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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRENDA Y. WARD, Plaintiff(s), v. CM SECURITIES, LLC, Defendant(s).	Case No. 2:13-cv-02208-GMN-NJK ORDER DENYING MOTION FOR DEFAULT JUDGMENT (Docket No. 22)

Pending before the Court is Plaintiff's motion for entry of default judgment. Docket No. 22. Rule 55 provides a two-step process for obtaining default judgment: (1) obtaining a default against a non-appearing defendant pursuant to Rule 55(a); and (2) obtaining a default judgment against a defaulted defendant pursuant to Rule 55(b). *See Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986). A motion for entry of default judgment is premature and will be denied if it is filed before obtaining default. *See, e.g.*, *Bach v. Mason*, 190 F.R.D. 567, 574 (D. Id. 1999).

Plaintiff here has not obtained default. Accordingly, the motion for entry of default judgment is DENIED as premature.

IT IS SO ORDERED.

DATED: March 2, 2015

Nancy J. Koppe
United States Magistrate Judge

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