

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER: 08-61790-CIV-COHN

QUALITY DATA SYSTEMS, INC., a
Virginia corporation,

Plaintiff,

vs.

FINANCIAL BUSINESS EQUIPMENT
SOLUTIONS, INC., a Florida corporation,Defendant.

ORDER GRANTING MOTION FOR DEFAULT JUDGMENT

THIS CAUSE is before the Court upon Plaintiff's Motion for Default Judgment [DE 35]. The Court has carefully considered the motion, the lack of a timely response by the deadline of August 13, 2009, and is otherwise fully advised in the premises.

On June 17, 2009, this Court granted Attorney W.J. ("Jeff") Barnes' Amended Motion to Withdraw as Counsel for Defendant Financial Business Equipment Solutions, Inc. ("FBES") [DE 35]. The Court set July 1, 2009 as a deadline for FBES to obtain new counsel or face a default. FBES had been on notice for its need for new counsel since February 13, 2009, when Attorney Jeff Barnes initially moved to withdraw [DE 22]. As previously stated in the prior order, it is a well-settled principle of law that a corporation cannot appear pro se and must be represented by counsel. See Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1385-1386 (11th Cir. 1985), cert. denied, 474 U.S. 1058 (1986); National Independent Theater Exhibitors, Inc. v. Buena Vista Distribution Company, 748 F.2d 602, 609 (11th Cir. 1985), cert. denied 471 U.S. 1056 (1985). The entry of default is appropriate at this time.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motion for Default Judgment [DE 35] is hereby **GRANTED**;
2. A default judgment will therefore be entered against Defendant FBES;
3. Plaintiff shall submit affidavits in support of entry of a final judgment for a sum certain within 30 days;
4. The Clerk may close this case at this time.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County,
Florida, this 28th day of August, 2009.


JAMES I. COHN
United States District Judge

copies to:

Daniel Matlow, Esq./Steven Marcus, Esq.
(counsel for Plaintiff shall forward a copy of this Order and their affidavits to any known address for FBES, as well as to:
Lee Osborne, Esq.
Rappaport, Osborne & Rappaport, P.A.
1300 North Federal Highway, Suite 203
Boca Raton, FL 33432)