

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

JOHN POUILLARD (#98999)

CIVIL ACTION NO.

VERSUS

22-430-JWD-EWD

LT. GABRIEL HEBERT, ET AL.

OPINION

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated June 6, 2023 (Doc. 48), to which an objection and a supplemental objection (Docs. 49 and 50) were filed and considered,

IT IS ORDERED that the Motion to Set Aside Default, (Doc. 31) filed by Defendants, is **GRANTED**, as all factors to be considered weigh in favor of setting aside the May 12, 2023, Order granting the Motion for Entry of Default (Doc. 29).

IT IS FURTHER ORDERED that the Motion for Sanctions Against Attorney Matthew Roth for Violations of FRCP 11, (Doc. 33) Supplemental Motion for Sanctions Against Attorney Matthew Roth on False Answer Denial to Plaintiff Lawsuit Misrepresenting in Violation of FRCP 11, (Doc. 38) Motion Alternative Plaintiff Propose to Settle the Default of Total Two Million Dollars, (Doc. 39) Motion for Default Judgment, (Doc. 40) Motion for Sanctions Against Attorney Matthew Roth, (Doc. 41) and Motion for Writ of Mandamus to United States Magistrate Judge Erin Wilder-Doomes Against Michael L. McConnell Clerk of Court, (Doc. 45) filed by Plaintiff John Poullard, are **DENIED**. The Court notes that the Motions related to default judgment are mooted by the adoption of the report and recommendation, setting aside the clerk's entry of default and that Poullard has not shown a basis for sanctions against defense counsel at this time.

Signed in Baton Rouge, Louisiana, on June 27, 2023.



JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA