

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION**

**PENGCHENG ALUMINUM
ENTERPRISE INC. USA**

PLAINTIFF

VS.

CASE NO. 6:11-CV-06077-RTD

**A.D. HARRINGTON COMPANY
D/B/A TEMPLE INDUSTRIES, INC.**

DEFENDANT

DEFAULT JUDGMENT

Pending before the Court is the motion for default judgment of plaintiff PengCheng Aluminum Enterprise Inc. USA ("PCA"). Upon consideration of PCA's motion for default judgment, the evidence and other pleadings filed in the case, the Court, being fully advised, finds and orders as follows:

1. This Court has jurisdiction over the subject matter and the parties of this action.
2. On October 11, 2011, PCA filed its Complaint against defendant A.D. Harrington Company d/b/a Temple Industries, Inc. ("Temple Industries") seeking \$211,933.81 in damages due to Temple Industries' breach of contract, and other relief.
3. Plaintiff timely completed service of process on defendant on December 22, 2011. Proof of service was filed January 3, 2012. The Court finds service of process was properly effected and valid in all aspects.
4. The time for defendant to respond to the Complaint has expired, and defendant has not filed an answer or otherwise appeared in this matter. On February 9, 2012, the Clerk of this Court entered default against defendant. Clerk's Entry of Default (Doc. #12).
5. PCA is entitled to entry of default judgment against defendant Temple Industries for the relief sought in its Complaint. Specifically, PCA is entitled to recovery of judgment for \$211,933.81, plus prejudgment interest through January 31, 2012, in the amount of \$35,288.75,

plus prejudgment interest at a daily rate of \$58.06 per day beginning February 1, 2012, until the date of entry of this judgment, plus post judgment interest at the highest rate allowed by law accruing from the date of entry of this judgment until paid, and costs of \$470.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff PengCheng Aluminum Enterprise Inc. USA have and recover judgment by default from defendant A.D. Harrington Company d/b/a Temple Industries, Inc. in the amount of \$211,933.81 plus prejudgment interest through January 31, 2012 in the amount of \$35,288.75, plus interest at a daily rate of \$58.06 per day beginning from February 1, 2012, until the date of entry of this judgment; plus post judgment interest at the highest rate allowed by law accruing from the date of entry of this judgment until paid, and costs of \$470.00.

IT IS SO ORDERED as of this 26 day of June 2012.



HONORABLE ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE

PREPARED BY:
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U.S. DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

JUN 26 2012

CHRIS R. JOHNSON, Clerk
By

Deputy Clerk