

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**RENEWABLE ENERGY EQUIPMENT
LEASING, LLC,**

Plaintiff,

v.

**Civil Action 2:14-cv-2687
Judge Michael H. Watson
Magistrate Judge Jolson**

TEAM GEMINI, LLC, et al.,

Defendants.

REPORT AND RECOMMENDATION

On March 2, 2017, the Court ordered Defendant Gemini Holdings I, LLC “to show cause within fourteen (14) days of the date of this Order for why default judgment in favor of Plaintiff [was] not appropriate.” (Doc. 107 at 2). The Court noted that unless Gemini Holdings, I, LLC sufficiently showed cause, the undersigned would recommend default judgment.

Further, in that same Order, Defendants Team Gemini, LLC and Team Gemini Project Cardinal were directed to obtain counsel within fourteen (14) days, and to have their new counsel file a notice of appearance within that timeline. (*Id.* at 4). Defendants Team Gemini, LLC and Team Gemini Project Cardinal, LLC were also warned that if counsel was not obtained, “the undersigned would recommend default judgment.” (*Id.*).

Fourteen days have passed and all three Defendants failed to comply with this Court’s Order. Accordingly, it is **RECOMMENDED** that **DEFAULT JUDGMENT** be entered against Defendant Gemini Holdings I, LLC, Defendants Team Gemini, LLC, and Team Gemini Project Cardinal.

Procedure on Objections to Report and Recommendation

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s). A Judge of this Court shall make a *de novo* determination of those portions of the Report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

IT IS SO ORDERED.

Date: March 17, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE