

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

Miami Division

Case Number: 09-60403-CIV-MARTINEZ-BROWN

ALFRED L. MADEIRA,
Plaintiff,

vs.

SEAN HEALY and SHALESE HEALY,
Defendants.

AMENDED¹ DEFAULT FINAL JUDGMENT

THIS CAUSE came before the Court upon Plaintiff Alfred L. Madeira's Amended Motion for Default Final Judgment (D.E. No. 138).² On August 27, 2009, this Court entered its Order Granting Withdrawal of Counsel and Requiring Defendants to File Notice (D.E. No. 117). In this Order, the Court allowed Defendants' counsel to withdraw and required Defendants to retain new counsel and have new counsel file a Notice of Appearance or to file a Notice of Intent to Proceed Pro Se on or before September 14, 2009. Defendants were also cautioned that failing to comply with this Order would result in the Court entering default final judgment against them. Defendants have failed to comply with this Order and no Notice of Appearance or Notice of Intent to Proceed Pro Se has ever been filed.³ Accordingly, it is

ORDERED and ADJUDGED that

1. Plaintiff Alfred L. Madeira's Amended Motion for Default Final Judgment (D.E. No. 138) is **GRANTED in part**.

¹This judgment is amended to reflect the award of prejudgment interest and punitive damages.

²The Court has reviewed the Receiver's Response to Plaintiff Madeira's motion for default final judgment. *See* (D.E. No. 140). The Court notes that it would be inappropriate for it to express an opinion on any preclusive effect of this judgment as to any future actions or as to any pending actions in other jurisdictions.

³Defendants have also never responded to Plaintiff Madeira's Amended Complaint.

2. Judgment is hereby entered in favor of Plaintiff ALFRED L. MADEIRA and against Defendants SEAN HEALY and SHALESE HEALY, jointly and severally.

3. Plaintiff Madeira shall recover from Defendants compensatory damages in the amount of \$10,997,000.00; prejudgment interest in the amount of \$1,007,183.78; punitive damages in the amount of \$36,012,549.00; for a sum total of \$48,016,732.78. Interest shall accrue on this judgment pursuant to 28 U.S.C. §1961. For which sum let execution issue.

4. Defendants' counterclaim against Plaintiff Madeira is **DISMISSED without prejudice**. See (D.E. No. 38).

5. Plaintiff Madeira's Motion for Partial Summary Judgment (D.E. No. 92) is **DENIED as MOOT**.

6. The Court finds that Plaintiff Madeira is entitled to attorney's fees and costs and will consider any timely filed motion for such fees and costs.

DONE AND ORDERED in Chambers at Miami, Florida, this 22 day of December, 2009.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Brown
All Counsel of Record
Sean and Shalese Healy
2672 Riviera Manor
Weston, FL 33332