UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

In re:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN,

Chapter 9

Debtor.

Judge Thomas J. Tucker

ORDER STRIKING RESPONSE OF ASSOCIATION OF MUNICIPAL ENGINEERS TO MOTION OF THE GREAT LAKES WATER AUTHORITY FOR ORDER ENFORCING THE PLAN OF ADJUSTMENT INJUNCTION AND THE BAR DATE ORDER AGAINST THE ASSOCIATION OF MUNICIPAL ENGINEERS AND PARTHO GHOSH

On November 1, 2017, the Great Lakes Water Authority, as successor in interest to the City of Detroit Water and Sewerage Department, filed a motion entitled "Great Lakes Water Authority as Successor in Interest to the City of Detroit Water and Sewerage Department for Entry of an Order Enforcing the Plan of Adjustment Injunction and the Bar Date Order Against the Association of Municipal Engineers and Partho Ghosh" (Docket # 12714, the "Motion"). Later, on November 1, 2017, Partho Ghosh, the President of the Association of Municipal Engineers Union, who is not an attorney, filed a response to the Motion (Docket # 12716, the "Response").

A layperson many not represent an artificial entity such as a corporation, partnership, or association in federal court. *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 201–02 (1993) (citations omitted) ("[i]]t has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel;" and "as the courts have recognized, the rationale for that rule applies equally to all artificial entities;" and "[t]hus, save in a few aberrant cases, the lower courts have uniformly held that 28 U.S.C. § 1654, providing that 'parties may plead and conduct their own cases personally or by counsel,' does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney"); *see also Lattanzio v. Comta*, 481 F.3d 137, 139 (2d Cir. 2007) ("A layperson may not represent a separate legal entity such as a corporation" in federal court.); *United States v. 9.19 Acres of Land*, 416 F.2d 1244, 1245 (6th Cir. 1969) ("A corporate president may not represent [his] corporation before a federal court. . . . [A] corporation cannot appear otherwise than through an attorney.").

Accordingly,

IT IS ORDERED that the Response to the Motion (Docket # 12716) is stricken.

Signed on November 3, 2017



/s/ Thomas J. Tucker

Thomas J. Tucker United States Bankruptcy Judge