

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

GOVERNMENT EMPLOYEES  
INSURANCE CO., *et al*,

Plaintiff,

v.

ACUTE MEDICAL, P.C., *et al*,

Defendants.

Civil Action No.: 16-8030 (JLL)

**ORDER**

**LINARES**, District Judge.

This matter comes before the Court by way of Plaintiffs' motion for default judgment as against Defendants Albert Akkerman, M.D. and Clifton Burt, M.D. (ECF No. 31). Specifically, Plaintiff seeks damages from these Defendants based upon their alleged violations of the New Jersey Insurance Fraud Prevention Act and for common law fraud, aiding and abetting fraud, and unjust enrichment. (*See Id.* at 8-18). On January 5, 2016, the Clerk of Court entered default against these Defendants for their failure to plead or otherwise respond to complaint. (ECF No. 16).

While the Court recognizes that Plaintiffs' motion for default judgment is now ripe, at this time, the Court will deny Plaintiffs' motion for default judgment without prejudice to the re-filing of same at a later date. That is, given that other Defendants (the "answering Defendants") have timely answered Plaintiffs' complaint (ECF Nos. 23, 25) and that this case is therefore in the early stages of litigation, the Court finds it prudent to postpone any ruling on Plaintiffs' motion for default judgment until such time as the claims against the answering Defendants have been

resolved. At that time, the Court will have a better understanding of Plaintiffs' prospective relief as against the Defaulting Defendants. Accordingly,

IT IS on this 28<sup>th</sup> day of FEB, 2017

**ORDERED** that Plaintiffs' motion for the entry of default judgment (ECF No.31) is hereby DENIED without prejudice to the refiling of same at the appropriate time.

IT IS SO ORDERED.



JOSE L. LINARES, U.S.D.J.