

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

PENNSYLVANIA HIGHER EDUCATION)
ASSISTANCE AGENCY, *as servicing agent*)
for, and o/b/o SunTrust Bank,)
)
Plaintiff,)
)
v.)
)
BENJAMIN SCOTT COFFEY,)
)
Defendant.)
)

Case No. 1:12-cv-271

Judge Mattice

ORDER

Plaintiff Pennsylvania Higher Education Assistance Agency (“PHEAA”), as servicing agent for, and on behalf of SunTrust Bank, has filed a Motion for Default Judgment against Defendant Benjamin Scott Coffey. (Doc. 7). The Court referred the Motion to United States Magistrate Judge Susan K. Lee for a Report and Recommendation on Defendant’s liability for the causes of action in Plaintiff’s complaint and the amount of damages, including pre- and post-judgment interest, to which Plaintiff is entitled as a result of Defendants’ liability for such causes of action. (Doc. 8).

After conducting an evidentiary hearing with respect to damages (at which Defendant failed to appear despite notice), Magistrate Judge Lee filed her Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). (Doc. 15). Magistrate Judge Lee recommended that Plaintiff be awarded a total of **\$32,906.07** in pre-judgment damages, allocated in the following amounts:

- The principal amount of **\$26,763.89**;
- Pre-judgment interest through February 28, 2013 in the amount of **\$467.18**;
- Attorneys' fees in the amount of **\$5,325.00** and costs in the amount of **\$350.00**.

Additionally, Magistrate Judge Lee recommended an award of post-judgment interest at the statutory rate pursuant to 28 U.S.C. § 1961. (Doc. 15).

Neither party has filed objections to the Magistrate Judge's Report and Recommendation.

After reviewing the record, the Court agrees with Magistrate Judge Lee's Report and Recommendation. The Court hereby **ACCEPTS** and **ADOPTS** the Magistrate Judge's findings of fact, conclusions of law, and recommendations pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b). Plaintiff's Motion for Default Judgment (Doc. 7) is hereby **GRANTED**, and judgment for damages is awarded in the amounts set forth above.

Pursuant to Fed. R. Civ. P. 58(a), the Clerk of Court is **DIRECTED** to enter a separate judgment in favor of Plaintiff and, thereafter, close this case.

SO ORDERED this 2nd day of April, 2013.

/s/ Harry S. Mattice, Jr.

HARRYS. MATTICE, JR.
UNITED STATES DISTRICT JUDGE