

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CSX TRANSPORTATION, INC.,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:09cv83-MHT
	)	(WO)
SYLVEST FARMS, INC.,	)	
	)	
Defendant.	)	

OPINION

This cause is before the court on plaintiff CSX Transportation, Inc.'s motion for entry of a default judgment in the amount of \$ 124,438.22, plus interests and costs, against defendant Sylvest Farms, Inc.

The record in this case reflects that the defendant was served with a copy of the summons and complaint; it has failed to respond to the summons and complaint within the time allowed; and it has failed to respond to an order of this court to show cause as to why final judgment should not be entered against it. Accordingly, this court is of the opinion that the plaintiff's motion

for entry of default judgment should be granted and that judgment by default in the amount requested should be entered against the defendant.

DONE, this the 8th day of May, 2009.

      /s/ Myron H. Thompson        
UNITED STATES DISTRICT JUDGE