

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CIVIL ACTION NO. 14-cv-0223

VERSUS

JUDGE FOOTE

DARNESHA S. HARDMAN

MAGISTRATE JUDGE HORNSBY

**MEMORANDUM ORDER**


The United States filed this civil action against Darnesha Hardman to collect an alleged debt in excess of \$46,000. The Government alleges the debt arose in connection with Hardman's default on the terms of a Nursing Scholarship Program. Hardman waived service but did not file an answer, and the United States obtained an entry of default.

Plaintiff later filed an answer, in which she also asked that the default be set aside. The Clerk of Court docketed the filing as a **Motion to Set Aside Default (Doc. 7)**. Plaintiff represented that she complied with her obligations under the scholarship program.

The Court has a great deal of discretion in determining whether there is good cause to set aside a default, and all doubts about the propriety of a default should be resolved in favor of a contest on the merits. Lacy v. Sitel Corporation, 227 F.3d 290, 292 (5th Cir. 2000). The court finds that the best exercise of its discretion in these circumstances is to order that Hardman's request to set aside the default is **granted**. The Clerk of Court is directed to file Hardman's answer.

Cases such as this that are not resolved by settlement or default judgment are usually resolved by a motion for summary judgment. The United States is directed to file a motion for summary judgment by **September 30, 2014** if a settlement is not reached.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 24th day of July, 2014.



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Mark L. Hornsby  
U.S. Magistrate Judge