

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

BOARD OF TRUSTEES OF THE INDIANA
LABORERS WELFARE FUND,

Plaintiff,

vs.

MICHAEL S. GARRETT,

Defendant.

No. 2:18-cv-00034-JMS-DLP

ORDER

Presently pending before the Court is a Motion for Default Judgment on Sum Certain filed by Plaintiff Board of Trustees of the Indiana Laborers Welfare Fund (the “Fund”). [[Filing No. 9.](#)] Plaintiff asks this Court to enter default judgment in favor of the Fund and against Defendant Michael Garrett in the amount of \$2,286.07 in overpaid benefits. [[Filing No. 9 at 1](#); [Filing No. 9-1.](#)]

The Clerk entered default against Mr. Garrett pursuant to Federal Rule of Civil Procedure 55(a) on March 13, 2018. [[Filing No. 8.](#)] Given the Fund’s Motion for Default Judgment and supporting evidence, the Court finds a hearing is unnecessary, and now **GRANTS** the pending Motion. The Court enters **DEFAULT JUDGMENT** pursuant to Federal Rule of Civil Procedure 55(b) in favor of the Fund and against Mr. Garrett in the amount of **\$2,286.07** in overpaid benefits.

To the extent that the Fund seek attorneys’ fees and costs in connection with this action, it must file a fee application by **April 27, 2018** with supporting documentation. Once the issue of attorneys’ fees and costs is resolved, or if no fee application is filed by that date, final judgment will issue accordingly.

Date: 4/12/2018


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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