

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

(609) 989-2040

CHAMBERS OF
TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
402 E. STATE STREET, RM 6052
TRENTON, NJ 08608

December 19, 2016

LETTER ORDER

Re: Chaula S. Bhatt v. Joseph Fuentes, et al
Civil Action No. 16-2081 (FLW)

Dear Counsel and Ms. Bhatt:

Currently pending before the Court is Defendant Janet Mihalopoulos' ("Defendant") motion to set aside default. (Docket Entry No. 37). Plaintiff Chaula S. Bhatt ("Plaintiff") opposes Defendant's motion. (Docket Entry No. 40)

Pursuant to Fed.R.Civ.P. 55(c), "the court may set aside an entry of default for good cause." Defendant states that there was a miscommunication in the Ohio Attorney General's office concerning whether outside counsel needed to be appointed for her. (Def.'s Br. in Supp. of Mot. at 2). Defendant notes that because of that miscommunication, the response did not get docketed. (Id.) Plaintiff argues that the "court should not allow continued breaking of all rules by defendants who have already broken multiple local Rules of Civ. Process by not answering the complaint on purpose in spite of timely service of summons upon them..." (Pl.'s Opp. at 2).

The Court finds that good cause exists to set aside the entry of default. Defendant's motion to set aside default is GRANTED. Plaintiff's motion for Default Judgment is DENIED AS MOOT. Defendant is directed to file an answer no later than **January 6, 2017**.

The Clerk of the Court is directed to terminate Docket Entry Nos. 24 and 37.

IT IS SO ORDERED.

/s/ Tonianne J. Bongiovanni
TONIANNE J. BONGIOVANNI
United States Magistrate Judge