

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

PNC BANK, N.A., as successor in interest  
to RBC Bank (USA), as successor in interest  
to Community Bank of Naples, N.A.

Plaintiff,

v.

Case No: 2:13-cv-247-Ftm-99SPC

DBAK HOLDINGS, LLC, DONNA H.  
KELLER, BRANT KELLER, PARKER  
COMMONS OFFICE PARK  
CONDOMINIUM ASSOCIATION INC.  
and UNKNOWN OCCUPANTS,

Defendants.

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**ORDER**

This matter comes before the Court on the Plaintiff, PNC Bank, N.A.'s Motion for Clerk's Default (Doc. #18) filed on May 14, 2013. Plaintiff, PNC Bank, N.A. pursuant to Federal Rules of Civil Procedure 55 and Local Rule 1.07(b), moves for Clerk's Default against Defendant, DBAK Holdings, LLC ("DBAK"). Under Fed. R. Civ. P. 55(a), default is justified "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise appear by affidavit or otherwise, the clerk shall enter the party's default."

On April 3, 2013, Donna H. Keller, Registered Agent of DBAK was served at 794 105<sup>th</sup> Street, Naples, FL 34108 with a copy of the Bank's Summons and Verified Complaint. To date, DBAK has failed to file an answer or otherwise respond to the Complaint and the time to do so has expired. Thus, good cause exists to grant the Motion for a Clerk's Default.

Accordingly, it is now

**ORDERED:**

The Plaintiff, PNC Bank, N.A.'s Motion for Clerk's Default (Doc. #18) is **GRANTED**.

The Clerk of the Court is hereby directed to enter a Clerk's Default against the Defendant DBAK Holdings, LLC.

**DONE** and **ORDERED** in Fort Myers, Florida this 15th day of May, 2013.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record