

NOT FOR PUBLICATION

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

FIRESTONE FINANCIAL, LLC,

Plaintiff,

v.

WILLIAM LUDWIG et al.,

Defendants.

Civil Action No.: 2:17-cv-02446

ORDER

CECCHI, District Judge.

WHEREAS the Complaint in this matter was filed on April 10, 2017. (ECF No. 1); and

WHEREAS a Summons was returned executed as to Defendants William Ludwig and Patricia Ludwig (“Defendants”) on June 13, 2017 indicating that Defendants had been served on June 7, 2017. (ECF No. 5); and

WHEREAS Plaintiff Firestone Financial, LLC (“Plaintiff”) requested the Clerk of the Court enter default on June 29, 2017 on the basis that the time for Defendants to Answer or otherwise defend against Plaintiff’s Complaint had expired. (ECF No. 6); and

WHEREAS the Clerk of the Court entered default on June 29, 2017. (*Id.*); and

WHEREAS this Court issued a Text Order on August 11, 2017 directing Plaintiff to move for default judgment in this civil action. (ECF No. 7); and

WHEREAS Plaintiff filed a Motion for Default Judgment on August 15, 2017. (ECF No. 8); and

WHEREAS Defendant William Ludwig filed a letter on September 22, 2017 which appeared to contest points of Plaintiff’s Complaint and indicate that Defendant was proceeding *pro se*. (ECF No. 9); and

WHEREAS Defendants William Ludwig and Patricia Ludwig filed a letter on October 4, 2017 which appeared to further contest points of Plaintiff's Complaint and indicate that Defendants were proceeding *pro se*. (ECF No. 10); and

WHEREAS although the time for Defendants to Answer or otherwise defend against Plaintiff's Complaint has expired and Plaintiff has moved for default judgment, the Court, taking into account Defendants' *pro se* status, will consider Defendants' letters.

Accordingly, IT IS on this 10 day of October, 2017, in the interest of justice and for good cause shown:

ORDERED that the Clerk's Entry of Default as to Defendants (ECF No. 6) is hereby vacated; it is further

ORDERED that Plaintiff's Motion for Default Judgment (ECF No. 8) is hereby administratively denied as moot; it is further

ORDERED that Defendants shall, within 60 days of the date of this Order, file an Answer or otherwise defend against Plaintiff's Complaint; it is further

ORDERED that the Clerk of the Court shall send Defendants a copy of the Procedural Guide for Pro Se Litigations and a copy of this Order by regular mail; and it is further

ORDERED that if Defendants do not file an Answer or otherwise defend against Plaintiff's Complaint within 60 days of the date of this Order, Plaintiff shall submit a letter to the Court requesting that the Clerk's Entry of Default as to Defendants (ECF No. 6) and its Motion for Default Judgment (ECF No. 8) be reinstated.

SO ORDERED.



CLAIRE C. CECCHI, U.S.D.J.