

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BRITTANY N. KASKA,

Plaintiff,

v.

ALLIANT ACQUISITION GROUP,

Defendant.

Case No. 18-cv-1174-JPG-SCW

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Brittany N. Kaska's amended motion for default judgment (Doc. 10) in this case under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* She arranged for service of the summons and complaint on defendant Alliant Acquisition Group ("Alliant") at its principal place of business in Riverside, California, on June 14, 2018. Alliant did not respond within 20 days of service, and the Clerk of Court entered default against Alliant on August 3, 2018, pursuant to Federal Rule of Civil Procedure 55(a) (Doc. 7). In her original motion for default judgment, Kaska had not provided evidence that she sent notice of that entry of default to Alliant as required by Local Rule 55.1(a). The Court denied her motion on this account and directed her to reapply once she had served Alliant with notice of the entry of default and to explain in her subsequent motion why service of process on Alliant satisfied Federal Rule of Civil Procedure, particularly Rule 4(k).

Kaska has now filed an amended motion for default judgment under Rule 55(b). In her motion, she explains that she has served process on the defendant in accordance with Rule 4(h)(1)(B). She has not, however, cured her failure to provide evidence that she sent notice of the entry of default to Alliant as required by Local Rule 55.1(a). She states that notice of the

motion for entry of default was sent but does not state that notice of the Clerk's *entry* of default was sent. For this reason, the Court **DENIES without prejudice** Kaska's amended motion for default judgment (Doc. 10). She may reapply with proof that she has served notice of entry of default on Alliant.

IT IS SO ORDERED.

DATED: December 10, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE