

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>LUKOIL NORTH AMERICA, LLC,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 2:16-cv-399-DBH</b>
	)	
<b>JOHN V. FINOCHETTI,</b>	)	
	)	
<b>DEFENDANT</b>	)	

**ORDER ON MOTION TO SET ASIDE DEFAULT**

The Court has twice granted the plaintiff extensions of time to respond to the defendant’s motion to set aside default. The second extension has now expired and the plaintiff has not responded to the defendant’s motion. I now **GRANT** the motion to set aside default. The defendant asserts that he was not served; by failing to respond, the plaintiff has not shown that the defendant was properly served; there is therefore good cause to set aside the entry of default. See Fed. R. Civ. P. 55(c). As a result, the plaintiff’s motion for default judgment is **MOOT**. The defendant shall file his Answer by April 24, 2017.

**SO ORDERED.**

**DATED THIS 3<sup>RD</sup> DAY OF APRIL, 2017**

/s/D. BROCK HORNBY  
 \_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**