



Wilson v. HSBC Bank

2007 | Cited 0 times | E.D. Michigan | February 23, 2007

ORDER DENYING PLAINTIFFS' (1) MOTION TO REMOVE CASE FROM NO PROGRESS CALENDAR AND (2) MOTION TO PLACE DEFENDANT IN DEFAULT AND INJUNCTIVE RELIEF AND FINAL ORDER

At a session of said Court, held in the U.S. District Courthouse, Eastern District of Michigan, on February 23, 2007.

Plaintiffs filed this action against Defendant in the Circuit Court of Genesee County, Michigan, alleging that Defendant wrongfully foreclosed on Plaintiffs' property. Defendant removed Plaintiffs' Complaint to federal court on November 3, 2006, and filed an Answer to the Complaint on February 12, 2007. In the interim, on January 23, 2007, the parties appeared before this Court for an initial scheduling conference, at which time the Court entered a Scheduling Order. Presently before the Court are the following motions filed by Plaintiffs on February 9, 2007: (1) "Motion to Remove Case From No Progress Calendar" and (2) "Motion to Place Defendant in Default and Injunctive Relief and Final Order."

With respect to the first motion, this matter is not on a "no progress calendar." In fact, this Court does not maintain a "no progress calendar." With respect to the second motion, at this juncture, Defendant has filed an Answer to Plaintiffs' complaint. Accordingly there is no basis for entering a default judgment against Defendant. See FED. R. CIV. P. 55.

Accordingly,

IT IS ORDERED, that Plaintiffs' Motion to Remove Case From No Progress Calendar is DENIED;

IT IS FURTHER ORDERED, that Plaintiffs' Motion to Place Defendant in Default and Injunctive Relief and Final Order is DENIED.

PATRICK J. DUGGAN UNITED STATES DISTRICT JUDGE

