

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RUTHERLAN ENTERPRISES,

Plaintiff,

v.

**Case No. 2:14-cv-0019
JUDGE GREGORY L. FROST
Magistrate Judge Elizabeth P. Deavers**

ZETTLER HARDWARE, et al.,

Defendants.

ORDER

Plaintiff seeks an order of default judgment against Defendant Substruct Systems, LLC (“Substruct”). After Substruct failed to answer Plaintiff’s complaint or otherwise defend this action, Plaintiff sought an entry of default (ECF No. 49), which the Clerk entered on February 17, 2015 (ECF No. 50).

Plaintiff filed a motion for default judgment on May 26, 2015. (ECF No. 53.) The Court held an oral hearing on that motion on July 1, 2015 (“Hearing”). Plaintiff’s President, Terry Caplan, and his counsel appeared at the hearing. Substruct did not appear or cause anyone to appear on its behalf.

The Court memorializes the results of the Hearing as follows:

- (1) The Court **GRANTS** Plaintiff’s motion for default judgment (ECF No. 53); and
- (2) The Court **ENTERS** default judgment against Substruct in the amount of \$400,069.12. This award is comprised of \$199,534.56 in compensatory damages, \$199,534.56 in punitive damages, and \$1,000 in attorney’s fees.

The Clerk is **DIRECTED** to enter judgment accordingly and terminate Substruct on the docket as a party to this action.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE