UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 21-cv-23400-MARTINEZ

ODETTE BLANCO
DE FERNANDEZ, *et al.*,

Plaintiffs,

v.

MSC MEDITERRANEAN SHIPPING
COMPANY SA,

Defendant.
_____/

ORDER ON FINAL DEFAULT JUDGMENT PROCEDURE

THIS CAUSE came before the Court upon the Clerk's Default entered against Defendant MSC Mediterranean Shipping Company SA, (ECF No. 22). Upon review of the record, it appears that Defendant has indeed failed to answer or otherwise respond to the Complaint. Accordingly, it is ORDERED AND ADJUDGED that:

1. **On or before Monday, February 7, 2022**, Defendant shall (1) file an answer or other response to the Complaint, and (2) file a motion to set aside the Clerk's Default that shows good cause for Defendant's failure to timely respond to the Complaint.[1] If Defendant fails to do so, default final judgment may be entered. In other words, Defendant must object to the Clerk's Default by the above deadline or Plaintiff may be able to obtain the relief requested in its Complaint.

[1] The Court notes that a corporation must be represented by counsel and cannot proceed *pro se*. *Palazzo v. Gulf Oil Corp.,* 764 F.2d 1381, 1385 (11th Cir. 1985). Accordingly, any pleadings or documents filed by the corporate Defendant must be filed through counsel.

2. **On or before Friday, February 11, 2022**, Plaintiffs shall file a motion for final default judgment that includes affidavits of the amounts due by Defendant, if necessary, and any other supporting documentation necessary to determine the measure of damages or conclude this action. Plaintiff shall send a copy of the motion to Defendant's counsel, or to Defendant itself, if Defendant does not have counsel. In the certificate of service, Plaintiffs shall indicate that notice was sent and the address to where it was sent. Plaintiffs' failure to file a motion for final default judgment within the specified time will result in a dismissal without prejudice.

3. Plaintiffs shall immediately send a copy of this Order to Defendant and file a certificate of service on the record.

4. This Clerk is DIRECTED to CLOSE this case for administrative purposes only. This shall not affect the substantive rights of the parties.

DONE AND ORDERED in Chambers at Miami, Florida, this 28th day of January, 2022.

JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
All Counsel of Record