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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARC J. RANDAZZA, an individual,
JENNIFER RANDAZZA, an individual, and
NATALIA RANDAZZA, an individual,

Plaintiffs,

v.

CRYSTAL COX, an individual, et al.

Defendants.

Case No.: 2:12-cv-2040-JAD-PAL

**Order Denying Motion for Default
Judgment [Doc. 227]**

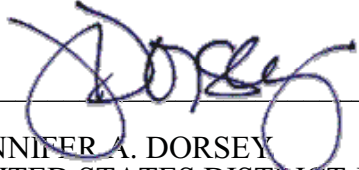
Defendant/Counterclaimant Crystal Cox has filed counterclaims that have been the subject of significant motion practice. Counterdefendant Randazza has filed both an amended answer to those counterclaims and recently moved (again) for their dismissal. Docs. 223, 224. In a five-sentence request, Cox now moves the court for a “default judgment” against Randazza because his answer to her (now significantly whittled down) counterclaims was not filed within 21 days. Doc. 227. She does not state when these 21 days began to run. *Id.* And as these claims were the subject of numerous pending motions—including a motion to dismiss—Randazza’s deadline to respond was actually 14 days after the resolution of pending motions. *See* Fed. R. Civ. P. 12(a)(4). Although Randazza did not file his answer until more than a month after the resolution of those motions, *see* Docs. 213, 220, he has since answered, amended his answer, and filed a new motion to dismiss. *See* Docs. 220, 223, 224. In sum, it is apparent in the more than 200 docket entries in this case that Randazza has pled and is actively defending against Cox’s counterclaims, and her motion is denied on its merits. *See* Fed. R. Civ. P. 55(a).

Even if I did not reach the merits of Cox’s motion for default judgment, I would have to deny it. Cox’s request for a default judgment skips a critical procedural step: asking first for the entry of default. *See id.* And Local Rule 7-2 requires every motion to be supported by a memorandum of

1 points and authorities. Cox's is not. *See* Doc. 227. These procedural deficiencies are independent
2 reasons that Cox's motion for default judgment is—and must be—denied.

3 Accordingly, it is HEREBY ORDERED that Cox's Motion for Default Judgment [**Doc. 227**]
4 **is DENIED.**

5 DATED: October 2, 2014.

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7 _____
8 JENNIFER A. DORSEY
9 UNITED STATES DISTRICT JUDGE

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