

MINUTES OF THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

United States v. Joseph Lipari, et al

THE HONORABLE JOHN W. SEDWICK

3:10-cv-08142 JWS

PROCEEDINGS:

ORDER FROM CHAMBERS

April 22, 2013

At docket 97 Timeless Windsor Ventures (TWV) moves to intervene based on a claimed interest in the real property which is involved in this litigation. TWV proposes to appear without a lawyer. Plaintiff United States moves at docket 101 to strike the motion to intervene at docket 97. The motion at docket 101 correctly recites the reasons and cites authorities which show that TWV may not proceed unless it is represented by a lawyer. Moreover, as this court explained in an earlier order, legal entities may only appear in a federal court through a lawyer, citing *Rowland v. Calif. Men's Colony*, 506 U.S. 194, 201-02 (1993) and *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987). The motion to intervene at docket 97 is therefore **DENIED**. The motion at docket 101 is **DENIED as moot**, because the motion to intervene has been denied.

At docket 103 Elmer P. Vild moves to intervene. Vild points to the interest claimed by TWV in the real estate which is the subject of this action and asserts that because he claims to be its trustee he should be allowed to intervene. Vild is not a lawyer and may not represent TWV in a federal court. Vild himself has no interest in the subject real estate. His motion to intervene is but an attempt to circumvent the proposition that TWV may only appear through a lawyer. The motion at docket 103 is **DENIED**. Plaintiff's motion at docket 106 to strike Vild's motion is **DENIED as moot**.

Counsel for plaintiff is advised that it is a better practice to file a response in opposition to a motion rather than a motion to strike it and will please take that advice to heart in the future.
