

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

MICROSOFT CORPORATION

PLAINTIFF

V.

NO. 5:08CV0168 BSM

**DELTA COMPUTER EXPERTS, LLC, an
Arkansas Limited Liability Company, d/b/a
DELTA COMPUTERS; and LLOYD A.
FRANKLIN, II, an individual and d/b/a
DELTA COMPUTERS**

DEFENDANTS

ORDER

This is a copyright and trademark infringement case. Throughout the course of this case, the defendants have refused to participate in discovery. Following the defendants' failure to respond to the plaintiff's November 5, 2008 motion to compel discovery responses and documents, a show cause order was entered on November 25, 2008. The defendants were ordered to appear and show cause on December 15, 2008. At the show cause hearing, the court granted the plaintiff's motion to compel. The court also ordered the defendants to make their initial disclosures and provide complete and full answers and responses to the plaintiff's discovery request within ten days. The defendants were informed that, should they fail to comply, the court would determine whether to enter default judgment. The court's rulings were memorialized in a December 15, 2008 order.

The plaintiff has now filed a notice informing the court of the defendants' failure to comply with the court's December 15, 2008 order. Due to the defendants' noncompliance,

the court strikes the defendants' June 24, 2008 answer [Doc. No. 3]. The defendants are, therefore, in default and, pursuant to Rule 55(a), the clerk is directed to enter a default against the defendants.

IT IS SO ORDERED this 6th day of February, 2009.



UNITED STATES DISTRICT JUDGE