

Forms are generic suggestions. Parties and their attorneys should revise them to address the unique circumstances of each case.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
DIVISION
www.flmb.uscourts.gov

In re)
)
,) Case No. ____:____-bk-____-____
) Chapter
Debtor.*)
_____)
)
,)
) Plaintiff,)
)
vs.) Adversary No. ____:____-ap-____-____
)
,)
)
Defendant.)
_____)

MOTION FOR DEFAULT JUDGMENT

Plaintiff(s), [enter plaintiff name], move(s) this Court for a Judgment by Default against the Defendant(s), [enter defendant name], and would show:

1. Plaintiff(s) filed this adversary proceeding against the Defendant(s) seeking [enter relief requested].
2. Service was made by summons issued on [enter date] on the Defendant(s), in compliance with the Federal Rules of Bankruptcy Procedure Rule 7004.
3. No extension of time was sought by the Defendant(s).
4. Defendant(s) has/have failed to file a responsive pleading or motion to the Complaint.

* All references to "Debtor" include and refer to both debtors in a case filed jointly by two individuals.

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5. A default was entered against the Defendant(s), [enter defendant name], on [enter date default entered on docket] (Doc. No. ____).

6. Plaintiff(s) has/have filed an affidavit contemporaneously with this motion supporting the allegations in the Complaint and establishing grounds for the entry of a Final Default Judgment.

7. Wherefore, Plaintiff(s) seeks(s) a default judgment against the Defendant(s) as a result of the failure to respond.

Dated: [insert date].

/s/ Signature

Attorney Name

Attorney Bar No.

Attorney E-Mail

Attorney Address

Attorney Phone Number

Attorney for Movant(s)

PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on _____, to: [list names and addresses of all parties served]

/s/ Signature

Attorney Name

Attorney Bar No.

Attorney E-Mail

Attorney Address

Attorney Phone Number

Attorney for Movant(s)