

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

Nutramax Laboratories, Inc., and)	C/A No.: 0:17-2081-DCC-SVH
Nutramax Laboratories Consumer)	
Care, Inc.,)	
)	
Plaintiffs,)	
)	
vs.)	ORDER
)	
Vitamin Boat Corp., d/b/a)	
ManRelated.com; and Paul)	
Buchanan,)	
)	
Defendants.)	
)	

This matter comes before the court on Plaintiffs’ motion for default judgment as to defendants Vitamin Boat Corp., d/b/a ManRelated.com, (“Vitamin Boat”) and Paul Buchanan (“Buchanan”) (collectively “Defendants”). [ECF No. 15]. The motion was referred to the undersigned by order of the Honorable Donald C. Coggins, United States District Judge, dated May 4, 2018. [ECF No. 19].

Plaintiffs filed proof of service on September 1, 2017. [ECF Nos. 8, 9]. Plaintiffs requested an entry of default against Defendants on September 12, 2017, asserting that Defendants were served with copies of the summons and complaint on August 14 and 17, 2017, and had failed to answer or otherwise plead. [ECF No. 10].


The clerk entered default against Defendants on September 12, 2017. [ECF Nos. 12, 14]. Default having been entered against Defendants, they are deemed to have admitted the factual allegations of the complaint against them. All that remains is assessing the amount of damages.

Pursuant to Rule 55(b)(2), Fed. R. Civ. P., “[t]he court may conduct hearings or make referrals—preserving any federal statutory right to a jury trial—when, to enter or effectuate judgment, it needs to . . . (B) determine the amount of damages.” Because Plaintiffs have not presented evidence to the court as to the amount of damages, a hearing is required. The court permits Plaintiffs until June 6, 2018, to take limited discovery to better ascertain Defendants’ profits. The court directs Plaintiffs to supplement their motion for default judgment, explaining the type and amount of damages they seek by June 20, 2018. A hearing will be scheduled thereafter.

The clerk is directed to send a copy of this order to Defendants at the address at which it was served with the summons and complaint.

IT IS SO ORDERED.

May 7, 2018
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge