

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Renelle Hernandez v. Cajun Bourbon, LLC

Hernandez · No. 25-2015 · Decided March 13, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana grants Cajun Bourbon, LLC’s motion to set aside entry of default under Federal Rule of Civil Procedure 55(c). The court finds that the default was not willful, that plaintiff would not be prejudiced, and that the case should proceed on the merits; plaintiff’s motion for default judgment is denied as moot, and defendant is ordered to file responsive pleadings by March 27, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Janis van Meerveld
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	March 13, 2026
DOCKET	25-2015
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 55(c) to set aside an entry of default. Plaintiff opposed and separately moved for default judgment. The district court granted the motion to set aside default and denied the motion for default judgment as moot.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 55(c), an entry of default may be set aside for good cause. The court considers whether the default was willful, whether setting it aside would prejudice the adversary, and whether the defendant presents a meritorious defense. The standard is less rigorous than the standard for setting aside a judgment for excusable neglect.
PRECEDENTIAL VALUE	Unpublished district court order; generally nonprecedential.

TOPICS

default

default judgment

service of process

civil procedure

PRACTICE AREAS

civil procedure

employment law

civil rights

QUESTIONS PRESENTED

1. Whether Cajun Bourbon showed good cause under Federal Rule of Civil Procedure 55(c) to set aside the entry of default.
2. Whether setting aside the entry of default would prejudice Hernandez.
3. Whether Hernandez's motion for default judgment should be granted after the entry of default was set aside.

HOLDINGS

1. The entry of default must be set aside because Cajun Bourbon established good cause: its failure to defend was not willful, Hernandez would not be prejudiced, and the case should proceed on the merits.
2. The motion for default judgment was denied because setting aside the entry of default rendered the motion moot.

KEY QUOTATIONS

“The court may set aside an entry of default for good cause, and it may set aside a final default judgment under Rule 60(b).”

“In determining whether to set aside a default decree, the district court should consider whether the default was willful, whether setting it aside would prejudice the adversary, and whether a meritorious defense is presented.”

“And, it should be remembered, that the Fifth Circuit has “adopted a policy in favor of resolving cases on their merits and against the use of default judgments.””

FACTUAL BACKGROUND

Hernandez sued her former employer, Cajun Bourbon, alleging sexual harassment and discrimination. After repeated unsuccessful attempts to serve Cajun Bourbon's registered agents, the court authorized substituted service on an employee of Olde N'Awlins Cookery Restaurant, which Cajun Bourbon operated. A process server left the summons and complaint with a person identified as a manager, but Cajun Bourbon did not answer by the deadline and default was entered. Cajun Bourbon's president stated that the company did not learn of the suit until February 6, 2026, after which it promptly appeared through counsel.

PROCEDURAL HISTORY

Hernandez filed suit alleging sexual harassment and discrimination against Cajun Bourbon. After unsuccessful attempts to serve the registered agents, the court authorized substituted service on an employee of the restaurant operated by Cajun Bourbon. No answer was filed by the deadline, and the court entered default on February 3, 2026. Cajun Bourbon appeared on February 12, 2026, moved to set aside the default, and Hernandez later moved for default judgment.

DISPOSITION

other

REMAND INSTRUCTIONS

Cajun Bourbon was ordered to file its responsive pleadings no later than March 27, 2026.

CASES CITED

- United States v. One Parcel of Real Prop., 763 F.2d 181, 183 (5th Cir. 1985)
- Rogers v. Hartford Life & Acc. Ins. Co., 167 F.3d 933, 936 (5th Cir. 1999)

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