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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States,)	No. CV 11-00698-PHX-FJM
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
James Leslie Reading, et al.,)	
)	
Defendants.)	
)	

The court has before it defendants James Leslie Reading, Clare Louise Reading, and Fox Group Trust's motion to modify Rule 16 scheduling deadlines and motion to extend time to complete briefing schedule (doc. 74). Defendants seek an extension to file a reply to their motion to dismiss, an extension to file their response to plaintiff's motion for summary judgment, and extensions of all remaining deadlines in our Rule 16 Scheduling Order.

Defendants' counsel filed a reply in support of the motion to dismiss on May 30, 2012. The request to extend the reply deadline is therefore moot. This is defendants' second motion to extend the deadline to respond to plaintiff's motion for summary judgment. We granted an extension on June 20, 2012, allowing defendants to file a response on or before August 6, 2012. (Doc. 73). No further extensions will be granted. The deadlines in our Rule 16 Scheduling Order are firm and will not be extended.

The court also has before it plaintiff's motion to strike notice of appearance by the Trustee of the Fox Group Trust. (Doc. 77). The Trustee, Terry I. Major, filed a notice of

1 appearance informing the court that he is not a lawyer, but he proposes to represent the Trust
2 in this litigation. (Doc. 76). A.R.S. § 14-10816 provides that a trustee may "[p]rosecute or
3 defend an action, claim or judicial proceeding in any jurisdiction to protect trust property and
4 the trustee in the performance of the trustee's duties." But this statute only gives the trustee
5 standing and authority on behalf of the trust. It does not purport to address the practice of
6 law. Even if it did, it does not apply to practice in federal court.

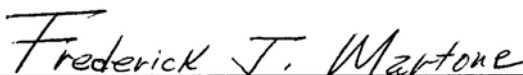
7 Pursuant to 28 U.S.C. § 1654, "[i]n all courts of the United States the parties may
8 plead and conduct their own cases personally or by counsel[.]" Although a non-attorney may
9 appear on his own behalf, "[h]e has no authority to appear as an attorney for others than
10 himself." C.E. Pope Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987). "He
11 may not claim that his status as trustee includes the right to present arguments *pro se* in
12 federal court." Id. at 698. Fox Group Trust may appear in this action only through a lawyer
13 who is admitted to practice before this court.

14 **IT IS ORDERED DENYING** defendants' motion to modify Rule 16 scheduling
15 deadlines and motion to extend time (doc. 74).

16 **IT IS ORDERED GRANTING** plaintiff's motion to strike notice of appearance (doc.
17 77).

18 **IT IS ORDERED** that Fox Group Trust file a notice of appearance by an admitted
19 lawyer on or before August 6, 2012.

20 DATED this 3rd day of July, 2012.

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23 _____
24 Frederick J. Martone
25 United States District Judge
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