IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

DORENDA DAVIS,

Plaintiff,

v.

Civil Action No. 1:10-CV- 01136 - RGA

ADVANCED CREDIT RECOVERY, INC., :

Defendants.

MEMORANDUM

Plaintiff is entitled to default judgment pursuant to Federal Rule of Civil Procedure 55.

Damages are allowed pursuant to 15 U.S.C. § 1692k(a)(2)(A) with a maximum of \$1,000.

After consideration of the frequency and nature of Advanced Credit Recovery Inc.'s noncompliance, the total sum allowable is due the Plaintiff. The issue that remains is what amount
of attorney's fees is reasonable pursuant to Federal Rule of Civil Procedure 55(b)(2).

The attorney's fees enumerated in the record includes billing for amended complaints to correct Advanced Credit Recovery's address. (D.I. 18). Fees relating to the redrafting and filing of amended complaints are not reasonable as due diligence prior to filing the original complaint would have made amending unnecessary. The addition of Vincente Bianco as a defendant incurred fees which also are not reasonable as a default judgment has not been entered against this party. (D.I. 17).

The reasonable fees are those incurred in the pursuit of the original complaint, the service on Advanced Credit Recovery, the request for default and the motion for default judgment. Fees for these actions equal \$2,761.

For the above stated reasons a judgment should be entered against Advanced Credit

Recovery for \$3,761. This sum includes \$1,000 in damages pursuant to 15 U.S.C. § 1692k(2)(A) as well as \$2,761 in reasonable attorney's fees pursuant.

United States District Judge