

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**ANDREW LOMENZO,
CARRIE JACKSON-ARDILA,
ERIN MADDOX, and
MITCHELL RASQUE,**

Plaintiffs

-vs-

Case No. 14-C-138

**BL IMAGING, Inc. d/b/a BACKLOT IMAGING,
and STEVEN MUCKERHEIDE,**

Defendants.

DECISION AND ORDER

In this action under the Fair Labor Standards Act, the plaintiffs simultaneously moved for entry of default and default judgment, which is not the correct procedure. Fed. R. Civ. P. 55(a), 55(b). Nonetheless, the Clerk of Court correctly entered default against BL Imaging, Inc. The plaintiffs should file an appropriate motion for default judgment within **ten (10) days** of the date of this Order. *See Domanus v. Lewicki*, 742 F.3d 290, 303 (7th Cir. 2014), explaining that while a default judgment “conclusively establishes liability, the victor must still prove up damages. Any allegations in the complaint relating to liability are considered true, but allegations going to damages are not.”

Dated at Milwaukee, Wisconsin, this 8th day of August, 2014.

SO ORDERED:


HON. RUDOLPH T. RANDA
U.S. District Judge