

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

E-CAR PRO LTD.,)	Civil Action No. 0:10-2911-CMC
)	
Plaintiff,)	
)	OPINION AND ORDER
v.)	FOR ENTRY OF DEFAULT JUDGMENT
)	
RUFF AND TUFF ELECTRIC)	
VEHICLES, INC.,)	
)	
Defendant.)	
_____)	

This matter is before the court on Plaintiff’s amended motion for default judgment which was filed December 29, 2010. Dkt. No. 11. Plaintiff supplemented this motion on January 20, 2011, waiving any claim for damages or other relief beyond that specifically sought in the complaint and reserving pursuit of costs for post-judgment motion. *See* Dkt. No. 16. The relief now sought includes: (1) the outstanding balance due on Plaintiff’s invoices to Defendant (\$1,121,780.56); and (2) the right to reclaim inventory still in Defendant’s possession pursuant to S.C. Code Ann. § 36-2-702.¹

As limited by Plaintiff’s supplemental filing, Plaintiff’s demands correspond with relief specifically requested in the complaint. The amount pursued and right to relief are further supported by affidavit of Plaintiff’s president filed December 17, 2010.

Default having been entered by the Clerk of Court on December 7, 2010 (Dkt. No. 8), and no response to the motion for default judgment having been filed, the court finds Plaintiff is entitled to the relief sought. Wherefore, the court directs that judgment be entered for Plaintiff in the amount

¹ The value of any recovered inventory (or proceeds of any commercially reasonable sale of the same) shall be applied in partial satisfaction of the judgment.

of \$1,121,780.56. In addition, the judgment shall state that Plaintiff may reclaim any inventory obtained from Plaintiff which is still in the possession of Defendant, with the value of the reclaimed inventory (or proceeds of sale if sold) to be applied to satisfaction of the judgment.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
January 27, 2011