

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

C.E. NIEHOFF & CO.,
an Illinois corporation,

Plaintiff,

v.

QUANTUM DEVICES, INC.,
a Wisconsin corporation, and
QUANTUM MECHANIX, INC.,
a Wisconsin corporation,

Defendants.

ORDER

06-C-480-C

On November 17, 2006, the attorneys then representing defendant Quantum Mechanix, Inc. Moved to withdraw because their client wished to retain other counsel “or, in the alternative, to represent itself in this matter.” *See* dkt. 11. The court granted this motion. Now Quantum Mechanix, Inc. through its president, Joseph Ignatius, has filed a “pro se” answer to the first amended complaint. *See* dkt. 16.

This won’t fly. “It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel.” *Rowland v. California Men’s Colony*, 506 U.S. 194, 201-02 (1993); *see also Muzikowski v. Paramount Pictures Corp.*, 322 F.3d 918, 924 (7th Cir. 2003). A corporation, as a fictive person, cannot represent itself; but having corporate identity, neither can it be deemed synonymous with

its flesh-and-blood owners (who likely created the corporation for the purpose of establishing legal separation from their business). If the owners are lawyers, then they may represent their corporation. If they are not, then they are not permitted to do so, just as they are not permitted to represent other people in court.

I assume from the wording of Quantum Mechanix Inc.'s submission that Ignatius is not an attorney. Therefore, the court cannot allow Ignatius to represent his company, and its purported answer is a nullity.

Entered this 4th day of January, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge