

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DORENDA DAVIS,

Plaintiff,

v.

ADVANCED CREDIT RECOVERY, INC.,

Defendants.

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Civil Action No. 1:10-CV- 01136 - RGA

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**MEMORANDUM**

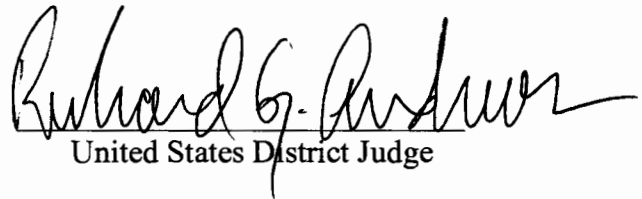
Plaintiff is entitled to default judgment pursuant to Federal Rule of Civil Procedure 55. Damages are allowed pursuant to 15 U.S.C. § 1692k(a)(2)(A) with a maximum of \$1,000. After consideration of the frequency and nature of Advanced Credit Recovery Inc.'s non-compliance, the total sum allowable is due the Plaintiff. The issue that remains is what amount of attorney's fees is reasonable pursuant to Federal Rule of Civil Procedure 55(b)(2).

The attorney's fees enumerated in the record includes billing for amended complaints to correct Advanced Credit Recovery's address. (D.I. 18). Fees relating to the redrafting and filing of amended complaints are not reasonable as due diligence prior to filing the original complaint would have made amending unnecessary. The addition of Vincente Bianco as a defendant incurred fees which also are not reasonable as a default judgment has not been entered against this party. (D.I. 17).

The reasonable fees are those incurred in the pursuit of the original complaint, the service on Advanced Credit Recovery, the request for default and the motion for default judgment. Fees for these actions equal \$2,761.

For the above stated reasons a judgment should be entered against Advanced Credit

Recovery for \$3,761. This sum includes \$1,000 in damages pursuant to 15 U.S.C. § 1692k(2)(A) as well as \$2,761 in reasonable attorney's fees pursuant.

  
United States District Judge

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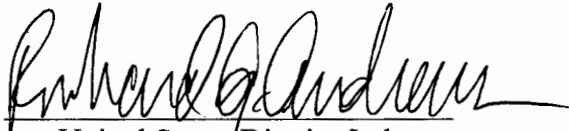
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**ORDER**

For the reasons stated in the accompanying Memorandum, default judgment is entered against Advance Credit Recovery, Inc.

1. Plaintiff is awarded damages in the amount of One Thousand Dollars (\$1,000.00).
2. Defendant Advanced Credit Recovery, Inc. shall further pay Plaintiff's attorney's fees in the amount of Two Thousand, Seven Hundred and Sixty One Dollars (\$2,761).

  
United States District Judge  
9/26/12