

75 F.3d 207, 212 (5th Cir. 1996). In fact, “[d]efault judgments are a drastic remedy, not favored by the Federal Rules and resorted to by courts only in extreme situations.” *Sun Bank of Ocala v. Pelican Homestead and Savings Ass’n.*, 874 F.2d 274, 276 (5th Cir. 1989). In cases where default has been entered, the Court may set aside the entry of default on a showing of good cause. Fed. R. Civ. P. 55(c). With good cause being mistakes, inadvertence, excusable neglect, newly discovered evidence or fraud. *See Whitman v. United States Lines, Inc.*, 88 F.R.D. 528, 530 (E.D. Tex. 1980).

In the present case, the Court issued an Order to Answer on April 10, 2012. The Court received an acknowledgment indicating that the Office of the Texas Attorney General received the order on April 19, 2012. An answer was due thirty days later. The answer was timely filed on May 16, 2012. As such, there is no factual basis to the present motion. It is accordingly

ORDERED that the motion for entry of default (docket entry #22) is **DENIED**.

So **ORDERED** and **SIGNED** this **23** day of **May, 2012**.


JUDITH K. GUTHRIE
UNITED STATES MAGISTRATE JUDGE