

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRIAN TASSINARI, Tassinari
Family Irrevocable Trust-2013,

Plaintiff,

v.

Case No.: 2:24-cv-763-SPC-NPM

JOHN HANCOCK LIFE
INSURANCE COMPANY and
BROWN COMPANY INSURANCE
AGENCY,

Defendants.

_____ /

OPINION AND ORDER

This matter is before the Court after review of Plaintiff's response to the Court's show cause Order (Doc. 6). The Court reviewed the file and ordered Plaintiff to show cause why this action should not be dismissed given a trust must be represented by counsel. *See J.J. Rissell, Allentown, PA Tr. v. Marchelos*, 976 F.3d 1233, 1235 (11th Cir. 2020). In response, Plaintiff explains that he filed as the trustee of the trust, not the trust itself, and may represent the trust in that capacity. But this distinction was neither missed by the Court nor relevant. Regardless of whether a trustee may be the properly named plaintiff, "a nonlawyer trustee has no authority to represent a trust in

court.” *Id.* at 1236. Such representation is tantamount to the unauthorized practice of law. *Id.* Plaintiff must obtain counsel.

Accordingly, it is now

ORDERED:

On or before November 18, 2024, Plaintiff must obtain counsel and file a notice of appearance. **Failure to comply with this Order will result in dismissal without further notice.**

DONE and ORDERED in Fort Myers, Florida on September 17, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record