this court. Skivington neither complied with the order nor moved for an extension of time. On March 5, 2008, Skivington filed a motion (Doc. 50) to dismiss the complaint on behalf of TVX and Burge. An April 1, 2007, order (Doc. 51) directs Skivington to show cause for his failure to comply with the January 31, 2008, order. Skivington responds (Doc. 52) that his clients lack the financial resources to retain additional local counsel. Burge moves (Doc. 52) to proceed pro se.

Within ten days of filing any pleading or paper in a case, a non-resident attorney must file a written designation and consent-to-act on the part of some member of the bar of this court. Local Rule 2.02(a). The defendant's motion to dismiss (Doc. 50) is

**STRICKEN** for failure to comply with Local Rule 2.02(a). Burge's motion (Doc. 52) to proceed pro se is **GRANTED**. The Clerk is directed to terminate Skivington and The Law Office of Steve Skivington as counsel of record for Burge and TVX.

A corporation can defend against a plaintiff's claims only through licensed counsel. Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1385 (11th Cir. 1985) (citing 28 U.S.C. § 1654); Local Rule 2.03(e). A corporation's failure to obtain counsel "may result in the imposition of sanctions, even including entry of default." McPartland v. ISI Inv. Servs., Inc., 890 F. Supp. 1029, 1032 (M.D. Fla. 1995). Rule 37(b)(2), Federal Rules of Civil Procedure, authorizes the entry of a default judgment for the willful violation of discovery orders. Malautea v. Suzuki Motor Co., Ltd., 987 F.2d 1536, 1543-44 (11th Cir. 1993). Default judgment is appropriate "when less drastic sanctions would not ensure compliance with the court's orders." Malautea, 987 F.2d at 1542. TVX is directed to obtain counsel admitted to practice before this court on or before **Tuesday, May 13, 2008**. Failure to comply with this order may result in the imposition of sanctions, including entry of default. Skivington shall immediately provide TVX and Burge a copy of this order and shall file a notice of each defendant's present mailing address on or before **Friday, April 18, 2008**. The Clerk shall mail a copy of this order to TVX and Burge at each defendant's last known address.

ORDERED in Tampa, Florida on April 14, 2008.



---

STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE