

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

PROGRESS SOLAR SOLUTIONS,)
)
Plaintiff,)
)
v.)
)
FIRE PROTECTION, INC., et al.,)
)
Defendants.)

No. 5:17-CV-152-D

PROGRESS SOLAR SOLUTIONS,)
et al.,)
)
Plaintiffs,)
)
v.)
)
MICHAEL D. LONG, et al.)
)
Defendants.)

No. 5:19-CV-5-D

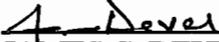
ORDER

For the reasons stated in plaintiffs’ combined brief (1) in opposition to Mikel Bills’s motion for reconsideration; (2) in support of renewed motion to compel and for sanctions against Mikel Bills; and (3) in supplemental support of request for reasonable expenses and fees incurred in bringing motion to compel [D.E. 155] [D.E. 58], the court DENIES Bills’s motion for reconsideration [D.E. 149] [D.E. 52], GRANTS plaintiffs’ motion for sanctions, for entry of default judgment against defendant Solar Mod Systems, Inc., and to strike its answer for repeated failures to comply with this court’s orders [D.E. 152] [D.E. 55], and GRANTS plaintiffs’ renewed motion to compel and for sanctions against defendant Mikel Bills [D.E. 154] [D.E. 57].¹

¹ References to the docket in the 2017 case are not underlined. References to the docket in the 2019 case are underlined.

The court hereby STRIKES the answer of defendant Solar Mod Systems, Inc., and enters default against Solar Mod Systems, Inc. for its ongoing non-compliance with this court's orders. Plaintiffs shall submit a proposed default judgment concerning Solar Mod Systems, Inc. not later than January 5, 2021. As for defendant Mikel Bills, the court DECLINES to strike his answer at this time, but SANCTIONS Bills for his repeated failures to comply with his discovery obligations and WARNS him that the court will strike his answer if he continues to fail to comply with his obligations to the court. Cf. Hathcock v. Navistar Int'l Transp. Corp., 53 F.3d 36, 40-41 (4th Cir. 1995). The court SANCTIONS Bills in the amount of plaintiffs' reasonable attorney's fees incurred in connection with the motions and related briefing. Plaintiffs shall submit a schedule detailing its reasonable attorney's fees not later than January 5, 2021.

SO ORDERED. This 29 day of December 2020.



JAMES C. DEVER III
United States District Judge