

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**
Honorable R. Brooke Jackson

Civil Action No. 12-cv-02327-RBJ

NORMAN WILLIAMS,

Plaintiff,

v.

**TAKHAR COLLECTION SERVICES, LTD.,
and DOE 1-5,**

Defendants.

**AMENDED ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT
JUDGMENT AND ATTORNEY'S FEES**

The matter before the Court is Plaintiff Norman William's Motion for Default Judgment against Takhar Collection Services, LTD. ("Defendant") pursuant to FRCP Rule 55(b)(2).

PROCEDURAL BACKGROUND

On August 30, 2012, Plaintiff filed suit against Defendant alleging violations of the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.). Defendant was served with the lawsuit on September 4, 2012. Defendant failed to file a responsive pleading or otherwise appear in any

manner. Defendant did not contact Plaintiff. On September 28, 2012, Plaintiff filed a Request for Entry of Default, which the Court entered on October 1, 2012. Defendant did not move to set aside the Entry of Default or otherwise appear. Due to a deficiency, Plaintiff filed a Second Amended Complaint on December 5, 2012. Defendant was served with a second summons on December 12, 2011. On January 7, 2013, a second Clerk's Entry of Default was entered against Defendant. Defendant did not move to set aside the second Entry of Default or otherwise appear.

PLAINTIFF'S COMPLAINT SUPPORTS A CLAIM FOR RELIEF

Plaintiff's allegations are sufficient to show that Defendant violated the Fair Debt Collection Practices Act. Plaintiff's allegations may be taken as true in the absence of Defendant's response.

DAMAGES

The Fair Debt Collection Practices Act provides for statutory damages as the court may allow, but not exceeding \$1,000; any actual damage sustained by such person, and the costs of the action, together with a reasonable attorney's fee as determined by the court. (15 U.S.C. 1692k). Plaintiff seeks \$1,000 in statutory damages, \$360.90 in costs, and \$2,350.00 in attorney's fees. Plaintiff has sufficiently pled violations of the 15 U.S.C. 1692b and 1692d, and may therefore recover \$1,000.00 pursuant to 15 U.S.C. 1692k(a)(2)(A). Plaintiff's attorney has submitted a detailed billing summary accounting for \$360.90 in costs and \$2,350.00 in attorney's fees. Commensurate with the average hourly rate in the region, Plaintiff's attorney's rate and therefore calculated fees are found to be reasonable.

ORDER

IT IS HEREBY ORDERED that Plaintiff's Motion for Default Judgment is GRANTED.

IT IS FURTHER ORDERED that judgment is entered in favor of Plaintiff Norman Williams and against Takhar Collection Services, LTD. in the amount of \$3,710.90.

IT IS SO ORDERED on this 8th day of March, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. Brooke Jackson", written in a cursive style.

R. Brooke Jackson
United States District Judge