

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ANTHONY MARCEL ARRIAGA,
Plaintiff,

vs.

NELSON CRUZ & ASSOCIATES, LLC
Defendant.

CASE NO. 18cv328-LAB (KSC)

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT [Dkt. 7]**

After default was entered against Defendant Nelson Cruz & Associates, LLC (“Nelson Cruz”), Plaintiff Anthony Arriaga moved for default judgment. To ensure Nelson Cruz was truly aware of the action, the Court ordered the clerk to mail a copy of the Motion for Default Judgment to the Defendant at its business address. See Dkt. 8. The Court also cautioned that if Nelson Cruz failed to appear by December 5, 2018, the Court would rule on Plaintiff’s Motion for Default Judgment. Nelson Cruz never appeared in this action.

The Court is satisfied that it has jurisdiction over this claim, and has determined that the factors enumerated in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986) weigh in favor of default judgment. The Motion for Default Judgment is therefore **GRANTED.**

///
///
///
///
///

1 It is **ORDERED AND ADJUDGED** that Plaintiff Anthony Marcel Arriaga shall
2 recover from Nelson Cruz & Associates, LLC:

3 Statutory Damages: \$ 2,000.00

4 Attorney's Fees¹: \$ 13,187.50

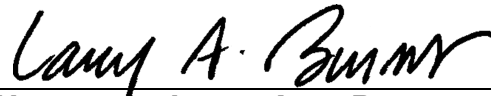
5 Costs: \$ 578.93

6 **Total Judgment: \$ 15,766.43**

7
8 The clerk is directed to enter judgment in favor of Anthony Arriaga and close the
9 case.

10 **IT IS SO ORDERED.**

11 Dated: January 31, 2019



12 **HONORABLE LARRY ALAN BURNS**
13 United States District Judge

14
15
16
17
18
19
20
21
22
23
24
25 _____
26 ¹ Attorney Lauren Veggian states in her declaration that she billed 18.8 hours on this
27 matter. This number included 2.5 hours she anticipated would be necessary to attend
28 the hearing. As no hearing was held on this motion, the Court deducts those 2.5 hours
and therefore attributes a total of 16.3 hours to Ms. Veggian at her claimed rate. All other
claimed numbers are accepted as reasonable for purposes of calculating the lodestar.