NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

HOWARD JOHNSON INTERNATIONAL, INC.,

CIVIL ACTION NO. 16-1247 (JLL)

OPINION

Plaintiff,

v.

AYAAN GROUP, LLC, et al.,

Defendants.

THIS IS an action to recover damages for the alleged breach of a hotel franchise agreement. (See dkt. 1.)¹ The plaintiff alleges that the defendants — Ayaan Group, LLC, and Israt Hussain — "unilaterally terminated the franchise agreement by ceasing to operate the facility as a Howard Johnson® guest lodging facility". (Id. at 5.)

THE CLERK OF THE COURT has entered default in favor of the plaintiff and against the defendants in accordance with Federal Rule of Civil Procedure (hereinafter, "Rule") 55(a). (See entry following dkt. 6.)

THE PLAINTIFF now moves pursuant to Rule 55(b)(2) for the entry of default judgment against the defendants. (See dkt. 7.) The plaintiff has submitted proof of damages in support of the motion. (See dkt. 7 – dkt. 7-3.) In addition, the plaintiff has

¹ The Court will refer to documents by the docket entry numbers and the page numbers imposed by the Electronic Case Filing System.

demonstrated that it has: (1) notified the defendants about the entry of default; and (2) served the motion papers upon the defendants. (See dkt. 7 at 4; dkt. 7-2 at 12.)

THE DEFENDANTS have not opposed the motion, even though the time to do so

has elapsed. The Court's independent research reveals that the defendants do not have

any pending petitions for bankruptcy protection, and thus the defendants could have

responded to the motion.

THE COURT will decide the motion without oral argument. See L.Civ.R.

78.1(b). The Court will grant the motion, because the Court's review of the supporting

papers reveals that the plaintiff has demonstrated entitlement to relief.

THE COURT notes that the defendants have an available avenue to contest the

entry of default judgment, if appropriate. See Fed.R.Civ.P. 55(c) (stating court "may set

aside a final default judgment under Rule 60(b)"); see also Fed.R.Civ.P. 60(b) (setting

forth grounds for relief from a final judgment). For good cause appearing, the Court will

issue an appropriate order and judgment.

ited States District Judge

Dated: September ________, 2016

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