

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

STUART SOMLAR,)	
)	
Plaintiff,)	
)	
v.)	No. 4:16-CV-1037 AGF
)	
NELNET, INC.,)	
)	
Defendant,)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant's motion to set aside the Clerk's Entry of Default. After the default was entered, the Court reviewed the returned summons and determined that it did not show that Defendant had been properly served. So, it ordered the Clerk to serve Defendant's registered agent. Defendant acknowledges that it has now been served, and it requests that the default be set aside. The Court finds that Defendant has shown good cause for setting aside the default, and the motion is granted. *See* Fed. R. Civ. P. 55(c).

Accordingly,

IT IS HEREBY ORDERED that Defendant's motion to set aside the Clerk's Entry of Default [ECF No. 12] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's motion for default judgment [ECF No. 9] is **DENIED**.

Dated this 14th day of September, 2016.



 AUDREY G. FLEISSIG
 UNITED STATES DISTRICT JUDGE