

1 1470, 1471 (9th Cir. 1986).

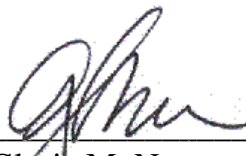
2 It appearing that a proper factual basis exists for the court's award, the court will
3 forego a hearing. Despite the strong public policy favoring decisions on the merits,
4 Defendant Casamar's default occurred after it failed to file an answer to the complaint.
5 Defendant Casamar wholly failed to wage a defense. A review of Plaintiff's motion plainly
6 demonstrates that Plaintiff's complaint is sufficient, the claims are likely meritorious and
7 Plaintiff will suffer further prejudice without a judgment because Defendant Casamar will
8 not pay the amount owed without a judgment. The sum at stake directly corresponds to the
9 amount contemplated in the parties' agreement and there is little possibility of a dispute
10 concerning the material facts.

11 Accordingly, the Court exercises its discretion and hereby enters a default judgment
12 in favor of Plaintiff Overseas Private Investment Corporation and against Casamar Holdings,
13 Inc., as follows:

14 **IT IS HEREBY ORDERED** that Judgment be entered in favor of Plaintiff and
15 against Defendant in the amount of \$981,953.96, together with post judgment interest that
16 will continue to accrue in the amount of \$209.55 per day, as agreed upon pursuant to the
17 contract between the parties; and

18 **IT IS FURTHER ORDERED** that Plaintiff is awarded attorney's fees and costs
19 pursuant to the contract between the parties in the amount of \$2,851.30.

20 DATED this 30th day of November, 2011.

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24 _____
25 Gloria M. Navarro
United States District Judge