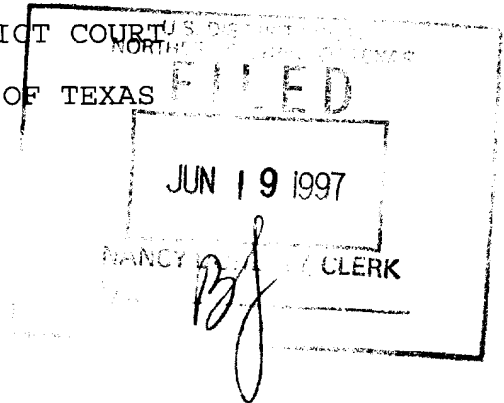


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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

v.

No. 3:97-CV-0533-T

SIDEX FURNITURE INTERNATIONAL CORPORATION,

Defendant.

ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT JUDGMENT

Before the Court is Plaintiff's Motion for Entry of Default Judgment, filed on June 16, 1997. After consideration, the Court is of the opinion that the motion should be denied without prejudice.

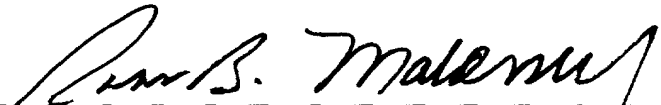
Plaintiff filed the motion for default judgment and submitted to the Clerk the request for entry of default. See Fed. R. Civ. P. 55(a). The Clerk, however, refused to sign the entry of default because Defendant had appeared and filed a motion to transfer venue. This Court will not issue a default judgment while the motion to transfer venue is still pending. Defendant is on notice, however, that its failure to file a responsive pleading or Rule 12(b) motion subject to the transfer motion could result in Plaintiff's taking a default judgment against it once the Court has

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ruled on the motion to transfer venue.

It is therefore **ORDERED** that Plaintiff's Motion for Entry of Default Judgment, filed on June 16, 1997, is hereby denied without prejudice.

Signed this *19th* day of June, 1997.



Robert B. Maloney
U.S. District Judge