

1 Gavan R. Munter, SBN 134924
2 ELIE & ASSOCIATES
3 11070 White Rock Road, Suite 200
4 Rancho Cordova, CA 95670
5 Telephone: (916) 638-6610
6 Facsimile: (916) 638-6607

7 Attorneys for Plaintiff
8 TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 TRAVELERS PROPERTY CASUALTY) Case No.: 2:09-CV-00233-GEB-GGH
12 COMPANY OF AMERICA,)
13 Plaintiff,) **DEFAULT JUDGMENT AGAINST**
14 v.) **SAFFRON EXPRESS, INC.**
15 SAFFRON EXPRESS, INC. and JOGINDER) Hearing Date: July 30, 2009
16 SINGH MALHI dba R&J TRANSPORT,) Time: 10:00 am
17 Defendants.) Dept.: 24
18)
19)

20 On June 15, 2009, Plaintiff, Travelers Property Casualty Company of America filed a
21 properly supported request for the clerk of the Court to enter Defendant's default on the clerk's
22 docket. On June 17, 2009, the clerk of the Court properly entered Defendant Saffron Express,
23 Inc.'s default on the clerk's docket, document number 21. On June 18, 2009, Plaintiff filed its
24 Motion for Default Judgment in the above-styled case.

25 After reviewing the pleadings on file, the clerk's docket in this case, and after
26 considering the evidence offered by Plaintiff and admitted by the Court, the Court finds that:
27
28

1 1. On January 23, 2009, Plaintiff filed its Complaint for damages against Defendant
2 pursuant to the Carmack Amendment, 49 U.S.C. § 14706, et seq.

3 2. On January 27, 2009, the Clerk issued a summons directed to Defendant.

4 3. Plaintiff forwarded to a process server, Keith Faust, a copy of Plaintiff's
5 Complaint and the Summons directed to Defendant, and requested that Defendant be served
6 by serving its registered agent for service of process, Jasjeet Singh of Saffron Express, Inc. at
7 1791 Neptune Drive in San Leandro, California.

8 4. On April 27, 2009, Defendant, Jasjeet Singh of Saffron Express, Inc., was
9 served personally at 1791 Neptune Drive in San Leandro, California as is permitted under
10 FRCP Rule 4(h)(1) allowing service upon a corporation through an agent authorized by
11 appointment to receive service of process.

12 5. Although duly and properly served with process in this suit, Defendant, Saffron
13 Express, Inc. has failed to file an answer or otherwise defend or respond to the Plaintiff's
14 Complaint.

15 6. The applicable time for Defendant, Saffron Express, Inc. to respond has expired.

16 7. On June 17, 2009, the Clerk entered the default of Defendant, Saffron Express,
17 Inc. (See Clerk's docket, Document Number 21.)

18 8. The Defendant is a Corporation and therefore is not an infant or an incompetent
19 person and not in the military service.

20 9. By virtue of Defendant's default, Defendant may not challenge any of the factual
21 allegations supporting Plaintiff's claim and may not contest liability.

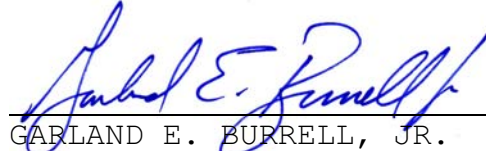
22 10. Plaintiff has been damaged in the sum of \$18,444.62.

23 Plaintiff's Motion for Default Judgment is sound, fully supported and should be granted.
24
25
26
27
28

1 **IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED** Plaintiff, Travelers
2 Property Casualty Company of America be granted Judgment against Defendant, Saffron
3 Express, Inc. in the amount of \$18,444.62, plus pre-judgment interest calculated at .50%
4 annually from the filing the complaint until judgment, plus post-judgment interest at the rate of
5 0.50% per annum from the date of judgment until the judgment is paid, and costs of court.
6

7 This is a final judgment. All relief not granted herein is denied.

8 January 22, 2010

9 
10 _____
11 GARLAND E. BURRELL, JR.
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28