

UNITED STATES FEDERAL DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
AT DAYTON

**IRON WORKERS DISTRICT COUNCIL  
OF SOUTHERN OHIO & VICINITY  
BENEFIT TRUST, et al.,**

Plaintiffs,

v.

**JAMES R. LAUER, et al.,**

Defendants.

CASE NO. 3:15-CV-00248

JUDGE THOMAS M. ROSE

**ORDER**

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**ORDER DENYING MOTION FOR DEFAULT JUDGMENT**

Before this Court, Plaintiffs Iron Workers District Council of Southern Ohio & Vicinity Benefit Trust, Iron Workers District Council of Southern Ohio & Vicinity Pension Trust, Iron Workers District Council of Southern Ohio & Vicinity Annuity Trust (collectively “Trusts” or “Plaintiffs”) submitted a Motion for Default Judgment against the Defendant GHG Construction, LLC (“GHG”). One defendant, James R. Lauer, has answered the complaint, and he and Plaintiff have been ordered to prepare a discovery plan.

Federal Rule of Civil Procedure 54(b) provides:

(b) Judgment on Multiple Claims or Involving Multiple Parties. When an action presents more than one claim for relief—whether as a claim, counterclaim, crossclaim, or third-party claim—or *when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.* Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time

before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.

. Plaintiffs' motion does not establish that there is no just reason for delay. Plaintiffs' Motion for Default Judgment, doc. 11, is **DENIED**.

**IT IS SO ORDERED**

Date: Monday, January 11, 2015

s/Thomas M. Rose  
Thomas M. Rose  
United States District Judge