

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

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

DAVID E. RICKER,

Plaintiff,

vs.

SEAN HEALY and SHALESE HEALY,

Defendants.

DEFAULT FINAL JUDGMENT

THIS CAUSE came before the Court upon Plaintiff David E. Ricker's Motion for Final Default Judgment Against Defendants (D.E. No. 133).¹ 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. Accordingly, it is

ORDERED and ADJUDGED that

1. Plaintiff David E. Ricker's Motion for Final Default Judgment Against Defendants

¹The Court has reviewed the Receiver's Response to Plaintiff Madeira's motion for default final judgment. *See* (D.E. No. 139). 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.

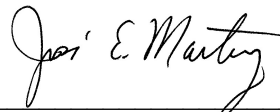
(D.E. No. 133) is **GRANTED**.

2. Judgment is hereby entered in favor of Plaintiff DAVID E. RICKER and against Defendants SEAN HEALY and SHALESE HEALY, jointly and severally.

3. Plaintiff Ricker shall recover from Defendants compensatory damages in the amount of \$400,000.00. Interest shall accrue on this judgment pursuant to 28 U.S.C. § 1961. For which sum let execution issue.

4. The Court also finds that Plaintiff Ricker is entitled to punitive damages and will consider any motion filed by Plaintiff Ricker for punitive damages² in this case provided that such motion is filed within 15 days of the date of this Order.

DONE AND ORDERED in Chambers at Miami, Florida, this 30 day of November, 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

²Plaintiff did not request these damages in his motion; however, he does include them in his proposed order.