

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 10-21322-CIV-MORENO/TORRES

HENRY WOOD,

Plaintiff,

vs.

LUCAR CORPORATION, LLC, a
Delaware limited liability company; and
AIRCRAFT TRUST & FINANCING
CORPORATION, a Delaware corporation,
as Trustee of LUCAR CORPORATION,
LLC,

Defendants.

_____ /

LUCAR CORPORATION, LLC,

Counter-Plaintiff,

vs.

HENRY WOOD,

Counter-Defendant.

_____ /

ORDER

This matter is before on various pending motions in the case and the Court's review of the record. Following the filing of the action, Defendant Aircraft Leasing moved for dismissal for lack of personal jurisdiction. [D.E. 5]. Defendant Lucar answered the complaint and filed a counter-claim of its own against Plaintiff Wood. [D.E. 6]. At that point, Plaintiff through counsel moved to dismiss his own claims

against the Defendants with prejudice [D.E. 29]. Plaintiff also moved for an extension of time to answer the counter-claim, which the Court granted [D.E. 37]. Plaintiff's counsel simultaneously moved to withdraw as counsel for Plaintiff, to which no response was filed by the Plaintiff. That motion was also granted on July 5, 2010 [D.E. 37].

Since these events occurred, Plaintiff/Counter-defendant Wood has not responded in opposition to or seek the withdrawal of the motion to dismiss his own claims against the Defendants, nor has he filed any response or answer to Lucar's counter-claim against him. As a result, Lucar has now filed a motion for entry of default judgment on the counter-claim [D.E. 44], together with a motion for Rule 11 sanctions against the Plaintiff for allegedly frivolous claims that were raised in the complaint [D.E. 40].

To ensure that the pro se Plaintiff/Counter-Defendant is fully informed of the status of this case, which if no further response is filed will result in the dismissal of his claims and the entry of default judgment on the counterclaim, the Court is issuing this Order to provide Mr. Wood due notice of the relief contemplated in this record. Defendant Lucar is directed to forward a copy of this Order to Mr. Wood via U.S. mail and U.P.S. To the extent that Mr. Wood intends to file any response to these motions, or seek to obtain counsel to represent him in this matter, he must do so no later than August 13, 2010.

For now, it is hereby **ORDERED AND ADJUDGED**:

1. Defendant Aircraft Trust's Motion to Dismiss for Lack of Personal Jurisdiction [D.E. 5] is **DENIED AS MOOT** based upon the pendency of the Plaintiff's motion to dismiss all claims in the complaint.

2. If no response in opposition or withdrawal is filed to Plaintiff's Motion to Dismiss [D.E. 29], at least by August 13, 2010, the Court will dismiss all claims in the Complaint with prejudice.

3. If no answer or response is filed to the Counter-claim, at least by August 13, 2010, the Court will grant the motion for default judgment and enter judgment against Counter-Defendant Henry Wood for the amount requested.

DONE AND ORDERED in Chambers at Miami, Florida, this 18th day of July, 2010.


EDWIN G. TORRES
United States Magistrate Judge