

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

CINCINNATI INSURANCE COMPANY,

Plaintiff,

vs.

AMEREN SERVICES COMPANY, CENTRAL
ILLINOIS PUBLIC SERVICE COMPANY, and
WRB REFINING LLC,

Defendants.

Case No. 14-cv-0355-SMY-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on defendant WRB Refining LP's¹ motion (Doc. 35) to set aside the Clerk's entry of default (Doc. 32) in this case. WRB has indicated that the plaintiff has no objection to setting aside the entry of default.

F. R. Civ. P. 55(c) states, "The court may set aside an entry of default for good cause." In order to have an entry of default set aside or a default judgment vacated, defendants need to show: (1) good cause for their default; (2) quick action to correct it; and (3) a meritorious defense to the plaintiff's complaint. *United States v. Di Mucci*, 879 F.2d 1488, 1495 (7th Cir. 1989).

In this case, WRB is able to show each of the three necessary elements to set aside the entry of judgment. In addition, the plaintiff has no objection to the defendant's motion. Therefore, the Court finds good cause to set aside the entry of default.

Accordingly, the Court **GRANTS** WRB's motion (Doc. 35), and **DIRECTS** the Clerk of Court to set aside the entry of default.

IT IS SO ORDERED.**DATED:** September 24, 2014

/s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT COURT

¹ Defendant points out in its motion that the name listed in the caption, WRB Refining LLC, is incorrect. Therefore, the Court will refer to the defendant by its proper name.