

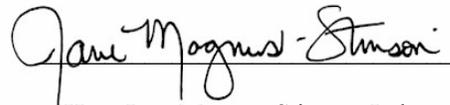
of the defendants' motion for summary judgment. The Court has denied the defendants' motion for summary judgment and set the matter for an evidentiary hearing at which the Court will have the opportunity to weigh the credibility of this testimony.

The drastic sanction of default is not warranted in these circumstances. Accordingly, Bustillo's motion for default judgment [dkt. 53] is **denied**.

IT IS SO ORDERED.

Date: 04/09/2014

Distribution:


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

All Electronically Registered Counsel