

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:05-CV-166-BO

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
UNITED RENTAL HOMES, LLC;)
GERARD N. JOINER d/b/a UNITED)
RENTAL HOMES; and CANDICE A.,)
JOINER d/b/a UNITED RENTAL HOMES)
)
Defendants.)
_____)

ORDER

This matter is before the Court on Plaintiff's Motion for Default Judgment. In their motion, Plaintiffs seek default judgment against Defendants United Rental Homes, LLC; Gerard Joiner, d/b/a United Rental Homes; and Candice A. Joinder, d/b/a United Rental Homes.

Plaintiff brought this action on March 10, 2005, alleging in the Complaint that Defendants subjected Tara L. Jacobs, Jamie Taylor and other similarly situated female employees to a sexually hostile work environment, and constructively discharged the female employees as a result of the harassment. Defendants failed to answer or otherwise plead in response to Plaintiff's Complaint, and on December 29, 2005, the Clerk of Court entered default against Defendants. Plaintiff subsequently filed a Motion for Default Judgment, and a hearing on the motion was held on April 12, 2006 before the undersigned, with none of the Defendants present.

Finding default judgment warranted under Federal Rule of Civil Procedure 55(b),

Plaintiff's Motion is GRANTED, and the Clerk of Court is hereby ORDERED to enter a Judgment of Default against Defendants United Rental Homes, LLC; Gerard Joiner, d/b/a United Rental Homes; and Candice A. Joinder, d/b/a United Rental Homes.

Rule 55 provides that the Court may take evidence in order to determine the amount of damages. Fed. R. Civ. P. 55(b). Based on the evidence adduced at the hearing, the Court awards Ms. Jacobs and Ms. Taylor the following damages:


1. Tara Jacobs is awarded \$1,575 in back pay, plus \$200 withheld from her last paycheck, plus interest. Ms. Jacobs is further awarded \$20,000 in compensatory damages, and \$30,000 in punitive damages.
2. Jamie Taylor is awarded \$1,400 in back pay, plus \$100 withheld from her last paycheck, plus interest. Ms. Taylor is further awarded \$20,000 in compensatory damages, and \$30,000 in punitive damages

CONCLUSION

For the reasons stated above, the Clerk of Court is DIRECTED to enter default judgment against Defendants United Rental Homes, LLC; Gerard Joiner, d/b/a United Rental Homes; and Candice A. Joinder, d/b/a United Rental Homes. Tara Jacobs is hereby awarded \$51,775, and Jamie Taylor is awarded \$51,500, plus interest on payments owed, against the defaulting Defendants.

SO ORDERED.

This 3 day of August, 2006.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE