

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CPA LEAD, LLC,

Plaintiff(s),

v.

ADEPTIVE ADS LLC, et al.,

Defendant(s).

Case No. 2:14-CV-1449 JCM (CWH)

ORDER

Presently before the court is plaintiff CPALead, LLC's motion for entry of clerk's default against defendants Adeptive Ads, LLC, Jason Butler, and Michael Belmonte. (ECF No. 168).

On December 17, 2015, plaintiff filed its second amended complaint. (ECF No. 150). Subsequently, on March 4, 2015, plaintiff filed the instant motion seeking an entry of default against defendants. (ECF No. 168).

On March 8, 2015, defendants Adeptive Ads and Butler filed an answer to plaintiff's second amended complaint. (ECF No. 169).

On March 11, 2016, the clerk entered default against defendant Belmonte. (ECF No. 170).

On April 3, 2015, defendant Belmonte filed an answer to plaintiff's second amended complaint. (ECF No. 172).


Under Rule 55(a), default shall be entered by the clerk where a party "has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise."

1 Plaintiff has not filed affidavits or otherwise to show that defendants are in default within
2 the meaning of this rule. Accordingly, the court will deny plaintiff's motion for entry of clerk's
3 default (ECF No. 168).

4 Accordingly,

5
6 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's motion for
7 entry of clerk's default (ECF No. 168) be, and the same hereby is, DENIED.

8 DATED September 6, 2016.

9
10 
UNITED STATES DISTRICT JUDGE