

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.

**SECOND ORDER TO SHOW CAUSE WHY THE COURT SHOULD NOT GRANT
MOTION FOR FINAL DEFAULT JUDGMENT**

THIS CAUSE is before the Court on the Motion for Default Final Judgment¹ (the “Motion”) [DE 98], filed herein on May 2, 2017. The Court has carefully considered the Motion and is otherwise fully advised in the premises.

On April 10, 2017, the Clerk entered a Default against Harry Tawil [DE 67] for failure to appear, answer or otherwise plead to the complaint filed herein within the time required.

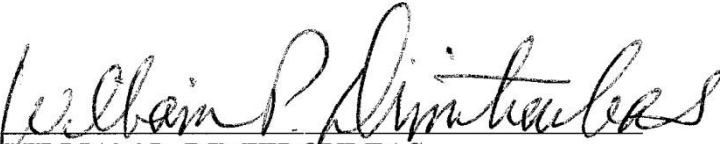
On May 2, 2017, Plaintiff filed the instant Motion [DE 98] seeking final default judgment against Defendant. On May 9, 2017, Defendant was ordered to show cause on or before May 18, 2017 why the instant Motion for Default Judgment [DE 98] should not be granted. [DE 108]. On May 17, 2017, an agreement in principal was announced. Thereafter, the Court granted a Motion for Extension of Time—until May 29, 2017—for Defendant to file the Settlement or respond to

the Order to Show Cause. [DE 114]. The (extended) deadline for response has passed, and Defendant has not filed a settlement or a response. In an abundance of caution, the Court will give Defendant Harry Tawil another opportunity to show cause why the Motion for Default Judgment [DE 98] should not be granted.

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

1. On or before **June 7, 2017**, Defendant Harry Tawil shall show cause as to why the Motion for Default Final Judgment [DE 98] should not be granted;
2. A failure to timely respond shall result in the court granting the Motion for Entry of Final Default Judgment [DE 98];

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 31st day of May, 2017.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record

Harry Tawil
514 Avenue T
Brooklyn, NY 11223

¹ Plaintiff titles the Motions as Motions for Clerk's Entry of Default Judgment, but since a Clerk's Entry of Default has already been entered against these Defendants, the Court construes the Motions as Motions for Final Default Judgment.