

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DARREN MICHAELS,

Plaintiff,

vs.

**BAJ ALEXANDRA and UNITED
STATES OF AMERICA, INC.**

Defendants.

)
)
)
)
)
)
)
)
)
)

Civil Action No. 12-219E

MEMORANDUM ORDER

Pending before the Court are Defendants’ Motion to Vacate, Strike, and Set Aside Default Judgment [ECF #23] and Plaintiff’s Petition to Strike Defendant’s Motion to Vacate [ECF#34].

In Defendants’ Motion, Defendants ask this Court “to vacate, strike and set aside the default judgment entered by the Court of Common Pleas of Venango County, Pennsylvania.” Motion, p. 1. A default judgment had been entered against Defendant Baj in the state court on July 13, 2012.

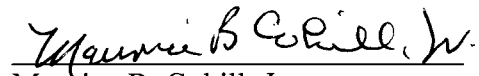
On June 21, 2013, the Defendants filed a “Notice of Recent Action Taken by the State Court in Darren Michaels v. Alexandra Baj, Civ. No. 901-2012.” Attached to the Notice is an Order of Court dated June 14, 2013, signed by the Honorable Robert L. Boyer of the Court of Common Pleas of Venango County with respect to two cases filed in that court: (1) Darren James Michaels vs. Lisa Vickers and Office, Civ. No. 1011-2012; and (2) Darren Michaels, Grantor vs. Alexandra Baj, Civ. No. 901-2012. The latter case was removed by the Defendants to this Court on September 21, 2012. With respect to No. 901-2012 case, the Order of Court states in pertinent part: “The court hereby directs the Prothonotary’s Office, in addition to having

transferred the case at Civil Number 901 of 2012 to the federal authorities, to mark said judgment in the Venango County docket sheets as “VACATED.”

Given this directive by the State Court, Defendants’ Motion to Vacate, Strike, and Set Aside Default Judgment and Plaintiff’s Petition to Strike Defendant’s Motion to Vacate both will be denied as moot.

AND NOW, it is hereby ORDERED, ADJUDGED, AND DECREED that Defendants’ Motion to Vacate, Strike, and Set Aside Default Judgment [ECF #23] and Plaintiff’s Petition to Strike Defendant’s Motion to Vacate [ECF#34] are DENIED as MOOT.

DATE: June 25, 2013


Maurice B. Cohill, Jr.
Senior District Court Judge