

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

BROADWAY PINE BRANDS LLC,

Plaintiff,

v.

SHIRO HOUSE, *et al.*,

Defendants.

Civil Action No. 21-406

(Judge Ranjan)

FILED UNDER SEAL

**PLAINTIFF’S MOTION TO STRIKE ANSWER OF
DEFENDANT EDDIZU (ECF NO. 26)**

I. INTRODUCTION

An answer was filed on behalf of Defendant Eddizu (ECF No. 26) on April 26, 2021. Defendant Eddizu appears to be the name of an entity and not a person. Moreover, the answer was signed by an individual not named as a Defendant in the case. For at least the reasons set forth below, Plaintiff moves to strike the Answer from the docket in this case.

**II. THE DEFENDANT’S ANSWER WAS NOT FILED BY LEGAL COUNSEL
ADMITTED TO PRACTICE BEFORE THIS COURT AND SHOULD
THEREFORE BE STRIKEN FROM THE DOCKET IN THIS CASE**

Plaintiff moves to strike the pro-se “Answer” of the Defendant Eddizu (ECF No. 26) which was signed by a “pro-se litigant” who is not an attorney admitted to the bar of the Western District of Pennsylvania. The black letter law is that a party who is not a natural person must be represented by counsel, who must enter their appearance on their behalf on the docket of this Court. *See, e.g., Doggie v. CDOFFICE, et al.*, 21-271 (C.J. Hornak) (ECF No. 80) (Issuing show cause order against *pro-se* filed answer).

Turning to the Answer in this case. The Answer represents that the defendant in this matter is a business that was created by an individual, not an artificial entity, i.e., a corporation or a limited liability corporation, and defendant's belief that the defendant is not required to be represented by counsel and may proceed *pro se*. Indeed, reviewing Defendant's own assertion and filing, it appears that Eddizu was created by an individual, this answer does not represent that Eddizu is itself a natural person, or that the actual real party in interest as a defendant is a natural person, and that therefore one of two scenarios is the case: either (a) a natural person is simply doing business under the name Eddizu, and that natural person should be named as a defendant; or (b) Edizu is the name of a fictional entity which a natural personal created. In either event, the business is not permitted to represent itself without counsel and the Answer was improperly filed and should be stricken.

III. CONCLUSION

For all of the above reasons, Plaintiff's motion to strike Defendant Eddizu's Answer should be granted. A Proposed Order granting this motion is filed herewith.

Dated: April 27, 2021

Respectfully submitted,

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