

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE K COMPANY, INC.,)	CASE NO. 5:19-cv-02638
)	
Plaintiff,)	JUDGE JOHN R. ADAMS
)	
v.)	
)	MEMORANDUM OPINION
ENVIROWORKS, LLC,)	AND ORDER
)	(Resolves Doc. 5)
Defendants.)	

On November 12, 2019 Plaintiff The K Company, Inc. (“The K Co.”) filed a complaint against Defendant Enviroworks, LLC (“Enviroworks”) in which The K Co. sought damages arising out of Enviroworks’ failure to pay \$147,084.78 due under the terms of two contracts to provide heating, ventilation and air conditioning preventive maintenance at various military installations in the state of Ohio, including, but not limited to Army Reserve Centers in Summit and Stark Counties, Ohio. (Doc. #1.)

The K Co. caused the Summons, Complaint, and Consent to Exercise of Jurisdiction by a United States Magistrate Judge form (collectively “Service Copies”) to be forwarded by United States Postal Service Certified Mail on November 12, 2019. (Doc.# 4, PageID#: 47.) Enviroworks accepted service on December 9, 2019. (Doc.# 4.1, PageID#: 50.) Service was perfected pursuant to Fed. R. Civ. P. Rule 4(h).

Enviroworks has failed to plead or otherwise defend against Plaintiff’s complaint within twenty-one (21) days as required by Fed. R. Civ. P. Rule 12. Therefore, in accordance Fed. R. Civ. P. 55(b), The K Co.’s Motion for Default Judgment is hereby GRANTED.

The K Co.'s claim is for the sum certain of \$147,084.78 representing the amounts due under two separate contracts between The K Co. and Enviroworks. Pursuant to Fed. R. Civ. P. 55(b)(2) judgment in the amount of \$147,084.78 is hereby entered for Plaintiff The K Co. and against Defendant Enviroworks, together with prejudgment interest and costs.

IT IS SO ORDERED.

June 1, 2020
Date

/s/ John R. Adams
United States District Judge