

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

PROGRESSIVE PREFERRED :
INSURANCE COMPANY, :

Plaintiff, :

v. :

No. 5:17-CV-338 (CAR)

MARIO SCHINADEERMAN, WILLIE :
THORPE, SIERRA WASHINGTON, :
MINYEKA CURRY, and CO'RIYAH :
CURRY-WRIGHT, :

Defendants. :

ORDER ON CONSENT MOTION TO SET ASIDE ENTRY OF DEFAULT

Before the Court is the parties’ Consent Motion to set aside the entry of default as to Defendant Willie Thorpe. Under Federal Rule of Civil Procedure 55(c), a court may set aside an entry of default for good cause.¹ The good cause standard is “a liberal one—but not so elastic as to be devoid of substance.”² In determining good cause under Rule 55(c), “[c]ourts have considered whether the default was culpable or willful, whether setting it aside would prejudice the adversary, and whether the

¹ Fed. R. Civ. P. 55 (c).

² *Compania Interamericana Exp.-Imp., S.A. v. Compania Dominicana de Aviacion*, 88 F.3d 948, 951 (11th Cir. 1996) (citation omitted).

defaulting party presents a meritorious defense.”³ Here, the Court finds that Defendant Thorpe’s default was not willful, Plaintiff will not be prejudiced, and Defendant Thorpe asserts a meritorious defense exists. Thus, the parties have established good cause pursuant to Rule 55(c). **IT IS HEREBY ORDERED** that the default entered against Defendant Thorpe on November 3, 2017, be **SET ASIDE**. Defendant Thorpe must respond to Plaintiff’s Complaint within seven (7) days of the date of this Order.

SO ORDERED, this 9th day of November, 2017.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT

ACS

³ *Id.*