

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

NICHOLAS ATKINSON;)
LENORA ATKINSON,)
)
Plaintiffs,)
)
v.) CIVIL ACTION NO. 3:14-cv-1132-WHA
)
JEFF LINDSAY COMMUNITIES, INC.,) (wo)
)
)
Defendant/Third Party Plaintiff,)
)
v.)
)
DAVID ELLISON, CUSTOM VINYL)
EXTERIORS, INC., and TONY JAMES)
MASONRY,)
)
Third Party Defendants.)

ORDER

This case is before the court on the Defendant/Third Party Plaintiff Jeff Lindsey Communities, Inc. Motion for Default Judgment (Doc. #58). The Defendant/Third Party Plaintiff seeks default judgment against Third Party Defendant Tony James Masonry.

Default having been entered by the Clerk of the Court in favor of the Defendant/Third Party Plaintiff and against the Third Party Defendant for Tony James Masonry for failure to answer or otherwise respond to the Third Party Complaint, and for good cause shown, the motion is GRANTED, and it is hereby ORDERED as follows:

1. Default Judgment is entered against the Third Party Defendant Tony James Masory and in favor of the Defendant/Third Party Plaintiff Jeff Lindsey Communities, Inc. as to liability.

2. A jury demand having been filed by the Plaintiffs, the issue of damages is reserved until the trial of this matter.

DONE this 14th day of March, 2016.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE