

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

DEUTSCHE BANK NATIONAL	)	
TRUST COMPANY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 10-cv-0859-MJR-DGW
	)	
LINDA R. CONNOR,	)	
GEORGE A. COLLINS & SONS, INC.,	)	
UNITED STATES OF AMERICA,	)	
And EUGENE CONNOR,	)	
	)	
Defendants.	)	

**ORDER ON DEFAULT JUDGMENT MOTION**

REAGAN, District Judge:

Following several Orders and dismissals, four named Defendants remain in this mortgage foreclosure suit, which was timely removed to this District from the Circuit Court of St. Clair County, Illinois: (1) the United States of America (who holds a federal tax lien on the subject property), (2) Eugene Connor, (3) Linda Connor, and (4) George Collins & Sons, Inc. Counsel have appeared for (and answers were filed by) the **United States of America** and **Eugene Connor**. Plaintiff secured a Rule 55(a) clerk's entry of default against **Linda Connor** and **George Collins & Sons, Inc.** ("GCSI"). Now before the Court is Plaintiffs' Rule 55(b) motion for default judgment as to Linda Connor and GCSI. As described below, the Court grants the motion.

Federal Rule of Civil Procedure 55(b)(1) provides that default judgment must be entered if the defendant is not a minor or incompetent person, the plaintiff's

claim is for a sum certain *or a sum that can be made certain by computation*, and the plaintiff supplies an affidavit showing the amount due. Rule 55(b)(2) allows the Court to hold a hearing if needed to conduct an accounting, establish the truth of any allegations, or determine the amount of damages.

Plaintiff has obtained an entry of default against Linda Connor and GCSI as a prerequisite to requesting default judgment. The record indicates that Defendants are not minors or incompetent persons. And the claim is for a sum certain or a sum that can be made certain by computation. The instant motion arises in a slightly atypical context in that Plaintiff seeks not a monetary award from Defendants but rather to foreclose on a residential mortgage. But default judgment is available in this situation.

Accordingly, the Court **GRANTS** Plaintiff's motion for default judgment *as to Defendants Linda R. Connor and GCSI* (Doc. 48). The claims against the remaining two Defendants (the United States of America and Eugene Connor) still must be resolved, and a hearing is needed for the Court to determine the relief to which Plaintiff is entitled via the default judgment against Linda Connor and GCSI. The hearing will be set by separate notice.

IT IS SO ORDERED.

DATED September 23, 2011.

s/ Michael J. Reagan  
Michael J. Reagan  
United States District Judge