

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-CV-22489-RAR

XYZ CORPORATION,

Plaintiff,

v.

ABC CORPORATION 1, *et al.*,

Defendants.

ORDER REQUIRING MOTION FOR DEFAULT JUDGMENT

THIS CAUSE comes before the Court upon the Clerk’s Entry of Default as to ABC Corporation 1 and ABC Corporation 2, [ECF No. 35]. On May 30, 2025, Plaintiff filed the Complaint, [ECF No. 1]. On June 26, 2025, Plaintiff filed a Sealed *Ex Parte* Motion for Substitute Service of Process on Each Defendant (“Motion for Substitute Service”), [ECF No. 18]. The Court entered an Order granting the Motion for Alternate Service on July 1, 2025 (“Order”), [ECF No. 19]. On July 18, 2025, Plaintiff filed a Return of Service indicating that Plaintiff had effectuated service on Defendants on July 18, 2025. [ECF Nos. 25–26]. Pursuant to Federal Rule of Civil Procedure 12(a), Defendants were required to file a response or answer to the Complaint by August 8, 2025. To date, there is no indication that any of the Defendants have filed a response or answer, and no Defendant has requested an extension of time to do so. Accordingly, Plaintiff moved for a Clerk’s Entry of Default, [ECF No. 34], on August 11, 2025, and the Clerk entered default against Defendants, [ECF No. 35], on August 12, 2025. Therefore, it is hereby

ORDERED AND ADJUDGED that **within ten (10) days** of this Order, Plaintiff must file a *Motion for Default Final Judgment* (“Motion”). The *Motion* must include affidavits of any sum certain due by Defendants, and any other supporting documentation necessary to determine Plaintiff’s measure of damages. The *Motion* shall also be accompanied by (1) the necessary

affidavit under the Servicemembers Civil Relief Act, 50 U.S.C. app. section 521(b), if applicable; (2) a proposed order; and (3) a proposed final judgment. Pursuant to CM/ECF Administrative Procedures, the proposed orders **shall be submitted to the Court by e-mail in Word format at ruiz@flsd.uscourts.gov**. **The email subject line must include the case number as follows: XX-CV-XXXX-RAR.** Plaintiff shall send a copy of the *Motion* to Defendants' counsel or to Defendants if they do not have counsel. In the certificate of service, Plaintiff shall indicate that notice was sent and the addresses to where notice was sent.

If Defendants fail to move to set aside the Clerk's Default or respond to the *Motion* within the time permitted by the Rules, default final judgment may be entered, which means that Plaintiff may be able to take Defendants' property or money, and/or obtain other relief against Defendants. Plaintiff's failure to file a *Motion for Default Final Judgment* within the specified time frame will result in a **dismissal without prejudice** and without further notice.

This matter shall remain administratively **CLOSED** given the entry of default. Accordingly, Plaintiff's Motion to Reopen Case, [ECF No. 30], is **DENIED as moot**.

DONE AND ORDERED in Miami, Florida, this 12th day of August, 2025.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE