

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

American Federation of Musicians of the United States and Canada, AFL-CIO)	
)	
)	Case No. 3:12-cv-0969
Plaintiff,)	
)	Judge Campbell
v.)	Magistrate Judge Griffin
)	
Jimmy L. Adams d/b/a J.A.M., LLC; and Jimmy Adams Media, LLC,)	
)	
Defendants)	

DENIAL OF DEFAULT

Pending is Plaintiff's Application for Entry of Judgment by Default Pursuant to FRCP 55(b)(2)(Docket Entry No. 19). The Clerk will construe this as a request to enter default pursuant to Federal Rule of Civil Procedure 55(a). The grant of a default judgment is a two part process and no default judgment may be granted pursuant to FRCP 55(b) until default has been entered pursuant to FRCP 55(a). *U.S. v. \$22,050.00 U.S. Currency*, 2008 WL 4093066 at page 3 (M.D. Tenn. Aug. 26, 2008); *Ramada Franchise Systems, Inc. v. Baroda Enterprises, LLC*, 220 F.R.D. 303, 305 (N.D. Ohio 2004).

Plaintiff's motion is denied as the Court has before it a pending motion for extension of time filed by Defendants (Docket Entry No. 17). Plaintiff has filed objections to that motion (Docket Entry No. 18). The Clerk will not enter default until the Court has ruled upon that motion. Plaintiff may refile its motion for default should the Court deny the extension.

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court