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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

PROGRESSIVE DIRECT INSURANCE  
CO., *et al.*,

Plaintiff(s),

v.

DANIEL CERON, *et al.*,

Defendant(s).

Case No. 2:16-cv-01265-APG-PAL

**DEFAULT JUDGMENT AGAINST  
DEFENDANT KEATING-FRIZZELL**

(ECF No. 32)

Plaintiffs PROGRESSIVE DIRECT INSURANCE COMPANY and PROGRESSIVE NORTHERN INSURANCE COMPANY (collectively “Progressive”) filed their motion for entry of default judgment as to Colleen Keating-Frizzell. ECF No. 32. I have considered all applicable papers and pleadings on file, and I find that the factors set forth in *Eitel v. McCool*, 782 F.2d 1470 (9<sup>th</sup> Cir. 1986) favor entry of default judgment in favor of Progressive.

IT IS HEREBY ORDERED that Progressive’s application for entry of default judgment (ECF No. 32) is GRANTED. I declare that:

Defendant Colleen Keating-Frizzell’s policy with Progressive was void *ab initio* as a result of misrepresentations by Ms. Keating-Frizzell at the time of application.

Progressive is, therefore, not bound by the policy or law to defend or indemnify Ms. Keating-Frizzell under the policy.

DATED this 5th day of April, 2017.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE