

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUSINESS CASUAL HOLDINGS, LLC,

Plaintiff,

- against -

TV-NOVOSTI,

Defendant.

21-cv-2007 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court is in receipt of documents by mail from the defendant, TV-Novosti. The first document is a motion for the appointment of counsel. The second document is a "Review" of the Report and Recommendation issued by Magistrate Judge Lehrburger on an inquest following this Court's determination that a default judgment should be entered against the defendant. The Report and Recommendation was filed on February 8, 2023. The Court has asked the Clerk's Office to file the documents on ECF.

With respect to the appointment of counsel, a corporate entity such as the defendant can only appear in federal court by counsel. See, e.g., Jones v. Niagara Frontier Transp. Auth., 722 F.2d 20, 22 (2d Cir. 1983) ("[A] corporation, which is an artificial entity that can act only through agents, cannot proceed pro se"). But there is no provision in federal law that provides for the appointment of counsel by the Court to represent an organization in a civil litigation. The defendant

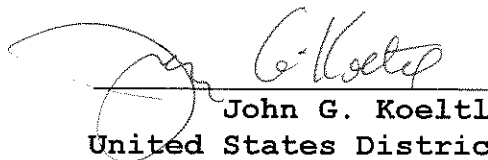
may consult with the New York Legal Assistance Group ("NYLAG") to see if that organization can provide the defendant with any assistance in obtaining counsel. A copy of NYLAG's flyer is attached to this Order.

The defendant's submitted "Review" of the Report and Recommendation is stricken because the defendant was without authority to submit that "Review" without counsel to file it.

This action is stayed until **May 15, 2023**. If the defendant does not appear by counsel by that time, the Court will proceed to review the Report and Recommendation and determine whether it should be adopted.

SO ORDERED.

Dated: **New York, New York**
 March 15, 2023



John G. Koeltl
United States District Judge



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Free Legal Assistance for Self-Represented Incarcerated Civil Litigants in Federal District Court

The NYLAG Legal Clinic for Pro Se Litigants in the Southern District of New York is a free legal clinic staffed by attorneys, law students, and paralegals to assist those who are representing themselves or planning to represent themselves, including incarcerated litigants, in civil lawsuits in the Southern District of New York federal court, excluding habeas cases. The clinic is not part of or run by the court.

Even if a litigant has consulted with Clinic staff, unless they retain other counsel and that counsel enters a notice of appearance, they remain unrepresented; are responsible for doing whatever is necessary in connection with the case; and must still submit all court papers to the Pro Se Intake Unit, located in Room 105 of the Daniel Patrick Moynihan Courthouse, 40 Foley Square, New York, New York, or by following the court's instructions for filing via email as a pro se litigant.

The Clinic Can:

- Assist with amending complaints and responding to motions to dismiss;
- Represent litigants for settlement purposes and, in limited circumstances, for depositions;
- Assist with written discovery;
- Recruit pro bono counsel for depositions and trial; and
- Assist with oppositions to summary judgment.

Clinic staff cannot assist with habeas cases or criminal matters.

NYLAG may also be unable to assist if it determines, in its professional legal judgement, that (i) you have refused to cooperate with the Clinic's counsel or follow the Clinic's advice; (ii) any assistance would be unreasonably difficult for NYLAG to carry out; or (iii) your case is or will become frivolous, unreasonable, groundless, or without merit.

Contacting the Clinic:

To contact the clinic and request a copy of our retainer, please call (212) 659-6190 and leave a message or write to us at the following address:

NYLAG Legal Clinic for Pro Se Litigants
Thurgood Marshall Federal Courthouse
Room LL22
40 Foley Square
New York, NY 10007

Please mail a signed retainer back to the clinic at the above address. Once the paperwork is received, clinic staff will contact you. It may take up to two weeks.

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