

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

BRIAN SHAUGHNESSEY,)	CIVIL NO. 08-00439 HG-LEK
)	
Plaintiff,)	
)	
vs.)	
)	
LEILANI T.H. YOUNG, DBA)	
LEILANI LOUNGE,)	
)	
Defendant.)	
_____)	

**FINDINGS AND RECOMMENDATION TO DENY
PLAINTIFF'S MOTION FOR JUDGMENT BY DEFAULT**

Before the Court is Plaintiff Brian Shaughnessey'S ("Plaintiff") Motion for Judgment by Default ("Motion"), filed on March 9, 2009. The Court finds this matter suitable for disposition without a hearing pursuant to Local Rule 7.2(d). For the reasons set forth in this Court's Finding and Recommendation that Case be Dismissed Without Prejudice, filed March 10, 2009 (docket no. 12), this Court HEREBY FINDS AND RECOMMENDS that the instant Motion be DENIED.

IT IS SO FOUND AND RECOMMENDED.

DATED AT HONOLULU, HAWAII, March 18, 2009.



/S/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States Magistrate Judge