

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

ELIJAH R. WASHINGTON,

*

Plaintiff,

*

vs.

*

CASE NO. 3:11-CV-29 (CDL)

CT CORP. SYSTEMS and VERIZON
WIRELESS,

*

Defendants,

*

*

vs.

*

VERIZON COMMUNICATIONS INC. and
VERIZON PENSION PLAN FOR MID-
ATLANTIC ASSOCIATES,

*

Intervenor Defendants.

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O R D E R

In this action, Plaintiff Elijah R. Washington ("Washington") seeks benefits under the Verizon Pension Plan for Mid-Atlantic Associates ("Pension Plan"). Washington also alleges that his former employer, Verizon Communications Inc. ("Verizon Communications"), violated the Employee Retirement Income Security Act of 1974 and the Securities Act of 1933.¹

Washington, who is proceeding *pro se*, initially named CT Corp. Systems and Verizon Wireless as Defendants. Washington subsequently filed a Motion Requesting the Removal of CT Corp.

¹ Washington was employed by Bell Atlantic Corporation, which is a predecessor of Verizon Communications.

Systems and Verizon Wireless from this Suit (ECF No. 20) which the Court now grants. CT Corp. Systems and Verizon Wireless are dismissed from this action without prejudice. Accordingly, Defendant Verizon Wireless's Motion to Dismiss (ECF No. 10) is moot.

Also presently pending before the Court is Washington's Motion for Default Judgment (ECF No. 17). Under the Federal Rules of Civil Procedure, a plaintiff may seek a default judgment when "a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend." Fed. R. Civ. P. 55. Here, the only remaining Defendants, Verizon Communications and the Pension Plan, have both answered Washington's Complaint. See Answer & Defenses of Intervenor Defendants Verizon Communications Inc. & Verizon Pension Plan for Mid-Atlantic Associates, ECF No. 15. Therefore, Washington's Motion for Default Judgment (ECF No. 17) is denied.

IT IS SO ORDERED, this 6th day of July, 2011.

S/Clay D. Land

CLAY D. LAND
UNITED STATES DISTRICT JUDGE