

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
INDYMAC BANK F.S.B.

PLAINTIFF

v.

Case No. 1:10-cv-18-DPM

WEGGELAND DEVELOPMENT
GROUP, LTD. and STEVEN
WEGGELAND

DEFENDANTS

ORDER

Plaintiff's motion to dismiss Steven Weggeland without prejudice because he is in bankruptcy, *Document No. 11*, is granted for good cause shown. FED. R. CIV. P. 41(a)(2).

Plaintiff's motion for a default judgment against Weggeland Development Group, Ltd., *Document No. 8*, is also granted for good cause shown. FED. R. CIV. P. 55(b)(2). The record reflects good service of process on Weggeland Development in April 2010. This defendant was actually served twice, once through its registered agent in Arkansas and once through its registered agent in Montana, where the limited partnership was formed.

Document Nos. 2 & 3. For more than a year, Weggeland Development has failed to appear, plead, or otherwise defend against the complaint. And the Clerk has entered a default. *Document No. 10.* Plaintiff is therefore entitled to a default judgment.

The complaint and incorporated exhibits and the supporting affidavit make plain that this is a debt case involving a liquidated amount. The contractual documents about Weggeland Development's obligations after defaulting on the debt are clear. The Court therefore sees no need to hold a hearing to fix damages or investigate any other matter. FED. R. CIV. P. 55(b)(2). Plaintiff is entitled to its judgment for the amount requested.

There is one loose end. Plaintiff has calculated pre-judgment interest through 25 March 2011. The Court directs Plaintiff to file a supplemental affidavit as soon as possible calculating interest through 9 June 2011. And the Court will enter judgment on that date.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

27 May 2011