

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

<p>LAMBORGHINI ARTIMARFCA, SpA,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>FASTWARES, LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>2:10-CV-1821 JCM (PAL)</p>
--	-------------------------------

ORDER

Presently before the court is plaintiff Lamborghini Artimarca, SpA’s motion for default judgment. (Doc. #11).

Pursuant to Federal Rule of Civil Procedure 55(a) “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Federal Rule of Civil Procedure 55(b)(2) provides that a court may enter a default judgment after the party seeking default applies to the clerk of the court as required by subsection (a) of this rule.

Here, defendant has been duly served (*see* doc. #7), but has failed to respond to the complaint. Accordingly, plaintiff applied to the clerk of the court for entry of default against defendant on December 3, 2010 (doc. #8), and the clerk entered default on December 6, 2011, (doc. #9). Plaintiff now asks this court to enter judgment against the defendant, and the court finds that judgment to be proper under Rule 55.

James C. Mahan
U.S. District Judge

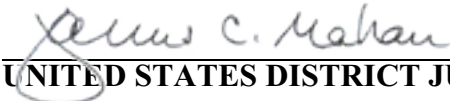
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's application for entry of default judgment (doc. #11) is GRANTED.

IT IS FURTHER ORDERED that the plaintiff shall prepare and submit an appropriate final judgment for the court's review and signature.

DATED March 18, 2011.


UNITED STATES DISTRICT JUDGE