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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

AMERANTH, INC. a Delaware corporation,

Plaintiff,

v.

SPLICK-IT, INC., a Delaware corporation, and DOES 1 through 20, inclusive,

Defendants.

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AND RELATED CROSS-COMPLAINT.

Case No. 17-cv-1093-DMS (WVG)

**ORDER: 1) STRIKING ANSWER AND CROSS-COMPLAINT OF SPLICK-IT, INC.; AND 2) ENTERING DEFAULT AGAINST SPLICK-IT, INC. UNDER F.R.C.P. 55(a)**

Date: January 22, 2021  
Time: 1:30 p.m.  
Ctvm: 13A

Judge: Hon. Dana M. Sabraw

This matter came before the Court on January 22, 2021, at 1:30 p.m. on: (1) the Court’s December 31, 2020 Order to Show Cause why defendant and cross-complainant Splick-It, Inc. (“Splick-It”) should not be sanctioned for failure to comply with Civil Local Rule 83.3(j), including having its cross-complaint stricken [Dkt. No. 40]; and (2) plaintiff and cross-defendant Ameranth, Inc.’s (“Ameranth”) Request to Strike Splick-It’s Answer and Enter Default under Rule 55(a) of the Federal Rules of Civil Procedure [Dkt. No. 41]. William J. Caldarelli, Esq., appeared on behalf of Ameranth. No appearance was made on behalf of Splick-It.

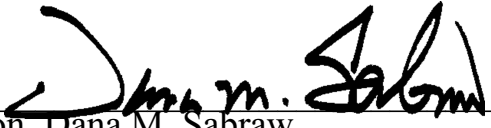
1 Because Splick-It is no longer represented by counsel in this matter, the  
 2 Court finds Splick-It to be in violation of Civil Local Rule 83.3(j). As the Ninth  
 3 Circuit has explained: “It is a longstanding rule that ‘[c]orporations and other  
 4 unincorporated associations must appear in court through an attorney.’ Licht v.  
 5 Am. W. Airlines (In re Am. W. Airlines), 40 F.3d 1058, 1059 (9th Cir.1994); see  
 6 also United States v. High Country Broad. Co., Inc., 3 F.3d 1244, 1245 (9th  
 7 Cir.1993) (holding that corporation's president and sole shareholder could not  
 8 make ‘an end run’ around the counsel requirement by intervening pro se rather  
 9 than retaining counsel to represent the corporation).” D-Beam Ltd. Partnership v.  
 10 Roller Derby Skates, Inc., 366 F.3d 972, 973-74 (9th Cir. 2004).

11 On that basis, and for good cause shown, the Court hereby ORDERS AS  
 12 FOLLOWS:

- 13 1. Splick-It’s answer and cross-complaint are stricken;
- 14 2. The Clerk of the Court shall enter Default against Splick-It  
 15 pursuant to Fed. R. Civ. Proc. 55(a); and
- 16 3. Ameranth shall file its motion for entry of default judgment  
 17 under Fed. R. Civ. Proc. 55(b) and Civil Local Rule 55.1.

18 **IT IS SO ORDERED**

19  
 20 DATED: January 29, 2021

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 22   
 23 Hon. Dana M. Sabraw  
 24 Chief Judge  
 25 United States District Court