

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DONALD W. FISHER, )  
)  
Plaintiff, )  
)  
v. )  
)  
CHRISTOPHER GATES AND GATES )  
CONSTRUCTION AND DESIGN, LLC, )  
)  
Defendants. )


No. 3:15-cv-00127  
CHIEF JUDGE CRENSHAW

**ORDER**

Pending before the Court is a Report and Recommendation (Doc. No. 62) from Magistrate Judge Frensey to which no objections have been filed. Having undertaken *de novo* review in accordance with Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition.

Accordingly, (1) the Report and Recommendation (Doc. No. 62) is hereby **ACCEPTED and APPROVED**; (2) Defendants’ Motion to Vacate Entry of Default (Doc. No. 55) is **GRANTED** with respect to the entry of default as to Christopher Gates individually, but **DENIED** as to corporate Defendant Gates Construction and Design, LLC; (3) Plaintiff’s First Motion for Default Judgment (Doc. No. 61) is **GRANTED** solely as to Gates Construction and Design, LLC.; and (4) a **DEFAULT JUDGMENT** is hereby entered against Gates Construction and Design, LLC.

It is SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE