

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

CONSUMER FINANCIAL)	
PROTECTION BUREAU, et al.,)	
)	
Plaintiffs,)	Civil Action No. 5:21-cv-00016
)	
v.)	By: Elizabeth K. Dillon
)	United States District Judge
NEXUS SERVICES, INC., et al.,)	
)	
Defendants.)	

ORDER

For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED that:

1. Upon the certification of facts and order to show cause by U.S. Magistrate Judge Joel C. Hoppe pursuant to 28 U.S.C. § 636(e)(6)(B)(iii) (Dkt. No. 181) and declarations submitted by the parties, defendants Nexus Services, Inc., Libre by Nexus, Inc., Micheal Donovan, Richard Moore, and Evan Ajin (“defendants”) are hereby ADJUDGED IN CIVIL CONTEMPT for violating the court’s June 8, 2022 Discovery Order (Dkt. No. 129);
2. Plaintiffs’ motion for sanctions (Dkt. No. 139) is GRANTED insofar as it seeks entry of default judgment against all defendants pursuant to Federal Rule of Civil Procedure 37(b)(2)(A)(vi);
3. The clerk is directed to enter default judgment against each defendant;
4. The show-cause order regarding the Entity Defendants’ failure to timely retain counsel (Dkt. No. 182) is WITHDRAWN AS MOOT; and

5. Defendants' motion for judgment on the pleadings (Dkt. No. 198) is DISMISSED AS MOOT.

The court will hold additional proceedings to determine the appropriate remedies and/or damages in connection with the entry of default judgment against each defendant. Accordingly, it is further ORDERED that:

1. Plaintiffs shall file any opening brief on the issues of remedies and/or damages on or before June 1, 2023;
2. Defendants shall file any response brief on the issues of remedies and/or damages on or before June 15, 2023;
3. Any witness and/or exhibit lists for a hearing on the issues of remedies and/or damages shall be filed on or before June 22, 2023; and
4. The parties, by counsel, are directed to participate in the status conference call scheduled for today at 2:30 p.m. to set a date for the hearing.

The clerk is directed to provide a copy of this order and the accompanying memorandum opinion to all counsel of record.

Entered: May 11, 2023.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge