

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Plaintiff(s)

v.

CIVIL ACTION NO. _____

Defendant(s)

**STANDING ORDER REGARDING
MOTIONS FOR DEFAULT JUDGMENT**

_____,

A Notice of Default has been issued to the above named defendant(s) 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 making a motion for default judgment shall comply with all the requirements of Fed. R. Civ. P. 55 and shall include the filing of affidavits showing the amount of damages. The moving party shall also submit an appropriate form of default judgment in the fashion of the draft order attached hereto as Appendix A;

2. Within 14 days after the filing of the motion for default judgment, the party against whom default judgment is sought shall have an opportunity to file substantiated opposition to the default judgment motion and to 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;

4. A motion for default judgment with respect to this Standing ORDER shall be made by the moving party within 30 days of the date of the issuance of this ORDER unless there are multiple parties in the case and not all have defaulted, in which case such motion shall be made no later than 14 days after entry of judgment or at such time as is set by the court in consultation with the parties. If for any other reason the moving party does not file a motion for default judgment, that party shall file an affidavit describing the status of this case and show good cause why further action with respect to this Standing ORDER cannot be taken in a timely fashion and 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.

By the Court,

Deputy Clerk

Dated: _____

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,

Dated: _____

Deputy Clerk

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