

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

Old Guard Insurance Company v. Claude Heath and William Griffin

Old Guard Insurance · No. 25-cv-01282-STA-jay · Decided April 16, 2026

SUMMARY

The United States District Court for the Western District of Tennessee denied William Griffin’s motion to vacate a default judgment under Federal Rule of Civil Procedure 60(b) and to set aside the entry of default under Rule 55(c). The court held that Griffin was properly served, was not deprived of due process, and acted culpably by failing to timely defend the action. The court also found that setting aside the judgment would prejudice Old Guard Insurance Company.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Eastern Division
WRITING FOR THE COURT	S. Thomas Anderson
JURISDICTION	United States District Court for the Western District of Tennessee, Eastern Division
DECIDED	April 16, 2026
DOCKET	25-cv-01282-STA-jay
DISPOSITION	other
PROCEDURAL POSTURE	Defendant William Griffin moved under Federal Rules of Civil Procedure 60(b)(4), 60(b)(1), 60(b)(6), and 55(c) to vacate a default judgment and set aside the Clerk's entry of default in the plaintiff's insurance declaratory-judgment action. The district court denied the motion.
STANDARD OF REVIEW	A motion to vacate a default judgment is governed by the stricter standards of Federal Rule of Civil Procedure 60(b), rather than the more lenient Rule 55(c) standard for setting aside an entry of default. Relief under Rule 60(b)(4) is available only for a fundamental jurisdictional or due-process infirmity, and relief under Rule 60(b)(6) requires extraordinary circumstances together with the equitable factors applicable to Rule 55 relief.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

default judgment default service of process civil procedure insurance coverage

PRACTICE AREAS

Civil procedure Insurance coverage Declaratory judgment

QUESTIONS PRESENTED

1. Whether the default judgment was void under Rule 60(b)(4) because service of process was defective.
2. Whether Griffin was deprived of due process because he allegedly lacked notice or an opportunity to be heard before entry of default judgment.
3. Whether Griffin was entitled to relief under Rule 60(b)(1) for excusable neglect or under Rule 60(b)(6) based on extraordinary circumstances.
4. Whether the Clerk's entry of default should be set aside under Rule 55(c) for good cause.

HOLDINGS

1. The default judgment was not void because Griffin was personally served with process; the erroneous insertion in the return of service stating that he was authorized to accept service for the Crockett County Sheriff's Department did not invalidate service.
2. Griffin was not denied due process because he received notice through personal service and was not deprived of an opportunity to be heard; his failure to respond resulted from his own conduct.
3. Griffin did not establish good cause to set aside the entry of default because his culpable conduct led to the default and plaintiff would suffer prejudice from vacatur.
4. Griffin was not entitled to relief under Rule 60(b)(1) or Rule 60(b)(6) because his failure to defend was not excusable neglect and he did not establish extraordinary circumstances warranting relief.

KEY QUOTATIONS

“A motion to vacate a default judgment is analyzed under the stricter standards of Rule 60(b) “rather than under the more lax standards governing a motion to vacate the entry of default under Rule 55(c).”” (at 2)

““A judgment is not void, for example, simply because it is or may have been erroneous.”” (at 3)

““Instead, Rule 60(b)(4) applies only in the rare instance [when] a judgment is premised either on a certain type of jurisdictional error or on a violation of due process that deprives a party of notice or the opportunity to be heard.”” (at 3)

“Instead, his own culpable behavior led to the granting of the default judgment.” (at 5)

FACTUAL BACKGROUND

Griffin was personally served with the summons and complaint on January 14, 2026, but did not timely answer or otherwise defend. The Clerk entered default on February 12, and the court entered a default judgment on

February 20 declaring no coverage under Old Guard's policy for Griffin's claim and setting aside an appraisal award. Griffin asserted that service was defective because the proof of service contained an erroneous statement concerning his authority to accept service for the Crockett County Sheriff's Department, and he also cited his lack of awareness that counsel had withdrawn and a mistaken assumption concerning an email from plaintiff's counsel. He did not dispute that he was personally served and waited until March 23 to seek relief.

PROCEDURAL HISTORY

The Clerk entered default against Griffin after he failed to answer or otherwise defend following personal service. The court then entered a default judgment declaring that the policy provided no coverage for Griffin's claim and setting aside an appraisal award. Griffin later moved to vacate the default judgment, arguing defective service, due-process violations, excusable neglect, and good cause; the court denied relief.

DISPOSITION

other

CASES CITED

- United States v. \$22,050.00 U.S. Currency, 595 F.3d 318, 324 (6th Cir. 2010)
- Weiss v. St. Paul Fire and Marine Ins. Co., 283 F.3d 790, 794 (6th Cir. 2002)
- United Student Aid Funds, Inc. v. Espinosa, 559 U.S. 260, 270-71 (2010)
- Blue Diamond Coal Co. v. Trustees of UMWA Combined Ben. Fund, 249 F.3d 519, 524 (6th Cir. 2001)
- BLOM Bank SAL v. Honickman, 605 U.S. 204, 210, 212 (2025)
- Export-Import Bank of U.S. v. Advanced Polymer Scis., Inc., 604 F.3d 242, 247 (6th Cir. 2010)
- Ghaleb v. Am. S.S. Co., 770 F. App'x 249, 249-50 (6th Cir. 2019)
- Owners Ins. Co. v. Newman, 21-cv-2386-STA-tmp
- Griffin v. American Select Ins. Co., 21-cv-2818-STA-jay
- BC North Partners v. Pennsylvania National Mutual Casualty Ins. Co., 24-cv-1114-STA-jay
- P&G Construction Consultants, LLC v. Pennsylvania National Mutual Casualty Ins. Co., 24-cv-1166-STA-jay