

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LA GRASSO BROS. INC.,

Plaintiff,

v.

AMERICAN FOODSERVICE, L.L.C., and
DAVID M. MAZUR, JR.,

Defendants.

CIVIL CASE NO. 10-10711

HON. MARIANNE O. BATTANI

_____ /

**DEFAULT JUDGMENT FOR PLAINTIFF AND
AGAINST DEFENDANT AMERICAN FOODSERVICE LLC**

Upon the Court's finding in the Opinion and Order Granting Plaintiff's Motion for Summary Judgment (Doc. 21 at 4-6) that Defendant American Foodservice LLC has failed to plead or otherwise defend in this action, the Clerk's Entry of Default against Defendant American Foodservice (Doc. 23), Plaintiff La Grasso Bros. Inc.'s Motion for Default Judgment (Doc. 26), and the Court being otherwise advised in the premises,

IT IS HEREBY ORDERED that Plaintiff's Motion for Default Judgment be **GRANTED** and **DEFAULT JUDGMENT** be entered against Defendant American Foodservice in the amount of \$27,867.50, plus pre-judgment contractual interest at a rate of 18% per annum of \$6,530.31, for a total judgment amount of \$34,397.91 under Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. § 499(e)(c), and post-judgment interest at the rate specified in 28 U.S.C. § 1961 until paid.

IT IS SO ORDERED.

s/Marianne O. Battani _____

MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: April 28, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served upon Counsel for the Plaintiff and Defendant, American Foodservice LLC via ordinary mail and/or electronically.

s/Bernadette M. Thebolt
Case Manager