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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PARIS G. AREY, et al.,
Plaintiffs,
v.
BOUARI INTERNATIONAL FRANCHISE,
LLC, et al.,
Defendants.

Case No. 2:13-cv-1372-APG-GWF
**ORDER SETTING ASIDE DEFAULT
ENTERED AGAINST DAN OLSEN,
MATT OLSEN, AND THE JAGE TRUST**

Plaintiffs moved for entry of Default Judgment. (Dkt. #93.) However, it did not appear from the record that defendants Dan Olsen, Matt Olsen and The Jage Trust were properly served. Therefore, I ordered plaintiffs to file proof that they complied with Magistrate Judge Foley’s order for service with regard to those defendants. (Dkt. #95.) Plaintiffs have failed to prove they complied with Judge Foley’s order.

Nothing in the record proves that defendants Dan Olsen and Matt Olsen were served “by publishing the summons and complaint at least once a week for four consecutive weeks in a newspaper of general circulation published in . . . Mesa, Arizona,” as required by Magistrate Judge Foley (Dkt. #37 at 2:23-26 (emphasis added).) Nothing in the record indicates that The Jage Trust was served “by mailing a copy of the summons and complaint to the Nevada Secretary of State and by posting a copy of the summons and complaint in the office of the clerk of the court in which such action is brought or pending.” (*Id.* at 3:10-13.) Therefore, default should not have been entered against those defendants.

IT IS ORDERED that the entry of default (**Dkt. #91**) is **SET ASIDE IN PART**. The default entered against Dan Olsen, Matt Olsen, and The Jage Trust is stricken. The entry of default remains

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1 valid as to defendants Bouari International Franchise, LLC; A New Me, LC; A New Me Business,
2 LLC; Bouari's Closet, LLC; Carol Ann Chaney; and Franchise Growth Systems, Inc.

3 Dated: January 20, 2016.



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ANDREW P. GORDON
5 UNITED STATES DISTRICT JUDGE
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