

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

JAIME GUAMAN and VIRGILIO QUINDE, :  
individually and on behalf of all others :  
similarly situated, :

Plaintiff(s), :

-against- :

**ORDER**

: 11 Civ. 3838 (VLB) (LMS)

RODNEY EDDIE, BLUE PRINT :  
CARPENTRY, INC., BLUE-LINE :  
FRAMING CONTRACTOR, INC., :  
WOODSTONE CARPENTRY, INC., :  
GATEHOUSE CARPENTRY and :  
FRAMED STRUCTURES, INC., :

Defendant(s) :

-----X

**IT IS HEREBY ORDERED** that J. Scott Greer and Veronica Ann McMillan, both of Lewis & Greer, P.C., are relieved from representing Defendants in this action, for the reasons set forth in the Affirmation of Veronica A. McMillan, docket #33.

**IT IS FURTHER ORDERED** that this case is scheduled for a conference on February 14, 2012, at 10:00, before the undersigned in Courtroom 520, Charles L. Brieant, Jr. Federal Building and United States Courthouse, 300 Quarropas Street, White Plains, NY 10601, at which time the individual defendant is required either to appear or to have counsel present on his behalf. The individual defendant is hereby notified that he is permitted to represent himself *pro se* in defending this matter, but the law requires that the corporate defendants must have counsel to represent them. See N.Y. C.P.L.R. §321 (McKinney 2010). The rule requiring attorney representation of a business entity is intended to ensure that the corporation has a licensed

representative who is "answerable to the court and other parties for his or her own conduct in the matter." Matter of Sharon B., 72 N.Y.2d 394, 398 (1988). A failure of the corporate Defendants to appear by counsel no later than February 14, 2012, will result in the Court granting permission to Plaintiffs to seek default judgment against those corporate defendants. A failure of the individual Defendant to appear, either in person or by counsel, will also result in the Court granting permission to Plaintiffs to seek default judgment against the individual defendant. There will be no further adjournment of this matter in order for counsel to be retained, as the individual Defendant, who is the principal for each corporate Defendant, has been aware of the need to obtain new counsel since at least January 3, 2012.

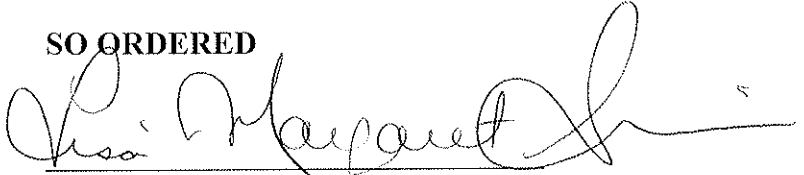
In the event that counsel appears, and/or the individual defendant elects to proceed *pro se*, then a new discovery schedule will be put into place during the conference on February 14.

The individual defendant is also hereby notified that it may be a violation of the law to secrete or dissipate assets owned by a defendant in a civil case if such transfer of assets is for the purpose of avoiding satisfaction of any judgment which may be entered in the case.

The Clerk is directed to close docket #32. The Clerk is further directed to remove Mr. Greer and Ms. McMillan from the notice list, and is to add Rod Eddie, defendant *pro se*, 32 Walnut Street, New Windsor, NY 12553. The Clerk shall send Mr. Eddie a copy of this Order by United States Mail.

Dated: January 17, 2012  
White Plains, New York

**SO ORDERED**

  
Lisa Margaret Smith  
United States Magistrate Judge  
Southern District of New York