

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JOHN GING,

Plaintiff,

vs.

Case No. 11-2313-JTM

NATIONAL MANAGEMENT RECOVERY CORP.,

Defendant.

MEMORANDUM AND ORDER

The plaintiff, John Ging, has brought this action under the Fair Debt Collection Act, Title 15 U.S.C. § 1692k seeking statutory damages. Mr. Ging filed his Complaint on June 6, 2011, and served defendant, National Management Recovery Corp., on June 10. National Management did not appear or defend, and the Clerk entered default against it on October 27, 2011. Defendant has not appeared personally or by a representative and has not responded to Mr. Ging's Complaint. Mr. Ging now seeks default judgment (Dkt. No. 9), in the following amounts:

Statutory Damages:               \$1,000.00

Attorney's Fees:                 \$2,125.00

Costs:                               \$355.79

Post Judgment Interest at the applicable rate.

The court may enter default judgment without a hearing unless it needs to “conduct an accounting; determine the amount of damages; establish the truth of any allegation by evidence; or investigate any other matter.” FED. R. CIV. P. 55(b)(2)(A)-(D); *see also Hunt v. Inter-Globe Energy*,

*Inc.*, 770 F.2d 145, 148 (10th Cir. 1985) (holding a district court may enter default judgment without a hearing when the claimed damages are capable of mathematical calculation). The court finds the amounts sought by Mr. Ging are authorized under 15 U.S.C. § 1692k(a) and, therefore, enters default judgment against the defendant in the amount of \$3,480.79 plus post-judgment interest at the statutory rate.

IT IS ACCORDINGLY ORDERED this 26<sup>th</sup> day of January 2012, that plaintiff's Motion for Default Judgment (Dkt. No. 9), is granted. The court directs the Clerk to enter default judgment against the defendant in the amount of \$3,480.79 plus post-judgment interest at the statutory rate.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE