

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

BRIETTE LAPLAND,)
Plaintiff,)
v.) CIVIL NO. 3:14cv1665
WILLOW-BROOKES SOLUTIONS, INC.,)
Defendant.)

OPINION AND ORDER

On January 21, 2015, the Magistrate Judge recommended that the Plaintiff's motion for default judgment be granted and that she be awarded \$60,565.00, for violations of the Fair Debt Collection Practices Act. Defendant has not filed a response to the Report and Recommendation.

For the following reasons, the undersigned adopts the Magistrate Judge's Report and Recommendation.

Discussion

With respect to pretrial matters dispositive of a claim or defense, the district court reviews “*de novo* any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3). Should a party make objections to the Magistrate Judge’s Report and Recommendation, such objections must be “specific” and “written.” *Id.* at 72(b)(2). “The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” *Id.* at 72(b)(3).

In the present case, the Magistrate Judge clearly set out the background of the case, including the eleven alleged violations of the Fair Debt Collection Practices Act (FDCPA). The Magistrate Judge noted that even though the Defendant was served with summons and complaint

via certified mail, the Defendant did not respond in any way to Plaintiff's complaint. After Plaintiff moved for entry of default judgment, a telephonic status conference was held, at which Defendant did not appear and the motion for entry of default judgment was referred to the Magistrate Judge for Report and Recommendation.

The Magistrate Judge held a hearing on the motion and, again, Defendant did not attend. Plaintiff testified and submitted exhibits to the court, supporting her claims. The Magistrate Judge determined that Plaintiff was entitled to default judgment and, after carefully analyzing the evidence, further determined that Plaintiff was entitled to damages totaling \$60,565.00

As noted, there were no objections to the Magistrate Judge's Report and Recommendation and, upon review, the undersigned finds that the Report and Recommendation is in accordance with the law and therefore will be adopted.

Conclusion

For the foregoing reasons, the undersigned adopts Magistrate Judge Nuechterlein's Report and Recommendation.

Plaintiff's motion for default judgment [DE 8] is hereby GRANTED. Further, the Defendant is ORDERED to pay the Plaintiff a total of \$65,565.00, as detailed in the Report and Recommendation.

Entered: March 9, 2015.

s/ William C. Lee
William C. Lee, Judge
United States District Court