

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

COLVISTEC AG, a German corporation

Plaintiff,

v.

Case No: 2:18-cv-783-FtM-38CM

EQUITECH INT'L CORP and MIP  
TECHNOLOGY CORPORATION,

Defendants.

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is Plaintiff Colvistec AG's Renewed Motion to Strike Answer ([Doc. 26](#)) and Amended Certificate of Conferral Regarding Renewed Motion to Strike Answer ([Doc. 27](#)). For the following reasons, the Court grants the Motion.

Colvistec sued Equitech Int'l Corp. and MIP Technology Corporation to recover unpaid debts ([Doc. 1](#)), and Equitech filed a *pro se* answer through Chairman Donald Skelton ([Doc. 11](#)). Colvistec moved to strike the answer because corporations cannot appear *pro se* and must be represented by counsel. ([Doc. 15](#)). Magistrate Judge Carol Mirando denied the motion without prejudice and gave Equitech until January 21, 2019, to retain counsel. ([Doc. 15](#)). Equitech did not comply, and Colvistec now renews its

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motion to strike. (Doc. 26). Colvistec's Counsel has informed the Court that Equitech does not oppose the Motion. (Doc. 27).

As Colvistec argues and Judge Mirando acknowledged, a corporation must be represented by an attorney. *Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1384 (11th Cir. 1985) ("The rule is well established that a corporation is an artificial entity that can act only through agents, cannot appear *pro se*, and must be represented by counsel."). Equitech must appear and be heard by this Court only through legal counsel admitted to the Court pursuant to Local Rules 2.01 or 2.02. M.D. Fla. 2.03(d).

Accordingly, it is now


**ORDERED:**

Plaintiff Colvistec AG's Renewed Motion to Strike Answer (Doc. 26) is **GRANTED**.

(1) Equitech Int'l Corp.'s answer (Doc. 11) is **STRICKEN**.

(2) The Clerk is **DIRECTED** to mail a copy of this Order to Equitech Int'l Corp.

**DONE** and **ORDERED** in Fort Myers, Florida this 24th day of January, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record