

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EVANSTON INSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 08-286 JJF
	:	
LAYNE THOMAS BUILDERS, INC.,	:	
	:	
Defendant.	:	

MEMORANDUM ORDER

Plaintiff has filed a Motion for Default Judgment. Defendant, a Delaware Corporation, has not responded and currently is not represented by counsel.

By its motion, Plaintiff requests the Court declare that under the insurance policy at issue Plaintiff is not required to defend Defendant in a lawsuit pending in the Pennsylvania Court of Common Pleas of Philadelphia County styled *DaSilva, et al. v. Layne Thomas Builders, Inc., et al*, November Term 2007, No. 2442 (C.P. Philadelphia). Plaintiff also requests that it be awarded the costs and fees it has incurred in prosecuting this action.

Plaintiff shall submit its costs and fees within fifteen (15) days of the date of this ORDER with notice to the above-named Defendant. Thereafter, if Defendant has not responded through counsel, a Judgment Order will be entered.

SO ORDERED

December 9, 2009
DATE


UNITED STATES DISTRICT JUDGE