

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

WESTFIELD INSURANCE COMPANY,)	
)	
<i>Plaintiff,</i>)	
)	
vs.)	No. 2:15-cv-00242-JMS-MJD
)	
ASHUTOSH CORPORATION,)	
)	
<i>Defendant.</i>)	

ORDER

Presently pending before the Court is a Motion for Default Judgment filed by Plaintiff Westfield Insurance Company (“Westfield”). [[Filing No. 54.](#)] Westfield asks this Court to enter default judgment in its favor and against Defendant Ashutosh Corporation (“Ashutosh”). [[Filing No. 54.](#)]

The Clerk entered default against Ashutosh pursuant to Federal Rule of Civil Procedure 55(a) on December 14, 2016. [[Filing No. 53.](#)] Given the information contained in Westfield’s Motion for Default Judgment, the Court finds a hearing is unnecessary, and now **GRANTS** the pending Motion and enters **DEFAULT JUDGMENT** pursuant to Federal Rule of Civil Procedure 55(b) in favor of Westfield and against Ashutosh to the extent that it **DECLARES** that:

- Westfield has no duty under Commercial Package Policy No. CWP 4 671 169 to defend Ashutosh against demands that Ashutosh received from the Environmental Protection Agency (“EPA”) and the Indiana Department of Environmental Management (“IDEM”) to investigate and, if necessary, remediate environmental conditions at 1032 N. Main Street, Cloverdale, Indiana, 46120, on which Cloverdale Truck Plaza is located, and listed with IDEM as IDEM U FID #4497 (the “Claim”); and
- Westfield has no duty under Commercial Package Policy No. CWP 4 671 169 to indemnify Ashutosh against the Claim.

Final judgment shall enter accordingly.

Date: 1/18/2017



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

Distribution via ECF only to all counsel of record

Distribution via United States Mail to:

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