

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AUSTIN LEGAL VIDEO, LLC, § No. 1:23-cv-00421-DAE
DEPO-NOTES, LLC, and PASQUAL §
PEREZ, III, §

Plaintiffs, §

vs. §

DEPOSITION SOLUTIONS, LLC D/B/A §
LEXITAS, COURT REPORTERS §
CLEARINGHOUSE, INC., ALDERSON §
REPORTING COMPANY, INC., §
SOUTHWEST REPORTING & VIDEO §
SERVICE, INC., KENNEDY §
REPORTING SERVICE, INC., TEXAS §
COURT REPORTERS ASSOCIATION, §
INC., SPEECH TO TEXT INSTITUTE, §
INC., SHERRI FISHER, LORRIE §
SCHNOOR, SONIA TREVINO, AND §
SHELLY TUCKER §

Defendants.

ORDER REQUESTING DEFENDANT SPEECH TO TEXT INSTITUTE
APPEAR THROUGH A LICENSED ATTORNEY

In the federal courts of the United States, “parties may plead and conduct their own cases personally or by counsel.” 28 U.S.C. § 1654. It is well-established that although individuals have the right to represent themselves or proceed *pro se* under this statute, corporations are fictional legal persons who can

only be represented by licensed counsel. Rowland v. California Men's Colony, 506 U.S. 194, 201-02 (1993); Memon v. Allied Domecq QSR, 385 F.3d 871, 873 (5th Cir. 2004) (*per curiam*) (citing Rowland and Donovan v. Road Rangers Country Junction, Inc., 736 F.2d 1004, 1005 (5th Cir. 1984) (*per curiam*)); Southwest Express Co., Inc. v. Interstate Commerce Commission, 670 F.2d 53, 54-56 (5th Cir. 1982). “This is so even when the person seeking to represent the corporation is its president and major stockholder.” In re K.M.A., Inc., 652 F.2d 398, 399 (5th Cir. 1981) (citation omitted). When a corporation declines to hire counsel to represent it, the court may dismiss its claims if it is a plaintiff, or strike its defenses if it is a defendant. See Donovan, 736 F.2d at 1005.

Speech to Text Institute **must appear through licensed counsel within twenty days from the date of this order.** If licensed counsel has not entered an appearance on behalf of the defendant within that time, its defenses may be stricken without further notice, and the Court may conduct further proceedings in accordance with the law, including but not limited to, entry of an order of default and/or default judgment.

IT IS SO ORDERED.

DATED: Austin, Texas, November 20, 2023.



David Alan Ezra
Senior U.S. District Judge