

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

JAMES RIVER INSURANCE CO.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:15-CV-465-WKW
)	(WO)
RETRO, LLC, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

Before the court is Plaintiff James River Insurance Company’s motion for default judgment against Defendants Retro, LLC d/b/a Rewind (“Retro”), and Mickey Phillips. (Doc. # 39); *see* Fed. R. Civ. P. 55(b).

On October 16, 2015, the Clerk of the Court entered default against Retro and Phillips. (Doc. # 29.) The well-pleaded allegations of the complaint state a cause of action for declaratory judgment against Retro and Phillips. Further, for the reasons stated in the June 9, 2016 Memorandum Opinion and Order (Doc. # 51), under Alabama law, Plaintiff is entitled to a declaratory judgment that it owes no duty to defend or indemnify Retro or Phillips with respect to the state court lawsuits filed by Jessica Lynn Tompkins and Natalie Lina Richardson. *See Tyco Fire & Sec., LLC v. Alcocer*, 218 F. App’x 860, 863 (11th Cir. 2007) (“Before entering a default judgment . . . , the district court must ensure that the well-

