

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

DR. DARREN JAMES,

Plaintiff,

v.

NEW JERSEY DEPARTMENT OF  
HEALTH AND SENIOR SERVICES, et al.,

Defendants.

Civil Action No. 3:18-cv-10461-BRM-TJB

ORDER

**THIS MATTER** is opened to the Court on Plaintiff Dr. Darren James’s (“James”) Motion for Default and Default Judgment. (ECF No. 22.)

**IT APPEARING THAT:**

1. Defendants filed a motion to dismiss on October 25, 2018 (ECF No. 10);
2. James moved to amend his complaint on November 19, 2018 (ECF No. 12);
3. The Court terminated the motion to dismiss pending a decision on the motion to amend (ECF Nos. 12, 13);
4. The motion to amend is fully briefed (ECF Nos. 12, 18, 20) and does not require further briefing from the parties;
5. Defendants have not failed to plead or otherwise defend, and therefore, neither default nor default judgment is appropriate at this stage. *See* Fed. R. Civ. P. 55.

Accordingly, for the reasons set forth above and for good cause appearing,

**IT IS** on this 7th day of March 2019,

**ORDERED** that James's Motion for Default and Default Judgment (ECF No. 22) is  
**DENIED.**

*/s/ Brian R. Martinotti*  
**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**