

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**IRON WORKERS ST. LOUIS DISTRICT
COUNCIL ANNUITY TRUST, et al.,**

Plaintiffs,

v.

TRI-STAR STEEL ERECTORS, INC.,

Defendant.

Case No. 09-cv-698-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiffs' Renewed Motion for Default Judgment (Doc. 20) against Defendant. Plaintiffs' initial Motion for Default Judgment (Doc. 14), was denied without prejudice by the Court (Doc. 16), for their failure to comply with the requirements of **LOCAL RULE 55.1(a)**. The Court allowed Plaintiffs the opportunity to file a renewed motion.

LOCAL RULE 55.1(a) requires a party to certify to the Court that notice of the entry of default has been sent to the defaulting party. Further, **LOCAL RULE 55.1(b)** requires a party to state in its motion for default judgment that it provided a copy of the motion to the defaulting party by mailing a copy to the defaulting party's last known address. A party is also required to inform the Court that it has mailed a copy of the motion to the defaulting party's attorney, if the filing party knows or reasonably should know the identity of the defaulting party's attorney. **See LOCAL**

RULE 55.1(b).

Regarding this renewed Motion (Doc. 20), the Court still does not find evidence of proper compliance with its **LOCAL RULE 55.1(a)**. In other words, the Court does not find any evidence that Plaintiffs have attempted to certify with the Court that notice of the Clerk's entry of default was provided to Defendant at its last known mailing address, as required by subsection (a). As such, the Court must again **DENY WITHOUT PREJUDICE** Plaintiffs' Renewed Motion for Default Judgment (Doc. 20).

IT IS SO ORDERED.

Signed this 20th day of April, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**