

1 UNITED STATES BANKRUPTCY COURT
2 EASTERN DISTRICT OF CALIFORNIA

3 In re:)

) Case No.

4)
5)
6 Debtor(s).)
7 _____)

) Adversary No.

8)
9)
10 Plaintiff(s),)

11 vs.)

12)
13)
14 Defendant(s).)
15 _____)

15 **ENTRY OF DEFAULT AND ORDER RE: DEFAULT JUDGMENT PROCEDURES**

16 *(This form is to be used for a single defendant only. If you have multiple*
17 *defendants, please submit a separate form for each.)*

17 It appears from the record that defendant _____
18 _____ failed
19 to plead or otherwise defend in this proceeding as required by
20 law.

21 Therefore, default is entered against defendant

22 _____
23 as authorized by Federal Rule of Civil Procedure 55 as
24 incorporated by Federal Rule of Bankruptcy Procedure 7055.

25 () Plaintiff(s) shall apply for a default judgment within
26 30 days of the date of this order. A "prove-up" hearing shall be
27 scheduled on the court's regular law and motion calendar on
28 notice to the defendant pursuant to Local Rule 9014-1. The

1 request for default judgment may be supported by affidavit in
2 lieu of live testimony. Failure to comply with this order may
3 result in the imposition of sanctions pursuant to Fed.R.Civ.P.
4 16(f), including, without limitation, dismissal of this adversary
5 proceeding without further notice or hearing.

6 () Plaintiff(s) shall apply for a default judgment within
7 30 days of the date of this order. The motion need not be set
8 for hearing but shall be filed and served on the defendant. The
9 motion shall be supported by declarations or affidavits or other
10 admissible evidence establishing liability and a right to the
11 relief requested. A proposed "Default Judgment" for the court's
12 signature shall be lodged with the motion. See Bankruptcy Rule
13 7055(b). Failure to comply with this order may result in the
14 imposition of sanctions pursuant to Federal Rule of Civil
15 Procedure 16(f) and 41(b), including, without limitation,
16 dismissal of this adversary proceeding without further notice
17 or hearing.

18 () Plaintiff(s) shall file supplemental declaration(s)
19 documenting the source of the address(es) used for service of
20 defendant.

21
22 Dated:

23
24 Richard Heltzel, Clerk
25 United States Bankruptcy Court

26
27 By: _____
28 Deputy Clerk