

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

EMERY SAPP & SONS, INC.,	)	
	)	
Plaintiff,	)	
	)	Cause No. 4:24-CV-00081-BCW
vs.	)	
	)	
GUNTERT & ZIMMERMAN CONSTR.	)	
DIV., INC.,	)	
	)	
Defendant.	)	

ORDER

Before the Court is Plaintiff's motion for default judgment pursuant to Fed. R. Civ. P. 55(b) (Doc. #13). The Court, being duly advised of the premises, grants said motion.

On February 2, 2024, Plaintiff filed a complaint in this Court. (Doc. #1). Defendant did not timely respond or otherwise evidence an intent to defend itself. Accordingly, on March 8, 2024, Plaintiff filed a motion for entry of default by the Clerk of the Court. (Doc. #8). The motion noted Plaintiff seeks judgment in the amount of \$810,803.52. Plaintiff included as an exhibit an affidavit confirming the same. (Doc. #8-1).

On March 14, 2024, the Court ordered Defendant to show cause within 21 days by written response why a default judgment should not be entered against it. (Doc. #10). To date, Defendant has not responded to the show cause order. On April 10, 2024, the Clerk of the Court entered default against Defendant. (Doc. #10).

On April 29, 2024, Plaintiff filed a second motion for default judgment pursuant to Fed. R. Civ. P. 55(b) noting Defendant still has not responded to the instant lawsuit. Plaintiff emphasizes they seek a sum certain of \$810,803.52 as set forth in their first motion for summary judgment and accompanying affidavit. (Doc. #8-1). Accordingly, it is hereby

ORDERED Plaintiff's motion for of default judgment pursuant to Fed. R. Civ. P. 55(b)
(Doc. #13) is GRANTED. It is further

ORDERED judgment is entered on behalf of Plaintiff in the amount of \$810,803.52.
(Doc. #8-1).

IT IS SO ORDERED.

DATED: May 6, 2024

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT