

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

STATE OF ARKANSAS *ex rel.*

DUSTIN McDANIEL, ATTORNEY GENERAL

PLAINTIFF

v.

CASE NO. 4:09cv00456 BSM

**SVM, INC., STORED VALUE
MARKETING, INC., and BRUCE
MIKE MONEymAKER, a/k/a MIKE
MONEymAKER**

DEFENDANTS

ORDER AND JUDGMENT

Plaintiff State of Arkansas *ex rel.* Dustin McDaniel, Attorney General (“Arkansas”) moves for default judgment against defendants SVM, Inc. (“SVM”), Stored Value Marketing, Inc. (“Stored Value”) and Bruce Mike Money maker, a/k/a Mike Money maker (“Money maker”). [Doc. No. 20]. SVM, Stored Value and Money maker have not responded. The motion is granted.

Arkansas filed the original complaint on June 22, 2009. An amended complaint was filed on January 19, 2010. Summonses were issued to SVM, Stored Value and Money maker that same day. On January 26, 2010, Arkansas filed affidavits of service of summons for both SVM and Stored Value. Arkansas requested leave to effect service on Money maker by warning order on April 20, 2010. The request was granted, and on May 11, 2010, Arkansas filed two proofs of publication. On August 11, 2010, Arkansas filed an affidavit of service by warning order. To this date, none of defendants have filed an answer. A separate clerk’s entry of default was filed as to SVM, Stored Value and Money maker on August 12, 2010.

The procedural history set forth above supports the entry of default judgment against SVM, Stored Value and Moneymaker. Arkansas requests that, in lieu of a hearing, fines and damages be awarded following consideration of an affidavit submitted by Stephen B. Digiovanna, an investigator for the Public Protection Department of the Office of the Arkansas Attorney General. A hearing, however, is necessary to allow defendants every opportunity to be heard. Accordingly, Arkansas is directed to contact Betty Tyree, the courtroom deputy clerk, to schedule a hearing on the issue of fines and damages.

IT IS SO ORDERED this 26th day of October, 2010.


UNITED STATES DISTRICT JUDGE