

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

GRISEL ALONSO, as Receiver for
Elm Tree Investment Advisors, LLC,
Elm Tree Investment Fund, LP,
Elm Tree 'e'conomy Fund, LP, and
Elm Tree Motion Opportunity, LP,

Case No. 16-62603-CIV-DIMITROULEAS
Proceeding Ancillary to
No. 15-CV-60082-Dimitrouleas/Snow

Plaintiff,

v.

JAMES BENVENUTO, an individual,
NGU INVESTORS, LLC, a Florida limited
liability company; JEAN BENVENUTO, an
individual, *et. al.*,

Defendants.

**ORDER GRANTING MOTIONS FOR FINAL DEFAULT JUDGMENT AS TO
DEFENDANTS SURJIT WALIA AND S.W. EQUITIES CORP.**

THIS MATTER came before the Court upon Plaintiff's Motion for Default Final Judgment (the "Motion") against S.W. Equities Corp. [DE 104], and Motion for Default Final Judgment against Surjit Walia [DE 102] (the "Motions")¹, both filed herein on May 2, 2017. The Court has carefully considered the Motions [DEs 102, 104] and is otherwise fully advised in the premises.

On April 10 2017, the Clerk entered a default against Defendants S.W. Equities Corp. and Surjit Walia for failure to appear, answer or otherwise plead to the complaint filed herein within the time required. *See* [DE 67]. Thereafter, on May 2, 2017, Plaintiff filed the instant Motions [DEs 102, 104] seeking default judgment against Defendants. On May 9, 2017, the Court issued an Order to Show Cause why these Motions should not be granted. [DE 108].

Defendant Surjit Walia responded to the Order to Show Cause asking the Court to vacate

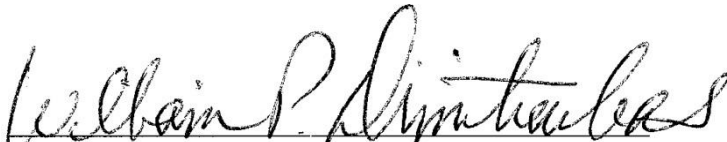
¹ The Motions are styled as "Motions for Clerk's Entry of Default Judgment Against ____[.]" *See* [DEs 102, 104]. However, the Court construes these as Motions for Default Final Judgment; note that the clerk entered default before the filing of these motions.

the Clerk's Default against him and S.W. Equities. *See* [DE 111]. The Court instructed that it "cannot accept Surjit Walia's letter as a response on behalf of S.W. Equities, Inc. Instead, S.W. Equities, Inc. must obtain an attorney to represent its interests." [DE 113]. The Court provided S.W. Equities until June 12, 2017 "to obtain counsel, file a Notice of Attorney Appearance, and respond to the Complaint" and cautioned that "failure to do so will result in the Court granting the Motion for Default Judgment against S.W. Equities, Inc." *Id.* The Court gave Surjit Walia until June 7, 2017 to respond to the Complaint as to himself. *Id.* As of the date of this Order, the Defendants have not responded.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motions [DEs 102, 104] are hereby **GRANTED**.
2. In accordance with Federal Rule of Civil Procedure 58, separate final judgments will be entered.

DONE AND ORDERED in Chambers in Fort Lauderdale, Broward County, Florida this 21st day of June, 2017.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record

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C/O Surjit Walia
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