

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

CHARLES M MURRELL, III,

v.

CIVIL ACTION NO:1:23-CV-11802-IT

PATRIOT FRONT ET AL

STANDING ORDER REGARDING MOTIONS FOR DEFAULT JUDGMENT

A Notice of Default has been issued as to the Defendant Patriot Front upon request of the plaintiff(s) in the above entitled action.

In anticipation of a Motion for Entry of Default Judgment being filed, counsel are advised of the following requirements for submission of such motion in order to ensure compliance with Rule 55 of the Federal Rules of Civil Procedure:

1. A party seeking a default judgment shall file a motion within 30 days of the date of the issuance of this Order and shall comply with all the requirements of Fed. R. Civ. P. 55, including those related to filing of affidavits. The moving party shall submit with the motion for default judgment an appropriate form of default judgment in the fashion of the draft order attached hereto as Appendix A.;
2. Within 14-days from the filing of a motion for default judgment, the party against whom default judgment is sought may file a substantiated opposition to the default judgment motion and request a hearing thereon;
3. The Court will take up the motion for default judgment on the papers at the conclusion of the 14-day period. Should the motion for default judgment at that time fail to comply with Fed. R. Civ. P. 55, the motion will be denied without prejudice, but any renewed motion for default judgment may not include a request for interest, costs, or attorneys' fees in the matter;
4. If for any reason the moving party cannot take necessary and appropriate action within the timelines set forth herein, that party shall file an affidavit describing the status of this case and show good cause why necessary and appropriate action with respect to this Standing ORDER cannot be taken in a timely fashion and further why this case should remain on the docket. Failure to comply with this paragraph will result in the entry of dismissal of the moving party's claims for want of prosecution.

Date: December 19, 2023

By the Court,
/s/ – **Danielle Kelly**
Deputy Clerk

APPENDIX A

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Plaintiff(s)

v.

CIVIL ACTION NO:

Defendant(s)

FORM OF
DEFAULT JUDGMENT

Defendant _____ having failed to plead or otherwise defend in this action and its default having been entered,

Now, upon application of plaintiff and affidavits demonstrating that defendant owes plaintiff the sum of \$ _____ that defendant is not an infant or incompetent person or in the military service of the United States, and that plaintiff has incurred costs in the sum of \$ _____.

It is hereby ORDERED, ADJUDGED AND DECREED that plaintiff recover from defendant _____ the principal amount of \$ _____, with costs in the amount of \$ _____ and prejudgment interest at the rate of _____% from _____ to _____ in the amount of \$ _____ for a total judgment of \$ _____ with interest as provided by law.

By the Court,

DEPUTY CLERK

DATED: December 19, 2023

NOTE: The post judgment interest rate effective this date is _____%.