

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

WILLIAM CLEVELAND

PLAINTIFF

vs.

CASE NO. 4:23-CV-1066 JM

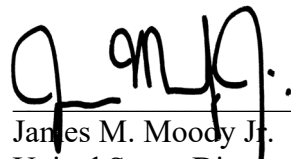
**FIRST US CLINIC, P.A.
And OLABODE OLUMOFIN**

DEFENDANTS

DEFAULT JUDGMENT

Pending is Plaintiff William Cleveland's motion for default judgment against Defendants First US Clinic, P.A. and Olabode Olumofin, a Clerk's Default having previously been entered against Defendants (Docket No. 7). It appears that the motion for default judgment (Document No. 8) is well taken and should be GRANTED. Default judgment is entered in favor of Plaintiff against Defendants jointly and severally in the total amount of \$15,136.00, representing actual wage damages and liquidated damages under the FLSA and AMWA.¹ The total judgment amount will bear interest from today until paid at the rate of 5.02² per annum.

IT IS SO ORDERED this 28th day of March, 2024.



James M. Moody Jr.
United States District Judge

¹ Plaintiff's motion for default judgment states that the Defendants are liable for \$7,568.00 representing both unpaid minimum wages and liquidated damages. Plaintiff goes on to explain that he seeks a judgment against the Defendants for \$15,136.00 for "actual wage damages, liquidated damages, and *pre-judgment interest* under the FLSA and AMWA." (Mot. for Def. J., ECF No. 8, ¶16). "It is settled that the FLSA does not permit successful plaintiffs to obtain prejudgment interest in addition to liquidated damages because that would enable them to obtain double recovery." *Gibson v. Mohawk Rubber Co.*, 695 F.2d 1093, 1102 (8th Cir. 1982) (citing *Brooklyn Savings Bank v. O'Neil*, 324 U.S. 697, 715-716, 65 S.Ct. 895, 906, 89 L.Ed. 1296 (1945)). Plaintiff's affidavit which is attached to the motion shows Plaintiff's calculation of damages to include only wage damages for four (4) months and liquidated damages equal to his four (4) months' wages, as authorized by statute. Prejudgment interest is not actually included in the total of \$15,136.00. The motion merely contains a scrivener's error.

² weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the Judgment.