

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JESSE L. MORGAN,)	
)	
Plaintiff,)	
)	
vs.)	
)	
THE VOGLER LAW FIRM, P.C., et al.,)	
)	
Defendants,)	
)	

Case No. 4:15-CV-1654 SNLJ

MEMORANDUM & ORDER

Plaintiff brought this lawsuit against his former landlord Ronald K. Reynolds and law firm Vogler Law Firm, P.C., and others, that were involved in plaintiff’s eviction and who filed a collection lawsuit against plaintiff. The Court granted summary judgment to plaintiff on his Count I for Violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”), against the Vogler Law Firm, Vincent D. Vogler, and Vincent V. Vogler (“Vogler defendants”), and on Count II for Violations of the Missouri Merchandising Practices Act, § 407.010 RSMo (“MMPA”) against Ronald Reynolds.

Ultimately, a judgment of \$46,642.10 is outstanding against the Vogler defendants following the defendants’ unsuccessful appeal. The Vogler defendants ceased operations under the Vogler Law Firm name and registered a new business name, Vogler & Associates, LLC. On June 2, 2021, plaintiff served the individual Vogler defendants’ new employer, Vogler & Associates, with a Writ of Execution and Interrogatories to Garnishee with an alleged return date of June 30, 2021. Plaintiff filed a motion for

default judgment against Vogler & Associates on July 30, 2021 because Vogler & Associates did not respond to the interrogatories by June 30.


Vogler & Associates responds that because it had 30 days in which to answer the interrogatories, the due date was July 2, not June 30. Vogler & Associates says that it served its responses on July 1 and that, as a result, the motion should be denied as moot. Notably, plaintiff did not file a reply brief in support of its motion nor otherwise refute anything Vogler & Associates stated.

Accordingly,

IT IS HEREBY ORDERED THAT plaintiff's motion for entry of judgment against garnishee [#176] is DENIED as moot.

IT IS FURTHER ORDERED that Vogler & Associates, LLC's motion to file interrogatory responses [#177], there being no objection thereto, is GRANTED.

Dated this 14th day of October, 2021.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE