

attached affidavit (ECF No. 47-1) demonstrate that Defendant exercised diligence in attempting to secure new counsel after the Court granted its motion for a time extension on June 7, 2017 (ECF No. 43). This is not a case of a “willful failure . . . to appear and plead.” *Shepard Claims Serv., Inc. v. William Darrah & Assocs.*, 796 F.2d 190, 194 (6th Cir. 1986). Second, Defendant’s Answer (ECF No. 12) meets the permissive standard for establishing a meritorious defense. *See United States v. \$22,050.00*, 595 F.3d at 326 (“[A] defense is meritorious if it is ‘good at law,’ regardless of whether the defense is actually likely to succeed on the merits.”) Finally, the prejudice to Plaintiff is low here, where Defendant’s inaction resulted in a delay of only a few days. For these reasons, the Court is satisfied that Defendant has shown good cause for its delay. Accordingly, the Court hereby **DISMISSES** the show cause order and will not direct the clerk to enter default against Defendant.

The Court’s June 7, 2017 order granting Defendant’s motion for an extension of time directed Defendant to “file its response to Plaintiff’s motion [for partial summary judgment] within twenty-eight (28) days of its retention of new counsel.” (ECF No. 43 at 2.) In the interested of minimizing prejudice to Plaintiff, the Court shall continue to enforce that deadline here, and Defendant is **DIRECTED** to file a response to Plaintiff’s pending motion for partial summary judgment by August 4, 2017—twenty-eight days after the original deadline for securing new counsel.

IT IS SO ORDERED this 21st day of July, 2017.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE