

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:12-cv-00022-MR**

i play. inc.,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
)	
D. CATTON ENTERPRISE, LLC, a)	
New York Limited Liability Company,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court *sua sponte*.

On May 10, 2013, the Court entered an Order granting Defendant's counsel leave to withdraw and ordering the Defendant to retain new counsel and file an answer to the Plaintiff's Amended Complaint within twenty-one (21) days. [Doc. 61]. In that Order, the Defendant was further advised as follows:

The Court advises the Defendant D. Catton Enterprise, LLC, . . . that as a limited liability company it may not proceed *pro se* in this case. Thus, the Defendant must obtain new counsel and file an answer to the Plaintiff's Amended Complaint within twenty-one (21) days of the entry of this Order. If new counsel is not obtained and an

answer is not filed within the time required, the Court will direct the Clerk to enter a default against the Defendant.

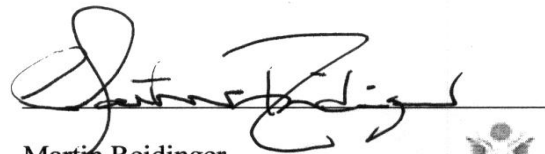
[Doc. 61 at 2].

The deadline established by the Court has now passed, and the Defendant has failed to answer the Plaintiff's Amended Complaint. The Defendant also remains unrepresented, as no new counsel has made an appearance on its behalf. Accordingly, the Court will direct the Clerk to make an entry of default against the Defendant.

IT IS, THEREFORE, ORDERED that the Clerk of Court is directed to make an entry of default against the Defendant D. Catton Enterprise, LLC.

IT IS SO ORDERED.

Signed: June 8, 2013


Martin Reidinger
United States District Judge

