

[Docket Nos. 8, 14]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

DENNIS MAURER,

Plaintiff,

v.

ROUTE 38 CENTER ASSOCIATES,
LLC,

Defendant.

Civil No. 16-6048 (RMB/KMW)

ORDER

THIS MATTER comes before the Court upon its Order to Show Cause [Docket No. 13], dated April 24, 2017, and Plaintiff's Response thereto [Docket No. 14], dated May 1, 2017. In his Response, Plaintiff concedes that the entry of default should be vacated. Inexplicably, however, Plaintiff does not move to withdraw his pending Motion for Default Judgment [Docket 8]. Moreover, in his Response, again, inexplicably, Plaintiff seeks to amend the Complaint against, inter alia, the existing named Defendant, Route 38 Center Associates, LLC, even though Plaintiff has learned that the company was dissolved about ten years ago. Response ¶ 6 [Docket No. 14].

ACCORDINGLY, IT IS HEREBY, on this 4th day of May 2017,

ORDERED that the Clerk's Entry of Default as to Defendant Route 38 Center Associates, LLC, entered on March 21, 2017, is **VACATED**; and it is further

ORDERED that Plaintiff's Motion for Default Judgment
[Docket No. 8] is **DISMISSED AS MOOT**; and it is further

ORDERED that, in the event Plaintiff seeks to amend his
Complaint, he shall do so in accordance with the Federal Rules
of Civil Procedure.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE