

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

PROGRESSIVE SPECIALTY
INSURANCE COMPANY,

Plaintiff,

Case No. 1:13-cv-01022-JDB-egb

v.

GEORGE REEVES, WILLIAM
REEVES, TOLLGATE LOGISTICS
CORPORATION, REEVES
TRANSPORTATION, INC., and
CEDRICK TUCKER,

Defendants.

REPORT AND RECOMMENDATION

On referral to this Court [D.E. 30] are four separate motions for default judgment sought by the Plaintiff Progressive Specialty Insurance Company (“Progressive”). None of the Defendants have answered the Progressive lawsuit which seeks declaratory judgment against George Reeves, William Reeves, Logistics Corporation and Reeves Transportation, Inc.

The remaining Defendant in this declaratory judgment lawsuit, Mr. Cedric Tucker, was involved in a vehicular accident and later brought a tort lawsuit against all or some of the Defendants George Reeves, William Reeves, Tollgate Logistics Corporation and Reeves Transportation, Inc. bringing into play the issue of liability insurance, which precipitated the filing of this declaratory judgment action by Progressive.¹

¹ Defendant Cedrick Tucker now has entered into a stipulation of judgment that he did not intend to defend or otherwise make an appearance in this declaratory judgment action. The Court entered a Consent Stipulated Order of Judgment on July 30, 2013 [D.E. 32].

On April 9, 2013, the Clerk of this Court made entry of default against these four Defendants George Reeves, William Reeves, Tollgate Logistics Corporation and Reeves Transportation, Inc. [D.E. 21].

Pursuant to Rule 55(b)(2)(C) this Magistrate Court reports and recommends that a default judgment be granted Plaintiff Progressive that declares Plaintiff Progressive Specialty Insurance Company is not obligated in any way to these Defendants George Reeves, William Reeves, Tollgate Logistics Corporation and Reeves Transportation, Inc. under the subject insurance policy for any defense or indemnity as a result of the November 17, 2011 vehicular accident involving Defendant Cedric Tucker.

Respectfully Submitted,

s/Edward G. Bryant
EDWARD G. BRYANT
UNITED STATES MAGISTRATE JUDGE

Date: **August 21, 2013**

ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT AND RECOMMENDATIONS MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT AND RECOMMENDATIONS. 28 U.S.C. § 636(b)(1). FAILURE TO FILE THEM WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.