

**IN THE UNITED STATES DISTRICT COURT
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

Shoney's North America, LLC,)
) Case No. 3:12-cv-0625
Plaintiff,)
) Judge Sharp
v.) Magistrate Judge Knowles
)
Smith & Thaxton, Inc., et al.,)
)
Defendants.)

DENIAL OF DEFAULT

Pending is Plaintiff's Motion for Entry of Default (Docket Entry No. 72) against Defendant Smith & Thaxton, Inc. Defendant has failed to retain counsel as required by the Court (Docket Entry No. 58) and has failed to defend this matter. Accordingly, the Clerk hereby enters default pursuant to Federal Rule of Civil Procedure 55(a) against Defendant Smith & Thaxton, Inc.

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court