

**UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS**

|                         |   |                              |
|-------------------------|---|------------------------------|
| FIFTH THIRD BANK,       | ) |                              |
|                         | ) |                              |
| Plaintiff,              | ) |                              |
|                         | ) |                              |
| vs.                     | ) | Case No. 11-cv-02061-EFM-JPO |
|                         | ) |                              |
| J. SCOTT WHITE, L.L.C., | ) |                              |
| JEFFERY SCOTT WHITE,    | ) |                              |
| AND LAURIE WHITE,       | ) |                              |
|                         | ) |                              |
| Defendants.             | ) |                              |

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff's motion for default judgment against defendants J. Scott White, L.L.C., Jeffery Scott White, and Laurie White. (Doc. # 12). Plaintiff alleges that defendants J. Scott White, L.L.C. and Jeffery Scott White breached the terms of a note, loan agreement and security agreement which plaintiff purchased and has the right to enforce. Plaintiff also alleges that defendants Jeffery Scott White and Laurie White personally guaranteed the debts and obligations of defendant J. Scott White, L.L.C. and Jeffery Scott White, and so are indebted to plaintiff in the same amount and to the same extent as J. Scott White, L.L.C. and Jeffery Scott White. See Complaint (Doc. #1). Plaintiff now seeks a default judgment against each of the defendants in the total amount due and owing under the note and guaranties, plus interest accruing until paid, as well as reasonable attorneys fees.

Plaintiff filed its original complaint on February 2, 2011, and each of the defendants was properly served. After defendants failed to appear or defend, plaintiff filed its Motion for Entry of Default as to defendants (Doc. #10). On April 12, 2011, the Clerk entered default against

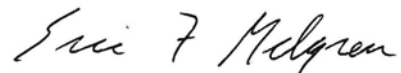
defendants (Doc. #11). Plaintiff filed its motion for default judgment on April 21, 2011. Defendants have not filed a response.

THE COURT FINDS that entry of default judgment against each of the defendants is proper pursuant to Federal Rule of Civil Procedure 55.

IT IS HEREBY ORDERED that the Motion for Default Judgment Against Defendants (Doc. # 12) filed April 21, 2011 be and hereby is SUSTAINED. The Clerk is directed to enter default judgment against defendants J. Scott White, L.L.C., Jeffery Scott White, and Laurie White, in favor of the plaintiff in the amount of \$491,541.23, plus interest at \$100.49 per day from April 26, 2011 until paid, plus reasonable attorneys fees in the amount of \$3,728.50.

**IT IS SO ORDERED.**

Dated this 22nd day of April, 2011 at Wichita, Kansas.

A handwritten signature in black ink, reading "Eric F. Melgren". The signature is written in a cursive, flowing style.

ERIC F. MELGREN  
UNITED STATES DISTRICT JUDGE